

**PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R049-11

September 23, 2011

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

AUTHORITY: §§ 1 and 2, NRS 444A.020, as amended by section 1 of Senate Bill No. 417, chapter 254, Statutes of Nevada 2011, at page 1319.

A REGULATION relating to recycling; providing for the regulation of recycling services at apartment complexes and condominiums; and providing other matters properly relating thereto.

Section 1. NAC 444A.120 is hereby amended to read as follows:

444A.120 1. A municipality which makes a program available pursuant to NRS 444A.040 shall submit a request for approval of the program to the Department. The request must be accompanied by:

(a) In a municipality whose population is ~~[40,000]~~ *45,000* or more but less than 100,000:

(1) A statement setting forth the location of and types of recyclable material collected by each recycling center.

(2) A description of the program for the disposal of hazardous household products which sets forth:

(I) The location of and types of material collected by each collection site; and

(II) The schedule for the collection of the hazardous household products.

(3) A copy of all ordinances which:

(I) Govern the program; or

(II) Provide for the participation of the municipality in a program adopted by an adjoining municipality.

(4) Any other documentation and information which demonstrates that the program will ensure that the municipality will meet the goal set forth in NAC 444A.110.

(b) In a municipality whose population is 100,000 or more, in addition to the documentation and information required by paragraph (a), copies of all contracts and agreements to provide for the separation at the source of recyclable material from other solid waste originating from the residential premises , *including, without limitation, apartment complexes and condominiums,* and public buildings where services for the collection of solid waste are provided.

2. The Department shall approve a program if the Department determines that the program will contribute to the achievement of the municipality's goal set forth in NAC 444A.110.

3. As used in subsection 1, "recycling center" means a facility designed and operated to receive, store, process or transfer recyclable material.

Sec. 2. NAC 444A.130 is hereby amended to read as follows:

444A.130 1. A municipality which makes available in that municipality a program for the disposal of hazardous household products shall provide for the collection at least semiannually of used or waste motor oil, motor vehicle batteries and:

(a) Paint and products associated with painting; or

(b) Any other household, garage or garden products which are capable of causing harmful physical effects if inhaled, absorbed or ingested.

↪ If a program for the disposal of hazardous household products is made available, it must be implemented on or before January 1, 1994.

2. A municipality which makes available in that municipality a program for the separation at the source of recyclable material at residential premises , *including, without limitation, apartment complexes and condominiums*, shall designate at least three recyclable materials to be so separated.

3. A municipality which makes available in that municipality a program for the separation at the source of recyclable material at public buildings shall designate at least three recyclable materials to be so separated.