

**Summary Minutes of the  
NDEP Solid Waste Public Workshop**

**February 01, 2012, 9:00 AM**

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

Las Vegas Attendees	Carson City Attendees
Walter Ross, SNHD Eddie Ridenour, SNHD Elizabeth Nelson, BEC Environ. Tom Woodworth, NV Energy	Greg Martinelli, Waste Management Jim Endres, Representing Recology Chelsea Capurro, Griffin Comm. Group

Attendees from the Nevada Division of Environmental Protection (NDEP) included: Art Gravenstein, John Walker, Jasmine Vittori, Chet Sergent, Nicole Goehring, Tansey Smith and Mike Richardson.

**Workshop Minutes**

These minutes cover the public workshop held on February 1, 2012, held to solicit comments on our proposed amendments to NAC 444.748. 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 here in Carson City. Chet Sergent and I will be facilitating today’s Solid Waste Workshop. Today’s workshop is connected to our office in Las Vegas via audio/video connection. At the Las Vegas location we have Nicole Goehring facilitating. We are from the Bureau of Waste Management here at the Nevada Division of Environmental Protection (NDEP).”

“This is the Solid Waste Regulations Workshop for proposed regulation R123-11. **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. This workshop is being recorded."

- 2) **Presentation of proposed regulation R123-11, which amends NAC 444.748 (see attachment 2 – proposed amendments):** Chet Sergent provided a brief description of the proposed amendments. Mr. Sergent's dialog was as follows:

"I will start with a brief description of the proposed changes to Nevada's solid waste 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."

"This proposed regulation will amend NAC 444.748 to clarify the jurisdictional responsibilities associated with appeals concerning the management and disposition of solid waste by Nevada's three Solid Waste Management Authorities. The proposed amendment makes it clear that only those appeals involving the management of solid waste under the direct regulatory control of the Nevada Division of Environmental Protection, may be appealed to the SEC and must conform to the procedural rules of the SEC as codified under NAC 445B.875."

"The current regulations were never intended to include the appeal to the State Environmental Commission (SEC) of solid waste matters under the jurisdiction of Washoe and Clark County. Such matters have typically been appealed to the District Boards of Health in their respective counties. The amendment is to subpart 2 of NAC 444.748 and consists of deleting the phrase "solid waste management authority" and replacing it with the word "Division"."

"At this time we'll take comments and questions regarding the proposed regulation changes. We will start with the Las Vegas location and then here in Carson City. 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 February 10, 2012. As mentioned earlier, all comments and questions will be addressed within 30 days of this workshop."

- 3) **Public Comments (Action Item):** Chet Sergent opened the floor to comments and questions regarding the proposed regulation changes. The floor was first given to the Las Vegas Office with 2 comments/questions being made and then the floor was opened for Carson City (with no comments):

- A) **Comment #1:** Walter Ross, Southern Nevada Health District; if the proposed regulation amendment is adopted, when would it become effective?

Mr. Sergent, NDEP, responded that once a proposed regulation amendment is approved by the SEC, it then goes to LCB for final approval by the Legislative Council Committee. It could take between 30-60 days or more.

- B) **Comment #2:** Eddie Ridenour, SNHD; can we get a copy of the attendance roster and minutes from the workshop?

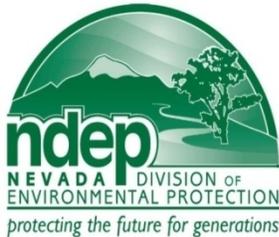
Ms. Goehring, NDEP, Las Vegas Office, informed Mr. Ridenour that the minutes will be available on-line and we will let him know when completed. She also would forward the name and affiliation of all attendees to them.

- 4) **Public Comments (Action Item):** Chet Sergent once again called for public comments and hearing none he 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**

## **Notice of Workshop for Proposed Permanent Regulation Relating to Solid Waste: NAC 444.748**

9:00 am Wednesday, February 1, 2012

Bryan State Office Building  
Great Basin Conference Room  
901 S. Stewart Street  
Carson City, Nevada 89701

Nevada Division of Environmental Protection  
Red Rock Conference Room  
2030 E. Flamingo Road Suite 230  
Las Vegas, Nevada 89119

### **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 R123-11: A Regulation Relating to Solid Waste
3. Public questions and comments regarding proposed regulation R123-11.
4. Closing comments by NDEP staff.

The proposed permanent regulations 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 permanent regulations may also be obtained at the workshop or from Art Gravenstein at NDEP, 901 S. Stewart Street, Suite 4001, Carson City, NV 89701-5249; or by calling (775) 687-9467; or email to [agravens@ndep.nv.gov](mailto:agravens@ndep.nv.gov).

Members of the public who are disabled and require special accommodations or assistance at the workshop are requested to notify Art Gravenstein no later than 5:00 p.m. on January 25, 2012.

Notice of this meeting is 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

**PROPOSED REGULATION OF THE  
STATE ENVIRONMENTAL COMMISSION**

**LCB File No. R123-11**

**P2012-02**

November 14, 2011

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

AUTHORITY: NRS 444.560.

A REGULATION relating to solid waste; revising the provisions for appeals of final decisions, clarifying that only the decisions of the Division may be appealed to the State Environmental Commission.

**Section 1. NAC 444.748 is hereby amended to read as follows:** (NRS 444.560)

1. Any person who believes that an alternative to any standard specified in NAC 444.570 to 444.7499, inclusive, will comply with the intent of the specified standard and will protect public health and the environment, may petition the State Environmental Commission for a variance in accordance with its procedural rules. A variance may not be granted if it is inconsistent with the federal criteria for landfills set forth in 40 C.F.R. Part 258, as that part existed on November 8, 1993.

2. Any person who wishes to appeal from a decision or action of the *Division* [~~solid waste management authority~~] may do so. Such an appeal must be made in writing in accordance with the State Environmental Commission's procedural rules.