

**NEVADA DEPARTMENT OF
CONSERVATION & NATURAL RESOURCES**

STATE ENVIRONMENTAL COMMISSION

HEARING ARCHIVES FOR

REGULATORY PETITIONS

COMMISSION PETITION NO. 1999-04

LEGISLATIVE COUNSEL BUREAU (LCB) FILE NO. Temporary Petition

DOCUMENTS INCLUDED IN THIS FILE:

NO SECRETARY OF STATE FILING FORM

NO DISCLOSURE STATEMENT PURSUANT TO NRS 233B

REGULATORY PETITIONS

ORIGINAL DRAFTED BY COMMISSION

ADOPTED BY COMMISSION

AS FILED AND CODIFIED BY LCB

**PROPOSED TEMPORARY REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

Petition 1999-04

EXPLANATION - Matter in *italics* is new; matter in brackets [] is material to be omitted.

AUTHORITY: NRS 445A.425

Section 1. Chapter 445A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 4, inclusive, of this regulation.

Sec. 2. *“Rolling stock” means backhoes, bulldozers, drag-lines and other earth moving equipment working within a watercourse.*

Sec. 3. *“Temporary permit” means a permit for short term activity. The activity does not include new sewage treatment facilities or expansion of existing sewage treatment facilities.*

Sec. 4.

1. *A temporary permit may be issued for the following types of discharges:*
 - (a) *Rolling stock;*
 - (b) *Remediation;*
 - (c) *Well test;*
 - (d) *Dewatering;*
 - (e) *Hydrostatic testing;*
 - (f) *Disinfection; and*
 - (g) *Other discharges of a temporary nature and requiring immediate action.*
2. *The duration of a temporary permit shall not exceed 180 days.*
3. *The applicant for a temporary permit shall file a complete application in compliance with NAC 445A.231 and 445A.232.*
4. *Issuance of a temporary permit must be in accordance with NAC 445A.243.*
5. *A complete application must be processed within 60 days of receipt unless the administrator determines that it is in the public interest to issue a public notice for comments or to hold a public hearing.*
6. *A temporary permit may be denied, suspended or revoked in accordance with the provisions of NRS 445A.600.*

Sec. 5. NAC 445A.313 is hereby amended to read as follows:

445A.313 1. NAC 445A.305 to 445A.340, inclusive, does not require any person to remedy, control or correct any nonconformance with standards for water quality which results exclusively from natural rather than man-make causes.

2. The following *diffuse source* activities are not subject to the provisions of NAC 445A.305 to 445A.340, inclusive:

- (a) Home gardening, landscaping, repairs and maintenance;
- (b) Connection of utility services for single dwellings;
- (c) Installation of fences and sign posts;
- (d) Installation and maintenance along existing roadways of overhead transmissions lines for telephones, telegraph and cable television and of electric transmission lines of a design capacity of less than 200 kilovolts; and
- (e) Emergency work to protect persons or property.

Sec. 6. NAC 445A.309 is hereby repealed.

TEXT OF REPEALED SECTION

445A.309 “Diffuse source” defined. “Diffuse source” includes:

- 1. Agricultural activity, including return flows from irrigation;**
- 2. Silvicultural activity;**
- 3. Mining activity;**
- 4. Construction of buildings, roads, dams, utility lines or other improvements or facilities;**
- 5. Runoff from roads, streets and railroads;**
- 6. Construction or use of recreational trails;**
- 7. Modification of water courses or stream channels; and**
- 8. Runoff from urban areas.]**

END OF TEMPORARY PETITION 1999-04