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SB 58 SUGGESTED CHANGES

Section 1: Charter 459 of NRS is hereby amended by adding thereto a new section to read as follows:

~~[Any analysis required for purposes of NRS 459.400 to 459.600, inclusive, to identify whether waste is hazardous waste or to detect the presence of hazardous waste or a regulated substance in soil or water must be performed by a laboratory certified pursuant to the regulations adopted pursuant to NRS 459.500.]~~

A. If a generator conducts an analysis relied upon for purposes of NRS 459.400 to 459.600, inclusive, to identify whether waste is hazardous waste, the analysis must be performed by a laboratory certified pursuant to the regulations adopted pursuant to NRS 459.500.

B. Any other analysis required pursuant to NRS 459.400 to 459.658, inclusive, NRS 459.800 to 459.856, inclusive, and NRS 445A.300 to 445A.730, inclusive, to detect the presence of hazardous waste or a regulated substance in soil or water must be performed by a laboratory certified pursuant to regulations adopted pursuant to NRS 459.500.

C. Waste managed at a facility for the management of hazardous waste is exempt from the provisions of section B.

Section 5.

(4) For the certification of laboratories that perform analyses for the purposes of NRS 459.400 to ~~[459.600]~~ ***459.658, inclusive, NRS 459.800 to 459.856, inclusive, and NRS 445A.300 to 445A.730, inclusive,*** to identify whether waste is hazardous waste or to detect the presence of hazardous waste or a regulated substance in soil or water.

SUGGESTED AMENDMENT TO SB 58

Section 5A. NRS 459.800 to 459.856, inclusive, is hereby amended by adding thereto a new section to read as follows:

1. The State Environmental Commission may adopt regulations establishing requirements for above ground or over-water petroleum storage tank systems used to supply fuel at a marina or other facility and for non-portable above ground petroleum storage tank systems.

2. Those storage tank systems with a capacity of less than 110 gallons or more than 30,000 gallons are exempt from this amendment.

Section 6. 1. This section becomes effective upon passage and approval.

2. Section 5 of this act becomes effective upon passage and approval for the purpose of adopting regulations and on July 1, 2004, for all other purposes.

3. Section 5A of this act becomes effective upon passage and approval for the purpose of adopting regulations and on October 1, 2004, for all other purposes.

4. Sections 1 to 4, inclusive, of this act become effective on July 1, 2004.