

Small Business Regulatory Fairness Board
Small Business Impact Statement

Date:

Rule Number: 8.500

Name of Agency Preparing Statement: Missouri Department of Natural Resources' Water Protection Program

Name of Person Preparing Statement: Diane Reinhardt

Phone Number: 573-751-6568

Email: diane.reinhardt@dnr.mo.gov

Name of Person Approving Statement: John Madras, WPP Director

Please describe the methods your agency considered or used to reduce the impact on small businesses (*examples: consolidation, simplification, differing compliance, differing reporting requirements, less stringent deadlines, performance rather than design standards, exemptions, or any other mitigating technique*).

This rule reduces the overall economic impact to small businesses because the requirement to obtain construction permits is being removed (unless a facility is also constructing an earthen basin). The rule is also being clarified, and that is expected to help. These changes are expected to help all agricultural facilities, not just those operated by small businesses.

Please explain how your agency has involved small businesses in the development of the proposed rule.

Small businesses were invited to participate in one stakeholder meeting in 2014. The meeting was well-attended. We incorporated the input of stakeholders in several places.

Please list the probable monetary costs and benefits to your agency and any other agency affected. Please include the estimated total amount your agency expects to collect from additionally imposed fees and how the moneys will be used.

This amendment is not expected to provide any benefits or monetary costs to public entities.

Please describe small businesses that will be required to comply with the proposed rule and how they may be adversely affected

Small agricultural chemical storage facilities would be positively affected by this rule in not having the expense of a construction permit. The only additional expense for these small businesses would be for dry fertilizer storage facilities because the rule will now require these facilities to construct concrete pads that will help to contain materials making them easier to clean up and helping to prevent them from migrating into the environment.

Please list direct and indirect costs (in dollar amounts) associated with compliance.

In general, the rulemaking is expected to save small business money and time because construction permits will no longer be required for these facilities. Dry fertilizer storage facilities would incur less than \$500 additional expense in having to construct a concrete loading pad.

Please list types of business that will be directly affected by, bear the cost of, or directly benefit from the proposed rule.

This rule applies to small businesses that operate as bulk agrichemical facilities and is intended to serve as a design guide for the design, construction and operation of primary, secondary and operational containment structures at these facilities. Most of these facilities in Missouri are classified as small businesses.

Does the proposed rule include provisions that are more stringent than those mandated by comparable or federal, state, or county standards?

Yes No

If yes, please explain the reason for imposing a more stringent standard.

Onsite inspections showed that runoff is occurring from loading areas at dry fertilizer storage facilities.

For Further guidance in the completion of this statement, please see §536.300.