

Permanent Regulation - Filing Statement

Nevada Division of Environmental Protection
Bureaus of Waste Management

Legislative Review of Adopted Regulations as Required
by Administrative Procedures Act, NRS 233B.066 & 233B.0603.10(f)

State Environmental Commission (SEC) LCB File No: R031-11

R030-11: Petition R031-11: This petition deletes obsolete regulations, NAC 444.8752 through NAC 444.8788 inclusive, which pertain to a grant funded program for reduction of hazardous or industrial waste using new environmental technologies. No grant applications have been received, nor have grants been awarded in over a decade and no funding for this program is included in the SFY12-13 legislatively approved budget. Alternatively, free and confidential assistance regarding waste reduction, recycling, pollution prevention and hazardous waste regulatory compliance is currently available to all Nevada businesses from the University of Nevada, Reno's Business Environmental Program through a longstanding contract with the Nevada Division of Environmental Protection (NDEP).

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

The NDEP held a regulatory workshop for this regulation on September 14, 2011. The workshop was held in Carson City and video-conferenced to Las Vegas. At these meetings, the NDEP solicited comment on the proposed regulation. About 15 individuals attended the workshop. Minutes are available on the SEC web site at http://www.sec.nv.gov/main/hearing_1011.htm, see agenda item #7.

Following the workshops, the SEC held a regulatory hearing on October 5, 2011. The hearing was held in Reno at the Nevada Dept. of Wildlife, 1100 Valley Road. A public notice and agenda for the SEC regulatory hearing was posted at the meeting location, at the State Library in Carson City, and at the Offices of the Division of Environmental Protection in Carson City and Las Vegas. Copies of the agenda, the public notice, and the proposed permanent regulation were also made available to all public libraries throughout the state as well as to individuals on the SEC mailing lists.

The public notice for the permanent regulation was published in the Las Vegas Review Journal and Reno Gazette Journal newspapers once a week for three consecutive weeks prior to the SEC regulatory hearing. Other information about the regulations was also made available on the SEC website at: http://sec.nv.gov/main/hearing_1011.htm

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

- (a) Attended June 16, 2011 hearing: 20 (approx.)
- (b) Testified on this Petition at the hearing: 1 (1 NDEP)
- (c) Submitted to the agency written comments: 1

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

Comments were solicited from affected businesses and responded to through e-mail and telephone exchanges, and the public workshops indicated in number 1 above.

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 made to the regulation. The regulation was adopted by the SEC as presented. The permanent regulation was not changed.

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

This regulation will not have an immediate or long-term adverse economic impact on the public or the business community.

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

There will be no additional costs to the agency for enforcement of the proposed 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.

This regulation does not duplicate any other federal, state or local regulation .

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 not more stringent than any federal regulation or guidance.

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.

The regulation does not address fees.