

# Permanent Regulation - Filing Statement

Nevada Division of Environmental Protection  
Bureaus of Waste Management

## Adoption of Federal Regulations by Reference Governing Hazardous Waste Management

Legislative Review of Adopted Regulations as Required  
By Administrative Procedures Act, NRS 233B.066

### State Environmental Commission (SEC) Petition 2005-08 – LCB File R175-05

This regulation incorporates changes to the federal hazardous waste regulations that are currently in conflict with Nevada's existing State regulations. The regulation will revise State regulations to be more consistent with federal regulations.

The federal regulatory changes adopted by US EPA which are now being adopted by Nevada include clarification of the used oil management standards, revisions to the National Performance Track Program, new listing of hazardous wastes from the dye and pigment industries and revisions to related land disposal restrictions. The regulatory changes also include standardization of the Uniform Hazardous Waste Manifest and updates to the analytical and sampling methods approved for use in complying with Resource Conservation Recovery and Act (RCRA) regulations.

#### **1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

The Nevada Division of Environmental Protection (NDEP) held one workshop on the above referenced regulation. The purpose of the workshop was to inform the public and regulated community about the proposed regulatory changes and solicit comments from interested persons. Time and location of the workshop is noted below.

October 19, 2005 - 9:00 AM  
Nevada Division of Environmental Protection  
Richard H. Bryan State Office Building  
901 South Stewart Street,  
Conference Room 413 Carson City, Nevada

The State Environmental Commission (SEC) held a public hearing to consider this regulation on March 8th, 2006 at the Washoe County Commission Chambers in Reno, Nevada.

#### **2. The number persons who attended the SEC Regulatory Hearing:**

- (a) Attended March 08, 2006 hearing; 70
- (b) Testified on this Petition at the hearing: 1
- (c) Submitted to the agency written comments: (none)

**3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

Comments were solicited from affected businesses as indicated in number 1 above. Comments were also solicited by State Environmental Commission (SEC) in the SEC notice in the newspapers, by direct mail to interested persons subscribing to the SEC electronic and ground-based mailing list.

The public notice for the referenced SEC meeting was also sent to county libraries throughout the state and the proposed regulation was made available for public inspection at the State Library in Carson City, and at the offices of the Nevada Division of Environmental Protection in Carson City and Las Vegas. The workshop notice, summary of comments received at the workshop, the proposed regulation, the SEC public notice and the SEC meeting agenda were also made available on SEC Website at: <http://www.sec.nv.gov/main/hearing030806.htm>

**4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

No changes were proposed at the State Environmental Commission Hearing, either by NDEP staff, the public or the Commission. Consensus on the proposed changes was obtained prior to the Hearing, during the drafting and public workshop process.

**5. The estimated economic effect of the adopted regulation on the business, which it is to regulate, and on the public.**

No anticipated economic effects will result from adoption of this regulation

**6. The estimated cost to the agency for enforcement of the adopted regulation.**

There will be no additional costs to the Nevada Division of Environmental Protection for implementing this regulation.

**7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

The regulation does not overlap or duplicate any regulations of other state, federal or local agencies.

**8. If the regulation includes provisions which are more stringent than a federal regulation, which regulates the same activity, a summary of such provisions.**

The regulation is no more stringent than what is established by federal law.

**9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

This regulation does not address fees changes.