

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

**Economic Impact of Rulemaking on Small Business in Maine**

as required under the Maine Administrative Procedures Act, 5 MRS §8052, sub-§5-A

Rule chapter # and name: Chapter 883, Designation of Nonylphenol and Nonylphenol Ethoxylates as a Priority Chemical

Posting date: September 2, 2010

- 1. Could the proposed rule have an adverse impact on businesses that have 20 or fewer employees?**  
Yes.
- 2. What are the types and estimated numbers of small businesses likely to be affected by the rule?**  
The proposed rule applies to manufacturers of household and commercial cleaning products, personal care products and home maintenance products that contain the priority chemical nonylphenol or nonylphenol ethoxylates. The department estimates that there are fewer than 10 small businesses in Maine that manufacture products in each of the three product categories to which the rule applies.
- 3. What are the projected reporting, record-keeping and other administrative costs of complying with the proposed rule? What types of professional skills are needed to prepare required reports or records?**  
Manufacturers have reporting requirements under the rule. The professional skills required for preparing the basic report will include knowledge of the raw materials used to manufacture the product and basic computer competencies for filing the reports.
- 4. Describe the probable economic impact of rule compliance on affected small businesses.** The department estimates the cost of generating the basic report to be marginal as manufacturers should have the information and abilities to complete the report in-house and not likely to exceed \$100 per product.
- 5. Are there any less intrusive or less costly alternative methods of achieving the purposes of the proposed rule?** No. Section 3(E) of 06-096 Chapter 880 Regulation of Chemical Use in Children's Products gives manufacturers of children's products several options for complying with the requirement to disclose information on their use of priority chemicals, including reliance on information submitted by a trade association, chemical manufacturer or other third party. Further, Chapter 880 section 3(C) authorizes the Commissioner of Environmental Protection to waive the disclosure of information on uses of a chemical that are minor in volume.