



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

FACT SHEET

FOR PROPOSED REGULATION OF THE STATE ENVIRONMENTAL COMMISSION R049-11 IMPLEMENTING SB417 CONCERNING MUNICIPAL RECYCLING AT APARTMENTS & CONDOMINIUMS

This FACT SHEET summarizes the basis for the proposed amended regulations revising the standards for municipal recycling programs. The changes to these regulations are required by statutes that were amended by the Nevada Legislature during the 2011 session.

A. DESCRIPTION

The State of Nevada is authorized by the United States Environmental Protection Agency (EPA) to enforce federal Solid Waste regulations. On April 22, 2011, the 2011 State Senate passed Senate Bill (SB) 417. The Bill subsequently passed the Assembly on May 28, 2011 and was approved by the Governor on June 4, 2011.

- Existing law requires the State Environmental Commission (SEC) to adopt regulations establishing minimum standards for separating, at the source, recyclable material from other solid waste originating from residential premises and public buildings where services for the collection of solid waste are provided. (NRS 444A.020)
- Existing law requires the Nevada Division of Environmental Protection (NDEP) of the State Department of Conservation and Natural Resources to adopt, by regulation, a model plan for that purpose. (NRS 444A.030)
- Existing law imposes a similar requirement upon the board of county commissioners in a county whose population is 100,000 or more (currently Clark and Washoe Counties) by requiring those boards to make available for use in those counties a program for the separation at the source of recyclable material from other solid waste originating from residential premises and public buildings where services for the collection of solid waste are provided. (NRS 444A.040)

However, unlike the requirement imposed upon the SEC and the NDEP concerning recyclable material, the requirement imposed upon those boards of county commissioners specifically set forth a requirement that the recycling program of the board include provisions for the placement of recycling containers on the premises of apartment complexes and condominiums where those services are provided.

Sections 1 and 2 of this bill revise the requirement concerning the adoption of regulations by the SEC and the NDEP for the separation of recyclable material at the source to require those regulations to include provisions for the placement of recycling containers on the premises of apartment complexes and condominiums where those services are provided.

- Accordingly, the NDEP plans to incorporate these required changes into state regulation. Chapter 444A of the Nevada Administrative Code (NAC) will be amended to include the above described provisions.

Summary:

The proposed regulation changes would revise the standards for municipal recycling programs by:

- Adding provisions for recycling services at apartment complexes and condominiums
- Increasing municipality population threshold from 40,000 to 45,000. (Assembly Bill 545)
- Providing other matters properly relating thereto

B. PROCEDURES FOR REACHING A FINAL DECISION

NDEP is making the proposed regulation changes available for public comment for a period of thirty days. The comment period will begin on November 22, 2011 and will end on December 21, 2011. Any person interested in commenting on these proposed regulation changes must do so within the 30 day comment period. Comments should include all reasonable references, factual grounds, and supporting material. A public hearing will be held, if necessary or requested, to further hear comments regarding the proposed regulation.

All persons wishing to request a hearing or comment on any of the proposed regulation changes should do so in writing to:

Nevada Division of Environmental Protection
Bureau of Waste Management
ATTN: Jasmine Vittori
701 S. Stewart Street, Suite 4001
Carson City, Nevada 89701
775-687-9466
jvittori@ndep.nv.gov

A copy of the proposed regulation changes will be available for review at the above address and at:

Department of Conservation and Natural
Resources
901 S. Stewart Street
Carson City, NV 89701

Nevada State Library and Archives
100 S. Stewart Street
Carson City, NV 89701

State Legislative Building
401 S. Carson Street
Carson City, NV 89701

Nevada Division of Environmental Protection
2030 E. Flamingo Road, Suite 230
Las Vegas, NV 89119