

NEVADA STATE ENVIRONMENTAL COMMISSION NOTICE OF PUBLIC HEARING

The Nevada State Environmental Commission will hold a public hearing beginning at **9:00 a.m. on Thursday, May 10, 2001, at the Nevada Division of Wildlife's Conference Room A, located at 1100 Valley Road, Reno, Nevada.**

The purpose of the hearing is to receive comments from all interested persons regarding the adoption, amendment, or repeal of regulations. If no person directly affected by the proposed action appears to request time to make an oral presentation, the State Environmental Commission may proceed immediately to act upon any written submission.

1. 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 The regulations revise outdated Nevada Revised Statute references, the expansion of minor permit modification criteria and logistics, the expansion of temporary permit criteria, methods to establish permit limits in the absence of specific standards, and the prohibition on treated effluent is to be repealed.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 Fees for renewals in NAC 445A.872 are reduced, repealed and incorporated into the existing annual fee.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 include major modifications.

The proposed permanent regulation is not anticipated to have any significant adverse short or long-term economic impact on Nevada businesses. Businesses with motor vehicle waste disposal wells may see an increase in operation and maintenance costs associated with sampling and monitoring of wells. The adoption of this regulation is not anticipated to have a direct short or long term adverse economic impact upon the public. The Division of Environmental Protection is developing a mechanism using \$ 820,000 of funding from the Drinking Water State Revolving Fund over a five-year period to implement the new regulations associated with the federal Class V well rule. The proposed regulations do not overlap or duplicate any regulations of another state or local governmental agency. The proposed regulations are amended to reflect federal UIC regulations for Class V Rule, as published on December 7, 1999 to impose additional restrictions on injection wells. The regulations are no more stringent than federal regulations. There is no additional direct cost to the agency for enforcement. Implementation of this regulation is done in cooperation with the U.S. Geological Survey. This regulation reduces the renewal fee and incorporates major modifications into the annual and revised renewal fee structure.

Note: Petition 2000-12 (LCB R-117-00) a permanent amendment to NAC 445B.001 to 445B.395, the air pollution control regulations and Temporary petition 2001-05 amends NAC 445B by creating and defining a new class III air pollution operating permits were previously noticed for the February 15, 2001 hearing. Temporary Petitions 2001-03 and 2001-04, dealing with recycling in public buildings was also previously noticed for the February 15, 2001 hearing. These four petitions will also be heard on May 10, 2001.

Page 2 - Notice of Environmental Commission Hearing for May 10, 2001

Pursuant to NRS 233B.0603 the provisions of NRS 233B.064 (2) are hereby provided:

"Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporation therein its reason for overruling the consideration urged against its adoption."

Persons wishing to comment on the proposed regulation changes may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Environmental Commission, 333 West Nye Lane, Carson City, Nevada 89706-0851. Written submissions must be received at least five days before the scheduled public hearing.

A copy of the regulations to be adopted or amended will be on file at the State Library, 100 Stewart Street and the Division of Environmental Protection, 333 West Nye Lane - Room 104, in Carson City and at the Division of Environmental Protection, 555 E. Washington - Suite 4300, in Las Vegas for inspection by members of the public during business hours. In addition, copies of the regulations and public notices have been deposited at major library branches in each county in Nevada. The notice and the text of the proposed 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. It is at <http://www.ndep.state.nv.us/admin/envir01.htm>. This site contains the public notice, agenda, codified regulations, and petitions for pending and past commission actions.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, the Nevada State Environmental Commission, in care of David Cowperthwaite, 333 West Nye Lane, Room 138, Carson City, Nevada, 89706-0851, facsimile (775) 687-5856, or by calling (775) 687-4670 Extension 3118, no later than 5:00 p.m. on May 1, 2001.

This public notice has been posted at the following locations: Clark County Public Library and Grant Sawyer Office Building in Las Vegas, Washoe County Library and Division of Wildlife in Reno, Division of Environmental Protection, and the Department of Museums, Library and Arts in Carson City.

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