

## **SMALL BUSINESS IMPACT STATEMENT**

*In order to accurately predict the impact the adoption, amendment, or repeal of a regulation will have on small businesses, the promulgating authority must conduct a thorough analysis that not only considers the potential effects of the action but also quantifies the costs, if any, associated with each. The questions below are designed to aid promulgating authorities in conducting their analysis.*

**Agency Submitting Regulation:** RI Department of Environmental Management (RIDEM) –  
*Rhode Island Derelict and Abandoned Vessel and  
Obstruction Removal Commission*

**Subject Matter of Regulation:** “*Derelict and Abandoned Vessel and Obstruction Removal Commission Rules and Regulations.*”

The subject regulations were adopted in order to bring the RIDEM into compliance with obligations established by the General Assembly pursuant to R.I. Gen. Laws §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3.

## **ERLID No: TO BE ASSIGNED UPON ADOPTION**

**Statutory Authority:** Chapter 42-17.1 and §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3 of the General Laws of Rhode Island as amended, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws.

**Other Agencies Affected:** None.

**Other Regulations That May Duplicate or Conflict with the Regulation:** None.

**Describe the Scope and Objectives of the Regulation:** The purpose of this filing is to provide municipalities with criteria, in the form of guidelines, to prioritize removal projects undertaken pursuant to R.I. Gen. Laws Chapter 46-6 ( specifically in accordance with the use of the derelict and abandoned vessel and obstruction removal account established in R.I. Gen. Laws § 46-6-10.3), whereby authorized public entities may apply for reimbursement grants for removal activities and associated costs that are reasonable and deemed eligible for coverage by the fund.

**Business Industry (s) Affected by the Regulation:** Marine Salvaging Services

**Types of Businesses Included in the Industry (s):** N/A

**Total Number of Small Businesses Included in the Regulated Industry (s)** *Please see the attached guidance documents for assistance determining the total number of small businesses:* NAICS SBA indicator is:

488330

Marine salvaging services

**Number of Small Businesses Potentially Subject to the Proposed Regulation:** See NAISC SBA indicator number above.

**What is the cost to your agency of establishing and enforcing this regulation?** The cost for RIDEM to administer the program is approximately \$ 10,000.00 annually.

**What would the consequences be if the regulation did not exist?** Without the subject regulations, RIDEM would be deemed out of compliance with obligations established by the General Assembly pursuant to R.I. Gen. Laws §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3.

**Effective Date Used In Cost Estimate:** 2014.

**For each question below, please answer “yes” or “no” and offer a brief explanation.**

**Please describe any facts, data, views, arguments, or other input from small businesses, organizations or any other sources that were used to quantify the impacts outlined below.**

Yes	No	<i>*Note: For each question, please answer “yes” or “no” and offer a brief explanation. Please describe any facts, data, views, arguments, or other input from small businesses, organizations or any other sources that were used to quantify the impacts outlined below.</i>
Yes	No <input checked="" type="checkbox"/>	<b>Will small businesses have to create, file, or issue additional reports?</b> No. The attached regulations were adopted in order to bring the RIDEM into compliance with obligations established by the General Assembly pursuant to R.I. Gen. Laws §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3.
Yes	No <input checked="" type="checkbox"/>	<b>Will small businesses have to implement additional recordkeeping procedures?</b> No. The attached regulations were adopted in order to bring the RIDEM into compliance with obligations established by the General Assembly pursuant to R.I. Gen. Laws §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3.
Yes	No <input checked="" type="checkbox"/>	<b>Will small businesses have to provide additional administrative oversight?</b>

		No. The attached regulations were adopted in order to bring the RIDEM into compliance with obligations established by the General Assembly pursuant to R.I. Gen. Laws §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3.
Yes	No X	<b>Will small businesses have to hire additional employees in order to comply with the proposed regulation?</b>  No. The attached regulations were adopted in order to bring the RIDEM into compliance with obligations established by the General Assembly pursuant to R.I. Gen. Laws §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3.
Yes	No X	<b>Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?</b>  No. The attached regulations were adopted in order to bring the RIDEM into compliance with obligations established by the General Assembly pursuant to R.I. Gen. Laws §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3.
Yes	No X	<b>Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?</b>  No. The attached regulations were adopted in order to bring the RIDEM into compliance with obligations established by the General Assembly pursuant to R.I. Gen. Laws §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3.
Yes	No X	<b>Are performance standards more appropriate than design standards?</b>  That option is not available with this type of regulatory action.
Yes	No X	<b>Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities?</b>  The attached regulations were adopted in order to bring the RIDEM into compliance with obligations established by the General Assembly pursuant to R.I. Gen. Laws §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3.
Yes	No X	<b>Will the regulation have the effect of creating additional taxes and/or fees for small businesses?</b>  No.
Yes	No X	<b>Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?</b>  No. The attached regulations were adopted in order to bring the RIDEM into

		compliance with obligations established by the General Assembly pursuant to R.I. Gen. Laws §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3.
Yes	No <input checked="" type="checkbox"/>	<b>Is the regulation likely to <i>deter</i> the formation of small businesses in Rhode Island?</b>  No. The attached are likely to assist in the formation of small business entering the marine salvage industry in Rhode Island.
Yes <input checked="" type="checkbox"/>	No	<b>Is the regulation likely to <i>encourage</i> the formation of small businesses in Rhode Island?</b>  Yes, see the response above.
Yes	No <input checked="" type="checkbox"/>	<b>Can the regulation provide for less stringent compliance or reporting requirements for small businesses?</b>  No. The attached regulations were adopted in order to bring the RIDEM into compliance with obligations established by the General Assembly pursuant to R.I. Gen. Laws §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3.
Yes	No <input checked="" type="checkbox"/>	<b>Can the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?</b>  No. The attached regulations were adopted in order to bring the RIDEM into compliance with obligations established by the General Assembly pursuant to R.I. Gen. Laws §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3.
Yes	No <input checked="" type="checkbox"/>	<b>Can the compliance or reporting requirements be consolidated or simplified for small businesses?</b>  No. The attached regulations were adopted in order to bring the RIDEM into compliance with obligations established by the General Assembly pursuant to R.I. Gen. Laws §§ 46-6-10.1, 46-6-10.2, and 46-6-10.3.
Yes	No <input checked="" type="checkbox"/>	<b>Can performance standards for small businesses replace design or operational standards?</b>  Such an option is not available for this type of regulatory action.
Yes	No <input checked="" type="checkbox"/>	<b>Are there alternative regulatory methods that would minimize the adverse impact on small businesses?</b>  There is no regulatory alternative that would minimize the adverse impact on small business.

Yes  X	No	<b>Were any small businesses or small business organizations contacted during the preparation of this document? If so, please describe.</b>  Yes. The municipal harbormasters and RI Marine Trades were active in the enactment of the enabling legislation and the drafting of these proposed regulations. In addition, all interested parties will be afforded the opportunity to become involved in adoption of these regulations in compliance with the requirements of the <i>Administrative Procedures Act</i> , R.I. Gen. Laws Chap.42-35 in a workshop and public hearing scheduled to be conducted on February 25, 2014.
--------------	----	---