

FORM 1: FORM FOR PETITIONING THE STATE ENVIRONMENTAL COMMISSION FOR  
ADOPTION, FILING AMENDMENTS OR REPEAL OF COMMISSION REGULATIONS  
(Provide attachments as needed)

1. Name, address, telephone number, and signature:

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Date of Petition: June 8, 2016

Representative capacity and signature of petitioner, authorized individual, officer or attorney:

 , CHIEF BUREAU OF WASTE MANAGEMENT

2. Specific type of petitioner (individual, partnership, corporation, government agency, or other) and the exact occupation or business, including a description of the occupation or business if necessary:

Chief, Bureau of Waste Management  
Nevada Division of Environmental Protection

3. Exact and specific nature of changes sought, including delineation of the regulations, statutory provisions of Commission decisions involved. May include a statement of the written term or substance of the proposed regulatory action, or a description of the subjects and issues involved:

The proposed revisions are in response to a comprehensive regulation review by the US EPA. They are intended to correct and clarify existing state hazardous waste regulations and make them more consistent with the federal regulations. Proposed revisions include the deletion of a reference to an obsolete federal regulation, the addition of an inadvertently omitted federal subpart and the clarification of wording for hazardous waste financial assurance documents. These minor changes to existing state regulations provide fuller equivalence with current federal hazardous waste regulations.

Finally, eleven of the fourteen regulations proposed for revision include the state initiated replacement of a specific adoption by reference date, currently July 1, 2008, with a general reference to NAC 444.8632. This will simplify future adoption by reference efforts because these eleven regulations will no longer need to be specifically included in the petition.

**4. A statement of the need for and purpose of the proposed regulations:**

In order to remain consistent with federal hazardous waste regulations and authorized to enforce them in lieu of the US EPA, Nevada is required to periodically update its state hazardous waste regulations in response to changes made at the federal level. In 2007, 2008, and 2009, the SEC approved state regulations adopting the federal regulations as of July 1, 2006, July 1, 2007 and July 1, 2008, respectively. NDEP subsequently submitted draft authorization applications to EPA covering changes for July 1, 2005 through July 1, 2008, (dated April 17, 2008 and April 1, 2010). In 2015, EPA examined the draft authorization applications in conjunction with a comprehensive review of the Nevada hazardous waste program regulations. NDEP agreed to address the revisions related to federal regulations adopted as of July 1, 2008, with a 2016 technical correction petition. Likewise, EPA agreed to complete the federal authorization process for NDEP's two pending authorization applications in 2016. The proposed regulations address EPA's concerns and include the state-initiated revisions to streamline future adoption by reference petitions.

**5. A statement of the:**

**(a) Estimated economic effect of the regulation on the business which it is to regulate:**

Adoption of these corrections and clarifications to existing regulations is not anticipated to have any significant economic impact on Nevada businesses. The existing regulations have previously been approved by the SEC with no significant economic impact expected.

**(1) Both adverse and beneficial effects:**

There may be a nominally beneficial effect for the regulated universe as the changes may simplify compliance by correcting and clarifying the regulations.

**(2) Both immediate and long-term effects:**

No immediate or long-term effects are anticipated.

**(b) Estimated economic effect on the public:**

No estimated economic effect on the public is anticipated.

**(1) Both adverse and beneficial effects:**

None.

**(2) Both immediate and long-term effects:**

None.

**(c) Estimated cost by the agency for enforcement of the proposed regulation:**

None.

**6. A description of any regulations for other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:**

The proposed regulations pertain to existing regulations. They do not overlap or duplicate other regulations.

**7. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions. The statement must include the specific citation of the federal statute or regulation requiring such adoption:**

The proposed regulations correct and clarify existing regulations and make them more consistent with federal regulations.

**8. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:**

No new fees or increases are included in the proposed regulations.