



## Meeting Agenda -- December 5, 2012

The State Environmental Commission (SEC) will hold a meeting on Wednesday December 5, 2012 at 10:30 am in Carson City. The meeting location in Carson City is the Bryan Building located at 901 South Stewart Street (2nd floor, Tahoe Room).

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.) Public Comments: (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.

### 2.) Approval of the Agenda: (For Possible Action)

### 3.) Approval of Minutes: October 11, 2012 (For Possible Action)

### 4.) Arsenic Rule Extensions:

Pursuant to the federal Safe Drinking Water Act and Nevada laws and regulations (i.e., NRS 445A.935, & NAC 445A.490.5), the State Environmental Commission (SEC) has the authority to grant "extensions" to exemptions previously issued by the SEC regarding the federally mandated standard for arsenic in drinking water (i.e., 10 parts per billion). In 2006 and 2007, the SEC granted sixty-four "exemptions" to water purveyors in Nevada to extend the timeline for compliance with the federal arsenic rule.

The Nevada Division of Environmental Protection's Bureau of Safe Drinking Water (BSDW) established criteria, based on state regulations and U.S. EPA guidance, to screen exempted facilities for up to three, two-year extensions to the timeline for compliance with the arsenic rule. Such extensions were issued by the SEC to eligible water systems in 2008 and 2010. Accordingly, at this meeting the SEC will act on staff recommendations for, or against, a final round of two-year extensions of the timeline for compliance with the federal arsenic rule for a selected list of water purveyors in Nevada. The list of water purveyors and

related information is available on the SEC website at:  
[http://sec.nv.gov/main/hearing\\_1212.htm](http://sec.nv.gov/main/hearing_1212.htm)

#### 5.) Administrator's Briefing to the Commission: (Discussion)

NDEP's Administrator will brief the Commission on staffing changes at the Division, anticipated federal rulemaking, activities associated with the upcoming legislative session, and BDRs.

#### 6.) Public Comments: (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.

#### 7). Adjournment:

**Additional Information:** As required by the provisions of chapters 233B and 241 of Nevada Revised Statutes, this agenda will be 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, Nevada);
- Nevada Division of Minerals, 400 W. King Street, Carson City, NV.
- Nevada Dept. of Wildlife, 1100 Valley Road, Reno NV.
- Nevada Division of Environmental Protection in Las Vegas, 2030 E. Flamingo Rd;

Persons wishing to comment on the proposed actions of the State Environmental Commission (SEC) may appear at the scheduled public hearing or may address their comments, data, views, or arguments in written form to: State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. The SEC must receive written submissions at least five days before the scheduled public hearing. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the SEC may proceed immediately to act upon any written submissions.

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 John B. Walker, Executive Secretary, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249, facsimile (775) 687-5856, or by calling (775) 687-9308, no later than 5:00 p.m. on November 28<sup>th</sup>, 2012.