

NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

NEVADA ENVIRONMENTAL COMMISSION

HEARING ARCHIVE

FOR THE HEARING OF December 12, 1995

HELD AT: Las Vegas, Nevada

TYPE OF HEARING:

YES	REGULATORY
	APPEAL
	FIELD TRIP
	ENFORCEMENT
	VARIANCE

RECORDS CONTAINED IN THIS FILE INCLUDE:

YES	AGENDA
YES	PUBLIC NOTICE
	MINUTES OF THE HEARING
YES	LISTING OF EXHIBITS

A G E N D A

NEVADA STATE ENVIRONMENTAL COMMISSION PUBLIC HEARING

The Nevada State Environmental Commission will conduct a hearing commencing **10:00 a.m., on Tuesday, December 12, 1995**, at the Las Vegas City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada.

This agenda has been posted at the Division of Environmental Protection Office and Las Vegas City Council Chambers in Las Vegas, Nevada, the Washoe County Library in Reno, Nevada; the Nevada State Library and Division of Environmental Protection Office in Carson City, Nevada. The Public Notice for this hearing was published on November 13, November 21 and November 29, 1995, in the Las Vegas Review Journal and Reno Gazette Journal Newspapers.

The following items will be discussed and acted upon but may be taken in different order to accommodate the interest and time of the persons attending.

I. Approval of minutes from the November 7, 1995 meeting. * ACTION

II. Regulatory Petitions * ACTION

- A. Petition 96005** amends NAC 459.9921 to 459.999 to make changes prescribed by Assembly Bill 717 of the 1995 Legislative Session. The amendments add the use of risk based evaluations for the remediation of releases from tank systems and makes the requirements for remedial activities to be cost effective. In addition, the petition makes minor clarifications as to applicable federal requirements. This petition provides for regulatory relief to tank owners and operators.

III. Grand Canyon Visibility Transport Commission Status Update

IV. Settlement Agreements on Air Quality Violations * ACTION

- A. Moltan Company: Notice of Alleged Violation # 1169 & 1170
B. Cortez Gold Mine: Notice of Alleged Violation # 1189

V. Discussion Items

- A. Small Business Program & Ombudsman Update
B. Status of Division of Environmental Protection's Programs and Policies
C. Future Meetings of the Environmental Commission
D. General Commission or Public Comment

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Executive Secretary in writing, Nevada State Environmental Commission, 333 West Nye Lane, Room 128, Carson City, Nevada, 89710, facsimile (702) 687-5856, or by calling (702) 687-4670 no later than **5:00 p.m. December 6, 1995**.

NEVADA STATE ENVIRONMENTAL COMMISSION NOTICE OF PUBLIC HEARING

The Nevada State Environmental Commission will hold a public hearing beginning **10:00 a.m. on Tuesday, December 12, 1995**, at the **Las Vegas City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada**.

The purpose of the hearing is to receive comments from all interested persons regarding the adoption, amendment, or repeal of regulations. If no person directly affected by the proposed action appears to request time to make an oral presentation, the State Environmental Commission may proceed immediately to act upon any written submission.

- 1. Petition 96005** amends NAC 459.9921 to 459.999 to make changes prescribed by Assembly Bill 717 of the 1995 Legislative Session. The amendments add the use of risk based evaluations for the remediation of releases from tank systems and makes the requirements for remedial activities to be cost effective. In addition, the petition makes minor clarifications as to applicable federal requirements. This petition provides for regulatory relief to tank owners and operators.

There will be no anticipated adverse economic impact to businesses in the short or long term. The proposed regulatory changes will have a short and long term beneficial effect on business by allowing for greater regulatory flexibility in the clean up of environmental contamination and ensuring that remedial activities are cost effective. The public should not experience any short or long term economic adverse impact. There is no additional cost to the agency for enforcement. There are no other state or government agency regulations which the proposed amendments duplicate. This regulation does not impose a new fee or increase an existing fee.

Pursuant to NRS 233B.0603(c) the provisions of NRS 233B.064 (2) is hereby provided:

"Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporation therein its reason for overruling the consideration urged against its adoption".

Persons wishing to comment upon the proposed regulation changes may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Environmental Commission, 333 West Nye Lane, Carson City, Nevada. Written submissions must be received at least 5 days before the scheduled public hearing.

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A copy of the regulations to be adopted or amended will be on file at the State Library, 100 Stewart Street, Carson City; the Division of Environmental Protection, 333 West Nye Lane - Room 128, Carson City and at the Division of Environmental Protection, 555 E. Washington - Suite 4300, in Las Vegas, Nevada for inspection by members of the public during business hours. In addition, copies of the regulations and public notice have been deposited at major library branches in each county in Nevada. Listed below are the locations where the public notice and regulations will be available for inspection and copying:

Carson City Library, 900 North Roop Street, Carson City;
Churchill County Library, 553 South Maine Street, Fallon;
Las Vegas Library, 833 Las Vegas Blvd. North, Las Vegas;
Douglas County Library, 1625 Library Lane, Minden;
Elko County Library, 720 Court Street, Elko;
Goldfield Public Library, Fourth & Crook Streets, Goldfield;
Eureka Branch Library, 10190 Monroe Street, Eureka;
Humboldt County Library, 85 East 5th Street, Winnemucca;
Battle Mountain Branch Library, 625 Broad Street, Battle Mountain;
Lincoln County Library, 93 Main Street, Pioche;
Lyon County Library, 20 Nevin Way, Yerington;
Mineral County Library, First & A Street, Hawthorne;
Tonopah Public Library, 171 Central Street, Tonopah;
Pershing County Library, 1125 Central Avenue, Lovelock;
Storey County Library, 95 South R Street, Virginia City;
Washoe County Library, 301 South Center Street, Reno;
White Pine County Library, 950 Campton Street, Ely.

Additional copies of the regulations to be adopted or amended will be available at the Division of Environmental Protection for inspection and copying by the members of the public during business hours. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Executive Secretary in writing, Nevada State Environmental Commission, 333 West Nye Lane, Room 128, Carson City, Nevada, 89701, facsimile (702) 687-5856, or by calling (702) 687-4670 Extension 3118, no later than 5:00 p.m. on December 6, 1995.

This public notice has been posted at the Laughlin Public Library, Division of Environmental Protection, Clark County Public Library, Grant Sawyer Office Building, and Clark County Commission Chambers in Las Vegas; the Washoe County Library in Reno; and at the Division of Environmental Protection and State Library in Carson City.

Hearing Date: DECEMBER 12, 1995

Location: LAS VEGAS CITY COUNCIL CHAMBERS, 400 STEWART AVENUE, LAS VEGAS

Subject: ASSEMBLY BILL 717 OF THE 1995 LEGISLATURE - REMEDIATION OF
RELEASES FROM TANK SYSTEMS - REGULATORY RELIEF TO TANK
OWNERS AND OPERATORS.

REGULATORY EXHIBIT LOG

#	Item	Item Description	Petition	Accepted Yes/No
1	Letter	Letter with 5 attachments from Chevron USA, Robert S. Gondek, R.G., Project Manager	96005	YES
2	Letter	Letter from Law Offices of Ryler, Carlock & Applewhite, Phoenix, Arizona - John M. Pearce	96005	YES
3	Letter	Letter from Robert H. Miller, R.G., C.E.M.(1003) Broadbent & Associates	96005	YES