

**CORRECTED**

**FORM 14**

**SMALL BUSINESS IMPACT STATEMENT FORM**

See SDCL 1-26-2.1

**(NOTE: This form must be signed by either the head of the agency or the presiding officer of the board or commission empowered to adopt the rules. Check your statutes to see who is authorized to promulgate rules. A small business is defined as any business with 25 or fewer full-time employees. When a set of rules is proposed, a general summary shall be provided; each proposed rule amendment shall also be explained thoroughly. In the case of a large set of proposed rules which all have a single purpose and impact, one explanation is sufficient. The law makes it clear that agencies or commissions shall use readily available information and existing resources to prepare the impact statement.)**

1. Our agency has determined that the rule/s we are proposing have the following type of impact on small businesses:
  - Direct impact *(please complete remainder of form)*
  - Indirect impact *(please provide a brief explanation, then sign, date, and submit form. Questions 2 through 8 do not need to be answered)*
  - No impact *(please provide a brief explanation, sign, date, and submit form - Questions 2 through 8 do not need to be answered)*

2. A general narrative and overview of the effect of the rule(s) on small business - written in plain, easy to read language:

In a very limited number of instances, an excavator will be required to meet the facility operator at the work site to insure that any excavation that occurs does not cause damage to a high profile underground facility. This will protect the underground facility along with preventing potential environmental damage and enhancing the safety of excavation workers.

3. What is the basis for the enactment of the rules(s)?
  - Required to meet changes in federal law
  - Required to meet changes in state law
  - Required solely due to changes in date (i.e. must be changed annually)Other: Modification of the rules was recommended by the Pipeline Task Force that was appointed by the governor in response to a legislative proposal.

4. Why is the rule(s) needed? Improve the safety of excavation near high profile underground facilities

5. What small businesses or types of small businesses would be subject to the rule? Excavation Companies

6. Estimate the number of small businesses that would be subject to the rule.
  - 1-99
  - 100-499
  - 500-999
  - 1,000-4,999
  - More than 5,000

Unknown - please explain \_\_\_\_\_

7. Are small businesses required to file or maintain any reports or records under this rule?

Yes       No

a. If "yes," how many reports must a small business submit to the state on an annual basis?

b. If "yes," how much ongoing recordkeeping within the business is necessary?

c. If "yes," what type of professional skills would be necessary to prepare the reports or records?

The average owner of a small business should be able to complete the reports and/or records with no assistance

It is likely that a bookkeeper for a small business should be able to complete the reports and/or records

It is likely that a small business person would need the assistance of a CPA to complete the reports and/or records

It is likely that a small business person would need the assistance of an attorney to complete the reports and/or records

Other \_\_\_\_\_

Unknown - please explain \_\_\_\_\_

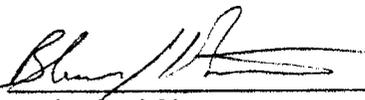
8. Are there any less intrusive or less costly methods to achieve the purpose of the rule (i.e. fewer reports, less recordkeeping, lower penalties)?

x No - please explain

No record keeping is required but a physical meeting at the excavation site is the only method to determine the specific location of the excavation in relationship to the physical location of the high profile underground facility.

Yes - please explain \_\_\_\_\_

9-9-09  
Dated

  
Authorized Signature

One-Call Notification Board  
Name of Agency