

LCB File No. R089-01

**PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION
(Petition 2001-08)**

EXPLANATION - Matter in *italics* is new; matter in brackets ~~{}~~ that is ~~stricken~~ is to be omitted.

Authority: NRS 519.160

Section 1. NAC 519A.350 is hereby amended to read as follows:

7. If the surety is a corporate guarantee:

(a) ~~[Not more than]~~ *Up to* 75 percent of the required surety may be satisfied by the corporate, *based upon periodic review by the administrator.* The remaining ~~[25 percent]~~ *portion* of the surety must be satisfied by a surety identified in this section. *Financial information submitted to the division under this section must comply with U.S. Generally Accepted Accounting Principles.*

(b) The ~~[certified]~~ *audited* financial statements of the corporation must indicate that the corporation has two of the following three ratios:

(1) A ratio of total liabilities to stockholder's equity less than 2 to 1.

(2) A ratio of the sum of net income plus depreciation, depletion and amortization to total liabilities greater than .1 to 1.

(3) A ratio of current assets to current liabilities greater than 1.5 to 1.

(c) The net working capital and tangible net worth each must equal or exceed the amount established for reclamation pursuant to NAC 519A.360.

(d) The tangible net worth must be at least \$10,000,000.

(e) Ninety percent of the assets of the corporation must be:

(1) Located in the United States; or

(2) At least 6 times the amount established pursuant to NAC 519A.360.