

**FINAL REGULATORY FLEXIBILITY ANALYSIS**

The changes proposed in this rule addressing consistency with EPA rules are not expected to have an adverse economic impact on small businesses. Small businesses are usually not major sources for purposes of the major source air pollution control construction permit program (PSD program) because they tend not to have large amounts of emissions. Since the Department is already implementing the PSD program, as required by U.S. EPA, the consistency changes being proposed in this rule will not have any additional economic impacts.

The adoption of the PM<sub>2.5</sub> increment may require additional analysis by the Department during the air construction permit review for some small businesses constructing or expanding in certain parts of the state. The Department does not anticipate that this additional analysis will cause noticeable delays in permit issuance times and therefore, will not result in any significant impact to the affected small businesses.

The portion of the rule that proposes to exclude certain compounds from the definition of volatile organic compounds (VOC) to make the rule consistent with the definition in federal regulations will provide clarity to businesses in how to calculate and report VOC emissions and on the applicability of regulations.

The proposed repeal of the stage 2 vapor recovery program and related implementing rules will clarify applicable requirements for the affected small businesses and is not expected to have an adverse impact on them. This rule is expected to positively impact owners and operators of gas stations in Southeastern Wisconsin, most of which are considered small businesses. This rule repeals outdated rule language making the regulations easier to understand.