

**PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R092-04

July 8, 2004

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

AUTHORITY: §1, NRS 445A.425.

A REGULATION relating to control of water pollution; making it optional, rather than mandatory, for the Division of Environmental Protection of the State Department of Conservation and Natural Resources to administer a pretreatment program for a publicly owned treatment works that does not have a pretreatment program; and providing other matters properly relating thereto.

Section 1. NAC 445A.257 is hereby amended to read as follows:

445A.257 1. Any industrial user who discharges into a publicly owned treatment works ~~[which]~~ *that* does not have a state approved pretreatment program may be granted a permit by the State. The Division ~~[of Environmental Protection shall]~~ *may* administer the program of pretreatment for any publicly owned treatment works that does not have a pretreatment program and ~~[shall]~~ ensure the compliance of each user of the program with the requirements of 33 U.S.C. §§ 1284(b), 1317 and 1318 and 40 C.F.R. §§ 401.10 et seq.

2. The Division ~~[of Environmental Protection of the State Department of Conservation and Natural Resources shall]~~ *may* administer the pretreatment program for any publicly owned treatment works ~~[which]~~ *that* does not have a state approved pretreatment program and ensure compliance by any industrial user ~~[.]~~ subject to the pretreatment program with the requirements of ~~[sections 204(b), 307 and 308 of the Act,]~~ 33 U.S.C. §§ 1284(b), 1317 and 1318, and any regulations adopted thereunder.