

Requested Revision to LCB File No. R037-13

Division of Environmental Protection

June 3, 2014

(Amended language is highlighted in *blue*, deletions in brackets in *red*)

Section 1, subsection 1 of the proposed regulation is amended to read as follows:

1. The Division shall charge and collect the following fees for an application for the initial issuance of a permit or letter of approval:

For an application submitted by a class I site proposed to receive, based on an annual average, less than 500 tons per day.....\$5,000

For an application submitted by a class I site proposed to receive, based on an annual average, 500 tons or more per day.....\$65,000

For an application submitted by a class III site proposed to receive, based on an annual average, less than 500 tons per day.....\$[10]5,000

For an application submitted by a class III site proposed to receive, based on an annual average, 500 tons or more per day..... \$[5]20,000

For an application to operate a transfer station.....\$1,000

For an application to operate a facility for the management of waste tires.....\$2,500

Section 1, subsection 2 of the proposed regulation is amended to read as follows:

2. The Division shall, on or before March 1 of each year, charge and collect the following annual permit fees:

For a permit issued to a class I site receiving, based on an annual average, more than 100 tons per day but less than 500 tons per day, excluding class I sites which have received a waiver of the liner and groundwater monitoring requirements prescribed by this chapter.....\$5,000

For a permit issued to a class I site receiving, based on an annual average, 500 tons or more per day.....\$65,000

For a permit issued to a class III site receiving, based on an annual average, more than 20 tons per day but less than 500 tons per day.....\$[10]5,000

For a permit issued to a class III site receiving, based on an annual average, 500 tons or more per day..... \$[5]20,000

*For a permit issued to a class III site primarily receiving by-products from the combustion of coal **and receiving, based on an annual average, more than 100 tons per day.....\$10,000***

*For a permit issued to a class III site primarily receiving by-products from the combustion of coal **and receiving, based on an annual average, less than 100 tons per day.....\$5,000***

Section 1, subsection 3 of the proposed regulation is amended to read as follows:

*3. The Division shall charge and collect the annual permit fee prescribed in subsection 2 for each year during which a disposal site requires a permit for its operation. Upon the closure of the disposal site and for each year during which the disposal site requires postclosure care, the Division may charge and collect an annual permit fee. **For the first 5 years of postclosure care, the [in an] amount shall equal [to] 50 percent** of the annual permit fee charged during the permitting period immediately preceding closure. **For the remaining period of postclosure care, the amount of the fee shall equal 10 percent of the annual permit fee charged during the permitting period immediately preceding closure.***

Section 1, subsection 4 of the proposed regulation is amended to read as follows:

*4. For the purpose of modifying an existing permit to operate a solid waste disposal site, the Division shall charge and collect a **fee in an amount equal to 50 percent of the application fee applicable to the site pursuant to subsection 1 for major modifications and a flat fee of \$250 for minor modifications. Major modifications include any proposed changes to an existing permit that require public notice and comment pursuant to NAC 444.6435. Minor modifications include all other substantive changes to an existing permit; routine technical corrections or administrative updates are not considered substantive changes. [flat fee of \$200 plus an additional fee of \$50 per hour for each hour after the first 4 hours of staff time devoted t to reviewing and processing the proposed modification. The fee based on the hourly rate charged to a disposal site pursuant to this subsection must not exceed an amount equal to the application fee applicable to such site pursuant to subsection 1.]***