

NEVADA STATE ENVIRONMENTAL COMMISSION

A G E N D A

May 10, 2001

The Nevada State Environmental Commission will conduct a public hearing commencing at **9:00 a.m. on Thursday, May 10, 2001, at the Nevada Division of Wildlife, Conference Room B, 1100 Valley Road, Reno, Nevada.**

This agenda has been posted at the Clark County Library and the Grant Sawyer State Office Building in Las Vegas, the Washoe County Library and the Division of Wildlife in Reno, the Department of Museums, Library and Arts and the Division of Environmental Protection Office in Carson City. The Public Notice for this hearing was published on April 10, April 19 and April 25, 2001 in the Las Vegas Review Journal and Reno Gazette Journal newspapers.

The following items will be discussed and acted upon but may be taken in different order to accommodate the interest and time of the persons attending.

I. Approval of minutes from the February 15, 2001 meeting. * ACTION

II. Regulatory Petitions * ACTION

A. Petition 2001-03 is a temporary amendment to NAC 444A.005 to 444A.470 to extend programs for separating at the source recyclable material from other solid waste to include public buildings in counties with populations greater than 100,000. The proposed temporary regulations add for public buildings the minimum standards and a model plan which were previously established for the source separation of recyclables at residential premises. Definitions for public building, paper and paper product are added. NAC 444A.120 is proposed to be amended to add public buildings and 444A.130 is amended to provide for a municipality to make available a source separation of recyclable materials at public buildings.

B. Petition 2001-04 is a temporary amendment to NAC 232 and/or NAC 444A. The proposed temporary regulation prescribes the paper and paper product recycling procedures for state agencies. The temporary regulation provides criteria for exemption from the recycling requirements, provides for clearly labeled containers, establishes reporting criteria by state agencies and requires a building recycling plan to be submitted to the Division of Environmental Protection.

C. Petition 2000-12 (LCB R-117-00) is a permanent amendment to NAC 445B.001 to 445B.395, the air pollution control regulations. Amended is NAC 445B.194, which limits the criteria for temporary sources. NAC 445B.287 redefines the requirement when an operating permit or permit to construct is required. NAC 445B.288 redefines insignificant activities. NAC 445B.290 requires new stationary Class I sources to submit an application. NAC 445B.295 redefines the requirements for compliance plans. NAC 445B.316 amends the description of emissions trading to be modified to ensure consistency with 40 CFR Part 70 and provides conditions governing a permit shield. And, finally, NAC 445B.331 is amended for change of location fees for Class I and II sources requiring 10 days advanced notice.

D. Petition 2001-05 is a temporary amendment to NAC 445B.001 to 445B.395, the state air pollution control permitting program. The proposed temporary regulation amends NAC 445B by creating and defining a new classification of operating permits. The new Class III permit will provide eligible sources (those emitting 5 tons or less of specific pollutants) a streamlined permitting process, which includes accelerated permit review and issuance and lower permitting fees. This regulation will provide regulatory relief for small quantity sources.

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E. Petition 2001-07 is a temporary amendment to NAC 445A.810 to 445A.925, the underground injection control (UIC) program. The proposed amendment provides that "other Sensitive Groundwater Areas" can be determined to meet compliance with the proposed regulations. The regulations revise outdated Nevada Revised Statute references, the expansion of minor permit modification criteria and logistics, the expansion of temporary permit criteria, methods to establish permit limits in the absence of specific standards, and the prohibition on treated effluent is to be repealed. New definitions for cesspool, Class V Rule, delineation, drywell, groundwater protection area, improved sinkhole, other sensitive groundwater area, motor vehicle waste disposal well, point of injection, sanitary waste, septic system, source water assessment and protection program, subsurface fluid distribution system, are proposed amendments. Restrictions are imposed on Motor Vehicle Waste Disposal wells. Fees for renewals in NAC 445A.872 are reduced, repealed and incorporated into the existing annual fee. This fee category is expanded to included major modifications.

III. Petitions Returned by the Legislative Commission pursuant to NRS 233B.067(4) * ACTION

A. Petition 2000-10 (LCB R-104-00) is a permanent amendment to NAC 445A.119 to 445A.225, the water pollution control standards for water quality. The amendment adds new water quality standards and beneficial uses for Walker Lake and amends the standards for various reaches of the East and West forks of the Walker River. A new control point is proposed to be added on the east Walker River at Bridge B-1475 at the state line with California. Amendments are proposed for NAC 445A.159 to 445A.169, inclusive including Sweetwater Creek and Desert Creek of the Walker River. Amendments vary for each reach defined above, but include: temperature, pH, total phosphates, nitrogen species as N, Dissolved Oxygen, suspended solids, turbidity, color, total dissolved solids, chloride, sulfate, the sodium adsorption ratio, alkalinity and Escherichia coli. It is proposed to revise the time period that adult Lahontan cutthroat trout may be present in the reach from Walker Lake to Weber Reservoir. (Adopted by the Environmental Commission on February 15, 2001 and heard and acted upon by the Legislative Commission on April 17, 2001)

IV. Settlement Agreements on Air Quality Violations * ACTION

- A. Priske Jones; Notice of Alleged Violation #1459
- B. CB Aggregate; Notice of Alleged Violation #1461, 1462 & 1463
- C. A & K Earthmovers; Notice of Alleged Violation # 1465
- D. Rees's Enterprise; Notice of Alleged Violation # 1468
- E. Frehner Construction Co.; Notice of Alleged Violation #1473
- F. Round Mountain Gold Corporation; Notice of Alleged Violation #1508, 1510 & 1511

V. Review of Commission Rules of Practice Pursuant to NRS 233B.050(d) * ACTION

VI. Status of 2001 Legislative Session

VII. Status of Division of Environmental Protection's Programs and Policies

VIII. General Commission or Public Comment

Copies of the proposed regulations may be obtained by calling the Executive Secretary at (775) 687-4670, extension 3118. The public notice and the text of the proposed permanent regulations are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653. The proposed regulations are on the Internet at <http://www.leg.state.nv.us>. In addition the State Environmental Commission maintains an Internet site at <http://www.ndep.state.nv.us/admin/envir01.htm>.

Persons with disabilities who require special accommodations or assistance at the meeting are requested to notify David Cowperthwaite, Executive Secretary in writing at the Nevada State Environmental Commission, 333 West Nye Lane, Room 138, Carson City, Nevada, 89706-0851 or by calling (775) 687-4670, extension 3117, no later than 5:00 p.m. **May 4, 2001.**

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