

# Form #1

## Petition to Adopt, Amend, or Repeal Commission Regulations

Approved 10-3-1995



NEVADA  
STATE ENVIRONMENTAL  
COMMISSION

### 1. Name, address, telephone number, and signature:

Name: Elizabeth Kingsland

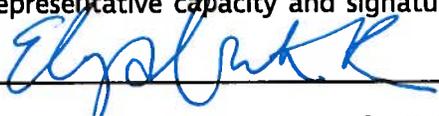
Address: 901 South Stewart Street, Ste. 4001 Carson City, NV 89701-5249

E-mail Address: ekingsland@ndep.nv.gov

Telephone Number: 775-687-9433

Date of Petition: 12/20/19

Representative capacity and signature of petitioner, authorized individual, officer or attorney:



### 2. Specific type of petitioner (individual, partnership, corporation, government agency, or other) and the exact occupation or business, including a description of the occupation or business if necessary:

Governement Agency - Nevada Division of Environmental Protection, Bureau of Water Pollution Control.

### 3. Exact and specific nature of changes sought, including delineation of the regulations, statutory provisions of Commission decisions involved. May include a statement of the written term or substance of the proposed regulatory action, or a description of the subjects and issues involved:

The Division proposes to modify the regulations pertaining to wastewater operator certification; plants for sewage treatment classification (NAC 445A.2862; NAC 445A.2866; NAC 445A.2868; NAC 445A.287; NAC 445A.289; and NAC 445A.2912) The Division proposes to revise requirements to obtain restricted certification and renewal of those restricted certifications and to revise the initial education required to test for certification.

**4. A statement of the need for and purpose of the proposed regulations:**

The Nevada State Environmental Commission required the review of the Wastewater Operator Certification program after the passage of the updated regulations in May of 2018. The review of the program found areas for improvement with Restricted Certifications and also the education requirements required for testing. Restricted certifications are proposed to be renewable and the initial education requirements for certification were lowered due to considerations of the annual contact hours that are now required. A renewal fee for restricted certification was added. Language for fees, renewals, and decertification was added and amended to provide clarification.

**5. A statement of the:**

(a) Estimated economic effect of the regulation on the business which it is to regulate:

The proposed regulations do not mandate additional actions or costs on the regulated community. The proposed addition of a renewal fee for restricted certificates allows for the maintenance of restricted certificates in lieu of retesting for restricted certificates every 5 years.

(1) Both adverse and beneficial effects:

n/a

(2) Both immediate and long-term effects:

n/a

(b) Estimated economic effect on the public:

The proposed regulations are not expected to have a direct economic effect on the public.

(1) Both adverse and beneficial effects:

n/a

(2) Both immediate and long-term effects:

n/a

(c) Estimated cost by the agency for enforcement of the proposed regulation:

Costs incurred by the Division for the enforcement of the proposed regulations will be covered by the current permit fees.

**6. A description of any regulations for other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:**

6. The proposed regulations do not overlap nor duplicate any regulations of other State or Governmental agencies.

**7. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions. The statement must include the specific citation of the federal statute or regulation requiring such adoption:**

7. The proposed regulations are no more stringent than what is established by federal law.

**8. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:**

The proposed regulations changes will provide an opportunity to renew restricted certifications. The renewal fee will be \$70 every 2 years. The new fee will compensate for the time and resources that will be required to review renewals of restricted certificates for education and Continuing Education Units (CEU) requirements.

### Supporting Documents



When submitting this form, attach a second document to your email with your proposed regulatory language. Include other supporting documents as needed.