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# **nma** Nevada Manufacturers Association

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April 2, 2003

TO: Chairman Rhoads & Natural Resources Committee Members

FROM: Ray Bacon

SUBJECT: Proposed Change to SB 127 (in addition to the NDEP changes)

Section 7 of the bill deletes the list of chemicals from the law and places it in regulation. This will be much easier to keep the CAPP Nevada list aligned to the PSM federal OSHA list and the RPM list from the EPA thus making it easier for Nevada to continue with our essentially consolidated and cost effective program. To insure that we do not plow new ground without a solid technical reason for doing so, we would propose the following wording change:

The current proposed change read:

The State Environmental Commission shall adopt regulations:

- (a) Designating a list of highly hazardous substances, including, without limitations, any chemical.....

We would propose to change the wording of that section to:

The State Environmental Commission shall adopt regulations:

- (a) Designating the existing list from statute as the list of highly hazardous substances as assembled under the existing Nevada Chemical Accident Prevention Program with the addition of any current or future Nevada specific hazards the release of which into the environment or the involvement of which in a fire or explosion would produce a significant likelihood that persons exposed would suffer death or substantial bodily harm as a consequence or exposure; and

The intention of this change is to insure that we start with the existing list that has been refined over several years, but clearly encourage the addition of any substances that may be used or stored in Nevada that is or is likely to become a risk to Nevada, its environment or its residents. We suggest this improves understanding of the intent to get to a single list.