To: Rothery, Deirdre[Rothery.Deirdre@epa.gov]
Cc: Smith, Claudia[Smith.Claudia@epa.gov]
From: Gilbert, Alexas
Sent: Tue 2/9/2016 12:19:26 AM
Subject: U&O FIP: New SBA size standards

.....
,,,,,,,
Hi Dee-

Ex. 5 - Deliberative Process

I will update both documents tomorrow on Sharepoint.

Thanks,

Alexas

From: Rothery, Deirdre
Sent: Monday, February 08, 2016 7:00 AM
To: Brown, Ethan ; Carlson, Albion ; Duraski, Robert ; Gilbert, Alexas ; Law, Donald ; Okubo, Noreen ; Owens, Mike ; Payton, Richard ; Rickard, Joshua ; Rose, Peggy ; Siffring, Stuart ; Smith, Claudia
Subject: FW: New SBA size standards

Hi everyone,

Passing this along as an FYI. Alexas, please take a close look at this related to the U&O FIP to see if the rule will be impacted by these changes.

Thanks,

Dee

From: Lucas, Debra
Sent: Friday, February 05, 2016 9:06 AM
To: Bahrman, Sarah <Bahrman.Sarah@epa.gov>; Brown, Randy <Brown03.Randy@epa.gov>; Daly, Carl <Daly.Carl@epa.gov>; Deloach, Anthony <DeLoach.Anthony@epa.gov>; Garcia, Bert <Garcia.Bert@epa.gov>; Jackson, Scott <Jackson.Scott@epa.gov>; Kahn, Lisa <Kahn.Lisa@epa.gov>; Lucas, Debra <Lucas.Debra@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>; Morales, Monica <Morales.Monica@epa.gov>; Morlock, Nancy <morlock.nancy@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>; Pearson, Janice <pearson.janice@epa.gov>; Rathbone, Colleen <Rathbone.Colleen@epa.gov>; Rothery, Deirdre

<Rothery.Deirdre@epa.gov>; Rule, Maryann <Rule.Maryann@epa.gov>; Schuller, Jennifer <Schuller.Jennifer@epa.gov>; Videtich, Callie <Videtich.Callie@epa.gov>; Wood, MelanieL <Wood.MelanieL@epa.gov>
Subject: FW: New SBA size standards

FYI -

Debra Lucas

Staff Assistant

Office of Partnerships and Regulatory Assistance

8P-IO

1595 Wynkoop Street

Denver, CO 80202

Phone: (303) 312-7028

Fax: (303) 312-6741

From: Schuller, Jennifer
Sent: Thursday, February 04, 2016 6:08 PM
To: Lucas, Debra <Lucas.Debra@epa.gov>
Subject: RE: New SBA size standards

Debra – I'd share this with the whole LT as an FYI. It may not impact any of their role in rulemaking, but good to share, nonetheless.

Thanks,

Jennifer

Acting Deputy Assistant Regional Administrator

Office of Partnerships and Regulatory Assistance (OPRA)

EPA Region 8

1595 Wynkoop St. (8P)

Denver, CO 80202-1129

303-312-6334

From: Moore, Sonya
Sent: Tuesday, February 02, 2016 7:09 AM
To: Anthofer, Wayne <Anthofer.Wayne@epa.gov>; Mills, Bethany <Mills.Bethany@epa.gov>; Lucas, Debra <Lucas.Debra@epa.gov>; Moon, Diane <Moon.Diane@epa.gov>; Gautam, Nawodit <Gautam.Nawodit@epa.gov>; Logan, Paul <Logan.Paul@epa.gov>
Subject: FYI: New SBA size standards
Importance: High

Please forward to appropriate staff within your ARA information regarding new SBA size standards.

Thanks,

Sonya L. Moore

Regulatory Review Coordinator
US EPA, Region 8, TMS-IMP
1595 Wynkoop Street

Denver, CO 80202
Office: (303) 312-6825
Fax: (303) 312-6538
moore.sonya@epa.gov

From: Owens, Nicole
Sent: Tuesday, February 02, 2016 7:02 AM
To: RSC Core <RSC_Core@epa.gov>; RSC Regions Core <RSC_Regions_Core@epa.gov>
Cc: Brown, Stephanie N. <Brown.StephanieN@epa.gov>; Free, Laura <Free.Laura@epa.gov>; Muellerleile, Caryn <Muellerleile.Caryn@epa.gov>; Jutras, Nathaniel <Jutras.Nathaniel@epa.gov>; Curry, Bridgid <Curry.Bridgid@epa.gov>
Subject: New SBA size standards
Importance: High

Dear RSC Representatives,

On January 25 and 26 SBA finalized four rules that will become effective on February 26th and modify many of the SBA small business size standards. Most of the modifications are increases to the size standard, meaning that more entities will be considered small than under the previous rules. A summary of the four rules can be found at this website (https://www.sba.gov/content/what%27s-new-with-size-standards).

Broadly summarized:

∀ Employee based size standards will increase for 209 industries in the Manufacturing sector

(NAICS 31-33).

∀ Employee based size standards will increase for 47 industries in the Wholesale and Retail Trade sectors (NAICS 42 and 44-45).

∀ Employee based size standards will increase for 30 industries, and decrease for 3 mining industries in other sectors that are not Manufacturing, Wholesale Trade, or Retail Trade.

∀ All monetary based size standards have been adjusted for inflation, and therefore will increase.

Analyses related to small businesses (e.g., screening analyses in support of a No SISNOSE certification, Initial Regulatory Flexibility Analyses (IRFAs), and Final Regulatory Flexibility Analyses (FRFAs)) for all rulemakings that will be signed after February 26th should use and/or address these new size standards. This is very important because No SISNOSE certifications are judicially reviewable. There are a variety of ways this may be accomplished, from revising/updating your entire analysis, to conducting a side analysis of the newly defined small businesses and discussing the aggregate results in your conclusion.

In general, we do not expect that planned certifications of No SISNOSE would be reversed by using the new size standards. By definition, the newly defined small firms are the largest of the small firms. In contrast, the most significantly impacted firms subject to any given rule tend to be the smaller small firms. For any given rule, it is likely that the universe of affected small entities will increase and so the number of significantly impacted small businesses will be a lower percentage of all affected smalls. However, these general notions may not hold for a specific rule and should be verified in the set of circumstances applicable to your situation.

Please broadcast this information on SBA's new size standards to your rulewriters and economists. Also please let me know as soon as possible if you expect this to create a hardship for any of your rulemakings on a tight timeline, so that we may assist you.

Thanks,

Nicole