

**Summary Minutes of the
NDEP Recycling Regulations Public Workshop**

November 29, 2011, 9:00 AM

Nevada Division of Environmental Protection
901 S. Stewart Street, Carson City

Las Vegas Attendees	Carson City Attendees	Elko Attendees
Bob Ostrovsley Richard Nelson, BEC Env.	Greg Martinelli, WM, Inc. Jim Endres, McDonald Carano Chelsea Capurro, GCG of NV Jeanne Lear, S. Tahoe Refuse	Eric Hardisty Joshua Lindstrom

Attendees from the Nevada Division of Environmental Protection (NDEP) included: Art Gravenstein, Jasmine Vittori, Chet Sergent, Nicole Goehring, Elsa Romero, Kathryn Dotchin, Diane Benson, Tansey Smith, Thomas Burt, and Mike Richardson.

Workshop Minutes

These minutes cover the public workshop held on November 29, 2011, held to solicit comments on our proposed amendments to NAC 444A.120 and 444A.130. The proposed amendments will be heard by the SEC on February 15, 2012.

1) Introduction and brief explanation of the revision process (see Attachment 1 – workshop agenda): The public workshop was started promptly at 9:00 am by Jasmine Vittori who began with introductions and the reason for the workshop. Ms. Vittori’s dialog was as follows:

“Good morning. My name is Jasmine Vittori. I’m located in Carson City. In Elko we have Chet Sergent; in Las Vegas we have Nicole Goehring. We are from the Bureau of Waste Management here at the Nevada Division of Environmental Protection (NDEP).

This is the Recycling Regulations Workshop for proposed regulation R049-11. This is not the State Environmental Commission (SEC) hearing. That hearing is scheduled for February 15, 2012 in Reno, NV.

The intent of this workshop is to provide an opportunity for the public to comment on the proposed regulations.

Please be sure to sign the attendance sheet so that we can document public participation. If you wish to make a comment or have questions, please take a note card to write them down on. Note cards are located next to the sign-in sheet. All questions and comments will be accepted at this workshop and we’re asking that you write them down so that we

can collect and formally address each comment within 30 days of this workshop. This workshop is being recorded and minutes will be posted on the internet. Please note that your comments will be recorded in the minutes unless you request otherwise. Copies of the proposed state regulations are available today for review. Please take a copy for reference during the workshop.”

- 2) **Presentation of proposed regulation R049-11, which amends NAC 444A.120 and 444A.130 (see Attachment 2 – proposed amendments):** Jasmine Vittori continued the workshop by providing a brief description of the proposed amendments. Jasmine Vittori’s continued dialog was as follows:

“We will start by making a brief description of the proposed changes to Nevada’s recycling regulations. After the brief description will be an opportunity for you to ask questions and make comments. The comment cards will be collected at the end of the workshop.

Proposed regulation R049-11 seeks to amend recycling regulations Nevada Administrative Code (or NAC) 444A.120 and NAC 444A.130 by adding provisions for recycling services at apartment complexes and condominiums. These amendments are specific to municipalities above 100,000 people where source-separated recycling is available. Presently NAC 444.120 and NAC 444.130 do not make provisions for or establish minimum standards for recycling at apartments or condominiums.

The proposed regulation amendments do not mandate participation in recycling; they only require that recycling be made available. How recycling is made available or implemented is not outlined in the proposed regulation amendments.

Once regulation amendments have been adopted an addendum will be added to the Recycling & Waste Reduction Model Plan for municipalities with populations greater than 100,000.

At this time we’ll take comments and questions regarding the proposed regulation changes. We will start with the Elko location, followed by the Carson City and Las Vegas locations. Please hold onto your notecards. We’ll collect them at the end of the workshop. Comments will continue to be accepted until the end of the comment period on December 21, 2011. As mentioned earlier, all comments and questions will be addressed within 30 days of this workshop.”

- 3) **Public Comments (Action Item):** Jasmine Vittori opened the floor to comments and questions regarding the proposed regulation changes. The floor was first given to the Las Vegas Office and then opened for Carson City (with one comment) and Elko, respectively.

A) **Comment #1:** Greg Martinelli, Waste Management, Inc.: “Source separation is not meant to preclude recyclables from being collected in a single stream manner, correct?”

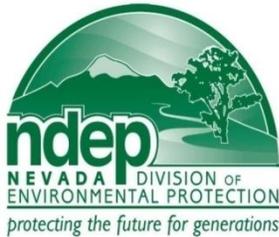
Jasmine Vittori, NDEP, responded verbally “No.” at the workshop, and formally in writing that “The proposed regulation amendments do not mandate participation in recycling; they only require that recycling be made available at multi-family dwellings. How recycling is made available or implemented is not outlined in the proposed regulation amendments. Availability of curbside recycling (source separated) at any residence, multi-family or single family, does not preclude recyclable commodities from being collected in a single stream manner. However, the details of such collection would be subject to negotiation with the solid waste management authority for each specific municipality.”

- 4) **Public Comments (Action Item):** Jasmine Vittori once again called for public comments and hearing none concluded the meeting.

ATTACHMENTS

ATTACHMENT 1: Meeting Agenda.

ATTACHMENT 2: Proposed Regulatory Amendments.



