



State of Nevada

Dept. of Conservation & Natural Resources

State Environmental Commission SEC.nv.gov

901 South Stewart Street, Suite 4001, Carson City, Nevada 89701

Agenda

SEC Meeting - November 16, 2016

The State Environmental Commission (SEC) will hold a meeting on Wednesday, November 16, 2016 at 10:00 am in Carson City. The meeting location is in the Bryan Building located at 901 South Stewart Street, 2nd Floor, Tahoe Conference Room. The meeting will be video conferenced in Las Vegas at the Nevada Division of Environmental Protection office located at 2030 E. Flamingo Rd., Suite 230.

Please Note: The following items may be taken out of order and/or items may be combined for consideration. Items may also be removed from the agenda or the SEC may delay discussion relating to an item on the agenda at any time. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the SEC may refuse to consider public comment. See NRS 233B.126

1) Call to Order, Roll Call, Establish Quorum (Discussion)

2) Public Comment: (Discussion)

Members of the public will be invited to speak before the SEC; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to ten minutes per person at the discretion of the chairperson.

3) Approval of October 12, 2016 Meeting Minutes (For Possible Action)

ALTERNATIVE FUEL - WAIVER

4) Discussion and adoption of a 36 month variance from NAC 486A.180 and NAC 486A.160, the requirement to use alternative fuel and purchase alternative fuel vehicles, for the City of North Las Vegas, pursuant to NAC 486A.200. (For Possible Action)

Recommendation: Pursuant to NAC 486A.200, approve the 36 month variance from the requirement to purchase alternative fuel and alternative fuel vehicles, as requested by the City of North Las Vegas, or take other action as appropriate.

The City of North Las Vegas has requested a 36 month variance from the requirement to purchase alternative fuel vehicles due to financial hardship and the requirement to purchase alternative fuel for its existing vehicles due to alternative fuel not being readily available in Southern Nevada.

- 5) **Discussion and adoption of a 24 month variance from NAC 486A.180 and NAC 486A.160, the requirement to use alternative fuel and purchase alternative fuel vehicles for its support fleet, for the Clark County School District pursuant to NAC 486A.200. (For Possible Action)**

Recommendation: Pursuant to NAC 486A.200, approve the 24 month variance from the requirement to purchase alternative fuel and alternative fuel vehicles for the support fleet, as requested by the Clark County School District, or take other action as appropriate.

Clark County School District has requested a 24 month variance from the requirement to purchase alternative fuels and alternative fuel-using vehicles for its gasoline-powered support fleet due to financial hardship.

AIR PENALTY

- 6) **B.R. Constructors, NOAV (Notice of Alleged Violation) No. 2567 (For Possible Action)**

Recommendation: Approve a penalty of \$1,400.00 for B.R. Constructors for failing to apply for and obtain an operating permit, as specified in NOAV No. 2567, or take other action as appropriate.

- 7) **Jerritt Canyon Gold, LLC, NOAV No. 2568 (For Possible Action)**

Recommendation: Approve a penalty of \$12,885.00 for Jerritt Canyon Gold, LLC for failing to meet permit limits for emissions during compliance source testing, as specified in NOAV No. 2568, or take other action as appropriate.

- 8) **Hycroft Resources & Development, Inc. - NOAV Nos. 2585 & 2586 (For Possible Action)**

Recommendation: Approve penalties for Hycroft Resources & Development, Inc. of \$3,600.00 for NOAV No. 2585 for failing to conduct required source testing, and \$43,920.00 for NOAV No. 2586 for failing to meet permit limits for emissions during compliance source testing for a total penalty amount of \$47,520.00, or take other action as appropriate.

REGULATORY PETITION

9) LCB File No. R101-16: Bureau of Water Pollution Control (For Possible Action)

Recommendation: Adopt Regulatory Petition R101-16, related to the reuse of reclaimed water, Underground Injection Control permits and onsite sewage disposal systems as a permanent regulation, as proposed by NDEP, or take other action as appropriate.

The proposed amendments pertain to NAC Chapter 445A. The NDEP is proposing to add a new category of reclaimed water that will require higher standards of treatment and that may be used for new activities associated with indirect potable reuse. The proposed amendments will clarify the existing reclaimed water categories by including additional definitions and permitted uses for reclaimed water. Also proposed are new fee categories for aquifer recharge with indirect potable reuse. The NDEP also proposes to add new fee categories to the Underground Injection Control fee schedule to allow for the administrative continuance of Underground Injection Control permits and to redefine the size of onsite sewage disposal systems regulated by the NDEP, ensuring consistency with other State regulations.

10) Administrator's Briefing to the Commission: (Discussion)

NDEP Deputy Administrator, Jennifer Carr, will brief the SEC on management changes.

11) Public Comment (Discussion)

Members of the public will be invited to speak before the SEC; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to ten minutes per person at the discretion of the chairperson.

12) Adjournment

Additional Information:

As required by the provisions of chapters 233B and 241 of Nevada Revised Statutes, this agenda was posted no later than three working days prior to the hearing at the following locations:

- Nevada State Library & Archives, 100 N. Stewart St., Carson City, NV;
- Dept. of Conservation & Natural Resources, 901 South Stewart Street, Carson City, NV;
- Nevada Division of Minerals, 400 W. King Street, Carson City, NV;
- Nevada Dept. of Agriculture, 405 South 21st Street, Sparks, NV; and
- Nevada Division of Environmental Protection, 2030 E. Flamingo Rd, Las Vegas.

This agenda and the text of the proposed regulation, including previous drafts, are or will be posted on the on the Legislative Counsel Bureau's website at:

<http://www.leg.state.nv.us/Register/> .

This agenda and supporting material for the above referenced meeting are posted on the State Environmental Commission's website at: http://sec.nv.gov/main/hearing_1116.htm. Supporting material is also available at the office of the State Environmental Commission, 901 South Stewart St., Suite 4001, Carson City, NV. Anyone desiring supporting material or additional information is invited to contact Valerie King at (775) 687-9374.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, the Nevada State Environmental Commission, in care of Valerie King, Executive Secretary, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249, facsimile (775) 687-5856, or by calling (775) 687-9374, no later than 5:00 p.m. on November 7, 2016.