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DIVISION OF PUBLIC & BEHAVIORAL HEALTH

Agency: Nevada Division of Public and Behavioral Health, Environmental Health Section
LCB File Number: R080-23

INFORMATIONAL STATEMENT PER NRS 233B.066

1. A clear and concise explanation of the need for the adopted regulation.

Changes NAC 445A.547 from “outside” to “within” in the Section title and in (1) removes the annual permit to sell or distribute bottled water produced in a plant located outside of the state of Nevada as per NAC 445A.589. This change will effectively remove the requirement for firms importing water into Nevada from the requirement to obtain a permit in Nevada. Bottled water firms are already permitted by their county or state, and the U.S. Food and Drug Administration or the Country of origin. Additional permitting by the State of Nevada is duplicative and unnecessary.

2. A description of how public comment was solicited, a summary of public response and public workshop information.

A Small Business Impact Questionnaire, along with a copy of the proposed regulation changes, was posted as per Nevada State law. Out of the small-business impact questionnaires sent out when the questionnaire was distributed, two (2) responses were received. None of the respondents believe the regulations will have an adverse economic impact on their business.

Any persons interested may obtain a copy of the meeting summary from the Public Workshop by visiting the Environmental Health Services website, https://dpbh.nv.gov/Reg/Environmental_Health/ or by emailing thayes@health.nv.gov.

3. A statement indicating the number of persons who attended each hearing, testified at each hearing, and submitted written statements regarding the proposed regulation. This statement should include for each person identified pursuant to this section that testified and/or provided written statements at each hearing regarding the proposed regulation, the following information, if provided to the agency conducting the hearing:

A public workshop was held on Friday, April 21, 2023. There were no comments during the meeting for NAC 445A.

4. A description of how comment was solicited (i.e., notices) from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

A Small Business Impact Questionnaire, along with a copy of the proposed regulation changes, was posted as per Nevada State law. There were no verbal response and no written responses to the questionnaire. Only two comments were received for this change and they were received electronically. See summary below.

Summary Of Comments Received			
Two (2) responses were received for the small business impact questionnaires distributed.			
Will a specific regulation have an adverse economic effect upon your business?	Will the regulation (s) have any beneficial effect upon your business?	Do you anticipate any indirect adverse effects upon your business?	Do you anticipate any indirect beneficial effects upon your business?
Yes: 0	Yes: 1	Yes: 0	Yes: 0
No: 2	No: 1	No: 2	No: 2
No Response: 0	No Response: 0	No Response: 0	No Response: 0

Any persons interested may obtain a copy of the summary may contact the Environmental Health Services website, https://dpbh.nv.gov/Reg/Environmental_Health/ or by emailing thayes@health.nv.gov.

5. If, after consideration of public comment, the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change. The statement should also explain the reasons for making any changes to the regulation as proposed.

Since there were no comments, the regulation was not changed.

6. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:

(a) Both adverse and beneficial effects; and

- a. There is no estimated economic effect of the proposed regulations on the public.
- b. The proposed regulation will have no significant adverse or beneficial effect regulated businesses.

(b) Both immediate and long-term effects.

- a. There is no estimated economic effect of the proposed regulations on the public.
- b. There is no estimated economic effect of the proposed regulation on regulated businesses, either immediate or long term.

7. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no additional cost for the agency to enforce this regulation.

8. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, name the regulating federal agency.

Not applicable

9. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions; and

The regulations are not more stringent than the federal government.

10. If the regulation establishes a new fee or increases an existing fee, a statement indicating the total annual amount the agency expects to collect and the manner in which the money will be used.

No fees were created by this regulation.

NOTE: The Informational statement is essential. If this statement is not included with the final regulations or is incomplete or inaccurate, LCB will return the regulation to the agency. Unless a statement is supplied, the LCB will not submit the regulation to the Legislative Commission, and the regulation never becomes effective (NRS 233B.0665).