STATE OF NEVADA

Department of Conservation & Natural Resources

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

DIVISION OF ENVIRONMENTAL PROTECTION

Colleen Cripps, Ph.D., Administrator

Attachment 1

Public Workshop for Proposed Regulation for Implementing SB417 Concerning Municipal Recycling at Apartments & Condominiums:
NAC 444A.120 and NAC 444A.130

9:00 am Tuesday, November 29, 2011

Bryan State Office Building
Tahoe Hearing Room
901 S. Stewart Street
Carson City, Nevada 89701

Desert Research Institute
Room 182
755 East Flamingo Road
Las Vegas, Nevada 89119

Great Basin College
Greenhaw Technical Arts 118
1500 College Parkway
Elko, Nevada 89801

AGENDA

Items on the Agenda may be taken out of order.

1. Introduction and brief explanation of revision process by NDEP staff.
2. Presentation of proposed regulation R049-11. Inclusion to NAC 444.120 and NAC 444.130: Adding provisions for recycling services at apartment complexes and condominiums.
3. Public questions and comments regarding proposed regulation R049-11.
4. Closing comments by NDEP staff.

The proposed regulation and related materials are available on the NDEP website at: <http://ndep.nv.gov/admin/public.htm>. A copy of materials relating to the proposed regulations may also be obtained at the workshop or from Jasmine Vittori at NDEP, 901 S. Stewart Street, Suite 4001, Carson City, NV 89701-5249; or by calling (775) 687-9466; or email to jvittori@ndep.nv.gov.

Members of the public who are disabled and require special accommodations or assistance at the workshop are requested to notify Jasmine Vittori no later than 5:00 p.m. on November 22, 2011.

Notice of this meeting was posted at the following Nevada locations:

Department of Conservation and Natural Resources, 901 S. Stewart Street, Carson City
State Legislative Building, 401 S. Carson Street, Carson City

Nevada State Library and Archives, 100 S. Stewart Street, Carson City

Nevada Division of Environmental Protection, 2030 E. Flamingo Road, Suite 230, Las Vegas

Attachment 2

PROPOSED REGULATION OF THE STATE ENVIRONMENTAL COMMISSION

(Draft regulation to implement SB417, adopted in the 2011 Session)

July 1, 2011

EXPLANATION – Matter in *italics* is new; matter in brackets [omitted material] is material to be omitted.

AUTHORITY: NRS 444A.070.

A REGULATION relating to recycling; revising the standards for municipal recycling programs by adding provisions for recycling services at apartment complexes and condominiums; and providing other matters properly relating thereto.

Section 1. “Apartment complex” has the meaning ascribed to it in NRS 444A.0103.

Sec. 2. “Condominium” has the meaning ascribed to it NRS 444A.0107.

Sec. 3. NAC 444A.120 is hereby amended to read as follows:

1. A municipality which makes a program available pursuant to [NRS 444A.040](#) shall submit a request for approval of the program to the Department. The request must be accompanied by:

(a) In a municipality whose population is 40,000 or more but less than 100,000:

(1) A statement setting forth the location of and types of recyclable material collected by each recycling center.

(2) A description of the program for the disposal of hazardous household products which sets forth:

(I) The location of and types of material collected by each collection site; and

(II) The schedule for the collection of the hazardous household products.

(3) A copy of all ordinances which:

(I) Govern the program; or

(II) Provide for the participation of the municipality in a program adopted by an adjoining municipality.

(4) Any other documentation and information which demonstrates that the program will ensure that the municipality will meet the goal set forth in [NAC 444A.110](#).

(b) In a municipality whose population is 100,000 or more, in addition to the documentation and information required by paragraph (a), copies of all contracts and agreements to provide for the separation at the source of recyclable material from other solid waste originating from the residential premises, **[and]** public buildings, *apartment complexes and condominiums* where services for the collection of solid waste are provided.

2. The Department shall approve a program if the Department determines that the program will contribute to the achievement of the municipality’s goal set forth in [NAC 444A.110](#).

3. As used in subsection 1, “recycling center” means a facility designed and operated to receive, store, process or transfer recyclable material.

(Added to NAC by Environmental Comm’n, eff. 11-10-92; A 10-3-96; R038-01, 10-25-2001, eff. 7-1-2002)

Sec. 4. NAC 444A.130 is hereby amended to read as follows:

1. A municipality which makes available in that municipality a program for the disposal of hazardous household products shall provide for the collection at least semiannually of used or waste motor oil, motor vehicle batteries and:

(a) Paint and products associated with painting; or

(b) Any other household, garage or garden products which are capable of causing harmful physical effects if inhaled, absorbed or ingested.

↪ If a program for the disposal of hazardous household products is made available, it must be implemented on or before January 1, 1994.

2. A municipality which makes available in that municipality a program for the separation at the source of recyclable material at residential premises, *including apartment complexes and condominiums*, shall designate at least three recyclable materials to be so separated.

3. A municipality which makes available in that municipality a program for the separation at the source of recyclable material at public buildings shall designate at least three recyclable materials to be so separated.

(Added to NAC by Environmental Comm’n, eff. 11-10-92; A by R038-01, 10-25-2001, eff. 7-1-2002)