

Secretary of State
Filing Data

**For Filing Administrative
Regulations**

For Emergency
Regulations Only

Effective Date

Expiration Date

Governor's Signature

State Environmental Commission

Classification [] Proposed [] Adopted By Agency [] Temporary [] Emergency [] Permanent [XX]

Petition R044-12: The Nevada Division of Environmental Protection (NDEP) is proposing to amend certain sections of state regulations contained in NAC 519A that govern reclamation of land subject to mining operations. Pursuant to the Governor's Executive Order 2011-01, this regulation repeals the provision that allows a lesser surety amount than currently required to complete certain reclamation activities. The proposed regulation would remove requirement for submission of an annual fee or arrangement of a third-party review if a corporate guarantee is used for financial assurance.

The regulation further requires reclamation plans to reference use of "Best Management Practices" for erosion and sediment control as well as describe methods for noxious weed control during reclamation. Revisions are also made to certain provisions related to the use of insurance as a reclamation surety. The regulation further clarifies information needed for the transfer of a permit, it requires reclamation cost estimates to reflect a third-party contractor performing the work, and it adds a provision that NDEP consider comments from local land use management agencies regarding postmining private land uses.

Authority citation other than 233B: §§1-8, NRS 519A.160.

Notice date: May 11, 2012

Hearing date: June 12, 2012