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ASSEMBLY BILL NO. 486—COMMITTEE ON NATURAL RESOURCES,  
AGRICULTURE, AND MINING

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

MARCH 24, 2003

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Referred to Committee on Natural Resources,  
Agriculture, and Mining

SUMMARY—Increases limitation on certain fees that State  
Emergency Response Commission may require  
certain persons to pay for calendar year.  
(BDR 40-1256)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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

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AN ACT relating to hazardous materials; increasing the limitation  
on certain fees that the State Emergency Response  
Commission may require certain persons to pay for any  
calendar year; and providing other matters properly  
relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1     **Section 1.** NRS 459.744 is hereby amended to read as follows:  
2     459.744 1. The Commission shall establish by regulation:  
3     (a) A schedule of fees for its services and regulatory activities.  
4     The fees must be set at an amount which approximates the cost to  
5     the Commission of performing those services and activities.  
6     (b) A fee, not to exceed \$ ~~5,000~~ *\$7,500* per year, to be paid by  
7     each person who stores an extremely hazardous material in an  
8     amount greater than the threshold planning quantity established for  
9     such material in 40 C.F.R. Part 355, Appendix A or B. The fee must  
10    include:



1 (1) A filing fee for each facility in which such material is  
2 stored; and

3 (2) A surcharge for each ton of such material stored in excess  
4 of 1 ton,  
5 and must be paid on or before March 1 of each year for the  
6 preceding calendar year.

7 (c) A fee, not to exceed \$2,000 per year, to be paid by each  
8 person who manufactures for transport an extremely hazardous  
9 material in an amount greater than the threshold planning quantity  
10 established for such material in 40 C.F.R. Part 355, Appendix A or  
11 B. The fee must include:

12 (1) A filing fee for each facility in which such material is  
13 manufactured; and

14 (2) A surcharge for each ton of such material which is  
15 manufactured for transport in this state,  
16 and must be paid on or before January 31 of each year for the  
17 preceding calendar year.

18 (d) A reporting fee of \$500 to be paid by each person who is  
19 required to submit a toxic chemical release form pursuant to 42  
20 U.S.C. §§ 11001 et seq., which becomes due upon the filing of the  
21 form.

22 2. The Commission shall not require any person to pay more  
23 than ~~[\$5,000]~~ \$7,500 in fees imposed pursuant to subsection 1 for  
24 any calendar year.

25 **Sec. 2.** This act becomes effective on July 1, 2003.

