



State of Nevada

Dept. of Conservation & Natural Resources

State Environmental Commission

901 South Stewart Street, Suite 4001 -- Carson City, Nevada 89701-5249



## Notice of Regulatory Hearing Adoption of Regulations and Other Matters Before the State Environmental Commission

The State Environmental Commission (SEC) will hold a meeting on Thursday, September 5, 2024, at 9:00 am. The meeting will be held in the Bonnie B. Bryan Room, on the first floor of the Bryan Building, at 901 South Stewart Street in Carson City, Nevada. There is also the option to participate virtually using the link below.

*Join the meeting* [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MDcxZDczNWetZmVlOC00Mjl4LTk0ZWYtMmFkNzI0OWNjMmRI%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22f7cf1a57-aa9a-4aa8-ab6b-9414ab15f56e%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDcxZDczNWetZmVlOC00Mjl4LTk0ZWYtMmFkNzI0OWNjMmRI%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22f7cf1a57-aa9a-4aa8-ab6b-9414ab15f56e%22%7d)

*Meeting ID: 279 591 386 119*

*Passcode: 6pHUB6*

*Click to call from Mobile (audio only)*

*+1 775-321-6111,,925575060#*

*Call in by Phone (audio only)*

*United States: +1 775-321-6111*

*Meeting extension: 925 575 060#*

The meeting will also be streamed to the Red Rock Conference room at the Las Vegas Nevada Division of Environmental Protection (NDEP) offices, located at 375 East Warm Springs Road. The purpose of this meeting is to receive comments from all interested persons regarding the information listed on this notice and the meeting agenda. The following information is provided pursuant to the requirements of Nevada Revised Statutes (NRS) 233B.0603.

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**Permanent Regulation R120-24: Bureau of Air Quality Planning - Aligning Vehicle Emissions Testing Requirements with Nevada Revised Statutes**

NDEP is proposing to amend Nevada Administrative Code (NAC) 445B.592(3) to align with Nevada Revised Statutes (NRS) 445B.825, changing the requirement to inspect new motor vehicles until the fourth registration of the vehicle instead of the third. The Nevada Department of Motor Vehicles has approved this regulatory amendment, pursuant to NRS 445B.760.

The proposed changes are not expected to have any economic impact on the public, the regulated community, or the Division.

**Permanent Regulation R136-24: Bureau of Water Pollution Control - Clean-Up of Water Regulations Relating to Holding Tanks**

NDEP is proposing to revise portions of NAC 445A to expand the definition of “holding tank” and to provide an avenue for permitting the temporary storage of domestic sewage in Nevada counties with populations larger than 700,000.

The proposed changes are expected to have a slight impact on the regulated community in that there is a fee for permits; however, this impact will be offset by the fact that permittees will now be allowed to operate. This amendment is anticipated to have a slight economic impact on the Division in the form of a slight increase in permit applications. These changes are not expected to have any economic impact on the public.

**Permanent Regulation R137-24: Bureau of Mining Regulation and Reclamation - Changes to the Fee Structure for the Dewatering of Mines**

NDEP is proposing to revise sections of Nevada Administrative Code (NAC) 445A to allow for a comprehensive change to the fee structure for the discharge to groundwater from the dewatering of a mine and water pollution control from mining. These activities are regulated by the Regulation and Closure Program with the Bureau of Mining Regulation and Reclamation. The amendment seeks to increase and modify the fee categories assessed (last updated more than 20 years ago) to align the revenue generated by the permits with the increasing costs associated with implementation of the Mining Program. The amendment also seeks to establish an annual five percent (5%) increase of these fees.

The economic impact on the regulated community will depend on the size of the facility, with larger, more established mines being most impacted. The impact may be significant.

The proposed changes are not expected to have any economic impact on the public or the Division.

**Additional Information:** Persons wishing to comment on the proposed actions of the SEC may participate in the scheduled public hearing (virtually or by phone) or may address their comments, data, views, or arguments in written form to: State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. The SEC must receive written submissions at least five days before the scheduled public hearing.

If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the SEC may proceed immediately to act upon any written submissions.

Members of the public can inspect copies of the regulations to be adopted at the State Library and Archives in Carson City (100 Stewart Street), and at the offices of the Division of Environmental Protection in Carson City and Las Vegas. The Carson City office is located at 901 South Stewart Street, Suite 4001 and the Las Vegas office is located at 375 East Warm Springs Road, Suite 200.

As required by the provisions of chapters 233B and 241 of Nevada Revised Statutes, the public notice for this hearing was posted at the following locations: the Bryan Building (901 South Stewart Street, Carson City, Nevada); the offices of the Division of Environmental Protection in Las Vegas (375 East Warm Springs Road, Suite 200), at the State Library and Archives building in Carson City (100 Stewart Street), the Nevada Division of Minerals, 400 W. King Street, Carson City, NV and the Department of Agriculture, 405 South 21<sup>st</sup> Street, Sparks, NV.

In addition, copies of this notice have been deposited electronically at major library branches in each county in Nevada as specified below. This notice and the text of the proposed regulations will also be available on the SEC's website at: <https://sec.nv.gov/meetings/sec-regulatory-meeting-sept-5-2024>. The proposed regulation denoted in this notice, is, or will be, posted on the Legislative Counsel Bureau's website at <http://www.leg.state.nv.us/register/> and also the Department of Administration's website at <https://notice.nv.gov/>.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, the Nevada State Environmental Commission, in care of Sheryl Fontaine, Executive Secretary, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249, facsimile (775) 687-5856, or by calling (775) 687-9374, no later than 5:00 p.m. on August 28, 2024.

This Notice was provided to or posted at the following Nevada county locations:

Carson City Library  
900 North Roop Street  
Carson City, Nevada 89701-3101

Lincoln County Library  
63 Main Street  
Pioche, Nevada 89043

Churchill County Library  
553 South Main Street  
Fallon, Nevada 89406-3306

Lyon County Library System  
20 Nevin Way  
Yerington, Nevada 89447-2399

Las Vegas-Clark County Library District  
Director of Marketing and Community Relations  
7060 W. Windmill  
Las Vegas, Nevada 89113

Mineral County Public Library  
P.O. Box 1390  
Hawthorne, Nevada 89415

Douglas County Public Library  
1625 Library Lane  
Minden, Nevada 89423-0337

Pershing County Library  
1125 Central Avenue  
Lovelock, Nevada 89419

Elko County Library  
720 Court Street  
Elko, Nevada 89801-3397

Esmeralda County Library  
Corner of Crook & 4th Street  
P.O. Box 430  
Goldfield, Nevada 89013-0430

Eureka County Library  
10190 Monroe Street  
Eureka, Nevada 89316

Humboldt County Library  
85 East 5th Street  
Winnemucca, Nevada 89445-3095

Battle Mountain Branch Library (Lander County)  
625 South Broad Street  
Battle Mountain, Nevada 89820

Storey County Library - Closed  
Posted at Clerk's Office  
Address below:

Storey County Treasurer and Clerk's Office  
Drawer D  
Virginia City, Nevada 89440

Tonopah Public Library (Nye County)  
P.O. Box 449  
Tonopah, Nevada 89049

Washoe County Library System  
301 South Center Street  
Reno, Nevada 89501-2102

White Pine County Library  
950 Campton Street  
Ely, Nevada 89301