

**PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB FILE NO. R075-23I

**The following document is the initial draft regulation proposed
by the agency submitted on 09/22/2023**

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P2023-02

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EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 459.3818

A PERMANENT REGULATION relating to hazardous substances; and providing other matters properly relating thereto.

Section 1. NAC 459.953451 is hereby amended to read as follows:

NAC 459.953451 1. To obtain a permit to construct a new process subject to C.A.P.P., an owner or operator of a new process must submit to the Division a complete application for a permit to construct. ~~[and two copies of the complete application.]~~ The Division shall determine which elements of the application, if any, will be reviewed at the site where the new process will be located.

2. An application for a permit to construct a new process must be made on a form prescribed by the Division and include:

(a) Registration for the process that includes:

(1) The information required by [NAC 459.9535](#);

(2) A summary of the hazard assessment conducted pursuant to [NAC 459.95364](#) to [459.95376](#), inclusive;

(3) The name, address and telephone number of the person submitting the plans;

(4) An overview of the project that includes a description of:

(I) The process;

(II) The hours of operation during which the process will be operated;

(III) The estimated number of personnel, for each shift, who will be working on the process, including, without limitation, personnel in operations, personnel in maintenance, office staff, contract personnel and any other personnel;

(IV) The modes, frequency and hours of transportation of the incoming and outgoing raw materials and products;

(V) The scope of the construction; and

(VI) The schedule for the project; and

(5) Information concerning the inspectors of the construction required pursuant to [NAC 459.953461](#);

(b) A coordinated emergency response plan document developed pursuant to [NAC 459.9544](#) and [459.95442](#);

(c) Information concerning the process and safety process hazard analysis required pursuant to [NAC 459.953455](#);

(d) Documents, specifications and calculations required pursuant to [NAC 459.953457](#), [459.953459](#) and [459.95346](#); and

(e) A copy of the conditional use permit issued pursuant to [NRS 278.147](#).

3. Documents, specifications and calculations submitted pursuant to [NAC 459.953457](#), [459.953459](#) and [459.95346](#) must:

(a) Be stamped or sealed in accordance with [chapter 625](#) of NRS, and any regulations adopted pursuant thereto, by the engineer who has responsible charge of the document, specification or calculation; and

(b) Include a table of contents or cover sheet that complies with the requirements of [chapter 625](#) of NRS and any regulations adopted pursuant thereto.