

**FORM FOR PETITIONING THE STATE ENVIRONMENTAL COMMISSION FOR
ADOPTION, FILING AMENDMENTS OR REPEAL OF COMMISSION
REGULATIONS.**

Form #1

1. Nevada Division of Environmental Protection
901 South Stewart Street, Ste. 4001
Carson City, NV 89701-5249
775-687-9418
November 29, 2017



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2. The Division of Environmental Protection (Division) is an agency of the Department of Conservation and Natural Resources of the State of Nevada. The Division is an environmental regulatory agency.
3. Nevada Revised Statutes (NRS) 445A.425, Powers and duty of Commission, establishes the authority of the State Environmental Commission to adopt regulations carrying out the provisions of NRS 445A.300 to 445A.730, Water Pollution Control Law, inclusive, including standards of water quality and amounts of waste that may be discharged into waters of the State and controlling the injection of fluids through a well.

SPECIFIC CHANGES:

The Division proposes to modify the regulations pertaining to wastewater operator certification; plants for sewage treatment classification (NAC 445A.286, NAC 445A.287, NAC 445A.288, NAC 445A.289, NAC 445A.290, NAC 445A.292) The Division proposes to change and to add requirements for the certification and renewal of wastewater operator certifications; add ascending education requirements; add continuing education units for renewals; and increase initial, renewal, and reciprocity fees. The Division also proposes to change the classification levels on plants for wastewater treatment to remove plant capacity as a key factor in plant classifications and base plant classification on treatment technology.

Additionally, the Division is modifying NAC 445A.867 (6) in the underground injection control program (UIC) to require all wells within an area of review for a UIC permit have proper corrective actions completed, not just injection wells.

4. **NEED AND PURPOSE:**
Nevada is one of the few states in the United States that does not have education and continuing education requirements for initial, reciprocal, and renewal certifications for professional wastewater operators. Making these revisions will bring Nevada up to

consistency with the requirements for the Association of Boards of Certification, strengthening our program to better safeguard State waters.

Inclusion of all wells to have corrective actions completed within the area of review will better safeguard State waters. Issues may arise from UIC operations in an area of review if wells do meet standards (ex. have holes, etc.).

5. **ECONOMIC EFFECTS:**
 - (a) Regulated Business/Industry: The proposed regulations does not mandate additional actions or costs on the regulated community. The proposed regulations require individual wastewater treatment operators to achieve consistency with national standards and improve the operator program in Nevada.
 - (b) Public: The proposed regulations will not have a direct economic effect on the public.
 - (c) Enforcing Agency: Costs incurred by the Division for the enforcement of the proposed regulations will be covered by the increased certification fees.
6. The proposed regulations do not overlap nor duplicate any regulations of other State or Governmental agencies.
7. The proposed regulations are no more stringent than what is established by federal law.
8. The proposed regulations includes an increase of fees for initial, reciprocal, and renewal operator certifications. Initial certification fees will be raised to \$140, renewals will be raised to \$110, and reciprocity will be raised to \$150. The increased fees for certification will be used by the agency to fund the certification program and to compensate for the time and resources that will be required to review applications with the added education and CEU requirements.

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Revision Approved by SEC 10-3-95