

**NEVADA DEPARTMENT OF  
CONSERVATION & NATURAL RESOURCES**

**STATE ENVIRONMENTAL COMMISSION**

**HEARING ARCHIVES FOR**

**REGULATORY PETITIONS**

**COMMISSION PETITION NO. 9300B**

**LEGISLATIVE COUNSEL BUREAU (LCB) FILE NO. R-043-93**

**DOCUMENTS INCLUDED IN THIS FILE:**

**YES SECRETARY OF STATE FILING FORM**

**YES DISCLOSURE STATEMENT PURSUANT TO NRS 233B**

**REGULATORY PETITIONS**

**ORIGINAL DRAFTED BY COMMISSION**

**ADOPTED BY COMMISSION**

**YES AS FILED AND CODIFIED BY LCB**

Secretary of State  
Filing Data

For Filing Administrative  
Regulations

For Emergency  
Regulations Only

Effective Date \_\_\_\_\_

Expiration Date \_\_\_\_\_

\_\_\_\_\_  
Governor's Signature

**Environmental  
Commission**

Classification [ ] Proposed [ ] Adopted By Agency [XX] Temporary [ ] Emergency [ ]

**Brief description of action:** SEC Petition 9300B (LCB R-043-93) permanently repeals NAC 444.657 and 444.6575 for fees relating to the disposal of out of state solid waste in Nevada.

**Authority citation other than 233B:** NRS 445.560

**Notice date:**

Temporary - August 28, September 10 and September 22, 1992

Permanent - August 24, September 8 and September 16, 1993

**Hearing date:**

Temporary - September 30, 1992

Permanent - September 22, 1993

**Date of Adoption of Agency:**

Temporary - September 30, 1992

Permanent - September 22, 1993

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED  
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066  
PETITION 9300B  
LCB R-043-93**

The following statement is submitted for adopted permanent amendments to Nevada Administrative Code Section 444.6575.

1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Petition 9300B was noticed six (6) times; 8-28-92, 9-10-92 9-22-92, 8-24-93, 9-8-93 and 9-16-93 in the Las Vegas Review Journal and the Reno Gazette Journal Newspapers and three (3) times, 8-28-92, 9-10-92, and 9-22-92 in the Mojave Daily News.

2. A description of how comment was solicited from affected businesses, a summary of their response, and a explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses by the notices in the newspapers, as outlined in #1. No written comment was received prior to the hearing.

3. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The temporary regulations were adopted on September 30, 1992.

The permanent regulations were adopted at the SEC hearing on September 22, 1993 with no further public comment.

4. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects: and
- (b) Both immediate and long-term effects.

a. There are no adverse or beneficial economic effects on the public or regulated community.

b. There are no immediate or long-term economic effects on the public or regulated community.

5. The estimated cost to the agency for enforcement of the proposed regulation.

The regulation in of itself will not result in any additional cost to the agency.

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6. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary.

There are no state or government agency regulations which overlap with this regulation.

**CODIFIED PERMANENT REGULATION OF THE  
NEVADA STATE ENVIRONMENTAL COMMISSION  
LCB File No. R-043-93**

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

AUTHORITY: NRS 444.560

**Section 1.** NAC444.657 and 444.6575 are hereby repealed.

TEXT OF REPEALED SECTIONS

**444.657 Fee for disposal of solid waste imported from outside state:**

**Collection; partial waiver; limitation.**

1. Except as otherwise provided in subsections 3 and 4, the owner or operation of a land disposal site or other facility for the management of solid waste shall collect a fee for the disposal, incineration or treatment of solid waste received from sources outside of Nevada, other than hazardous waste, of \$3 per ton.
2. The money collected pursuant to subsection 1 must be transmitted to the division.
3. If a fee similar to that provided by subsection 1 is imposed by the governing body of the municipality in which the land disposal site or other facility for the management of solid waste is located, the division may waive the requirements of subsection 1 as to not more than 50 percent of the fee imposed by that subsection.
4. The fee imposed pursuant to subsection 1 may not exceed \$100,000 annually for:
  - (a) A land disposal site; or
  - (b) Other facility for the management of solid waste, that receives solid waste to be used in the manufacture of products or in the production of energy.

**444.6575 Fee for disposal of solid waste imported from outside state: Use of proceeds.**

The division may use the money which it receives pursuant to NAC 444.657 to:

1. Acquire or close land disposal sites.
2. Operate and maintain sanitary landfills.
3. Monitor the environmental impact of land disposal sites.
4. Educate communities on solid waste.
5. Research, plan and develop systems for the management of solid waste.
6. Carry out any other purpose relating to the management of solid waste, including recycling.

END OF PETITION 9300B (LCB R-043-93)