

Secretary of State
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Regulations**

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Effective Date

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Governor's Signature

State Environmental Commission

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

Petition R052-11: This proposed regulation establishes an operator training component for the Nevada Division of Environmental Protection's (NDEPs) underground storage tank program. The basis for the regulation falls under the provisions of Section 9010a of the federal Solid Waste Disposal Act (SWDA) as amended by the Energy Policy Act of 2005. The proposed regulation would amend NAC 459.9921.

Once implemented the revised regulation is aimed at reducing underground storage tank releases to the environment. Operator training requirements are intended to ensure that those persons responsible for the operation of an underground storage tanks have received proper training in all relevant aspects of operation, maintenance, and regulation of underground tanks. The proposed regulation makes a distinction between three types of operators.

In order to continue to receive federal funds under Subtitle I of the SWDA implementing agencies, NDEP is required to enact program changes to institute an operator training element as part of the agencies tank program.

Authority citation other than 233B: §§1-9, NRS 459.826

Notice date: January 12, 2012

Hearing date: February 15, 2012