





### Regulatory Meeting

 <b>TIME</b>	 <b>LOCATION</b>
<p>Wednesday, March 19, 2025</p> <p>9:00 A.M.</p>	<p>Bryan Building, 901 South Stewart St. Bonnie B. Bryan Room First Floor Carson City, NV</p> <p>Video Conference 375 East Warm Springs Road, Suite 200 Las Vegas, NV</p>

**SEC members present:**

- Tom Porta, Chairman
- Jason King, Vice Chairman
- Kacey KC
- Kathryn Landreth
- Tom Smith\*
- Adam Sullivan
- Tina Mudd
- Rob Ghiglieri

**SEC members absent:**

- J.J. Goicoechea
- Fred Reeder
- Alan Jenne

\*Participated remotely

**SEC staff present:**

- Todd Weiss, SEC/DAG (Acting)
- Sheryl Fontaine, Executive Secretary
- Destiney Fitch, Recording Secretary

**Nevada Division of Environmental Protection staff present:**

- Andrew Tucker
- Michelle Grover
- Jennifer Schumacher
- Ken McIntyre
- Jeff Collins
- Dave Friedman
- Ben Moan
- Sierra Ferguson

**Public present:**

- Sheila Smith\*
- Greg Brooks\*

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## Begin Summary Minutes

### **1) Call to order, roll call, establish quorum (Discussion)**

The meeting was called to order at 9:01 am by Chairman Tom Porta. Sheryl Fontaine, the Executive Secretary, confirmed that the hearing was properly noticed, and a quorum was present. She asked if there was a member from the AG’s office. Todd Weiss, Acting Deputy Attorney General, identified himself. Ms. Fontaine then proceeded with the housekeeping rules for the meeting. Chairman Porta inquired if there were any changes to the posted agenda. Ms. Fontaine advised that although materials for both R119-24P and R077-24P were included in the binder, R077-24P is not being heard today.

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### **2) Public comment**

Chairman Porta called for public comment on non-agendized items. There were no public comments.

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### **3) Approval of November 19, 2024, meeting minutes (Action Item)**

Chairman Porta requested comments from the Commission regarding the November 19, 2024, meeting minutes. Chairman Porta listed some corrections to the minutes. Ms. Fontaine noted the corrections and indicated that they would be made. Chairman Porta asked for any additional

changes to the minutes. Hearing none, Chairman Porta called for a motion.

**Motion:** Commissioner Landreth made a motion to approve the minutes, Commissioner Mudd seconded. The minutes were unanimously approved.

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## Air Penalties

### 4) Safety-Kleen Systems, Inc. – NOAV Nos. 3069 and 3150 (For Possible Action)

Andrew Tucker, Chief of the Bureau of Air Quality Planning (BAQP) with the Nevada Division of Environmental Protection (NDEP) introduced Michelle Grover, Supervisor of the Enforcement branch for the BAQP. Mr. Tucker presented Notices of Alleged Violation (NOAV) Nos. 3069 and 3150, issued to Safety-Kleen Systems, Inc. (Safety-Kleen) for failing to comply with the operational conditions of their permit and failing a source test, which resulted in an exceedance of their permitted emission limits. NDEP recommended penalties of \$6,600 and \$29,150, respectively, for these NOAVs, totaling \$35,750.

Ms. Grover further explained, stating Safety-Kleen holds a Class II permit for their oil recycling refinery near Fallon, Nevada, which was last issued on May 22, 2024. Several violations were observed during a full inspection on May 4 and May 5, 2023, one of which resulted in a warning. Ms. Grover explained the details of NOAV 3069, which involved eleven exceedances of operational limits on several systems. Ms. Grover provided some details of the exceedances and then guided the commissioners through the penalty matrix to explain the calculation of the fines. Ms. Grover acknowledged that Safety-Kleen has had no previous violations within the past five years at this facility and that, to the Division's knowledge, Safety-Kleen is currently back in compliance with their permitted emission limits. After addressing the first violation, Ms. Grover asked the commissioners if there were any questions; there were none.

Ms. Grover continued to NOAV 3150 and explained that during the May 2023 inspection, NDEP discovered Safety-Kleen had failed two source tests in 2020 for two systems and had never retested. Both systems also failed during NDEP-ordered retests on August 10 and 11, 2023, and November 30 and December 1, 2023. Safety-Kleen then revised their permit seeking higher limits, and both systems subsequently passed in June 2024. Safety-Kleen cooperated and retested promptly in response to the 2023 inspection; therefore, NDEP decided not to pursue penalties for the 2020 failures. Ms. Grover discussed the penalty matrix again to justify the penalty amounts. Based on the information provided, the recommended penalty for NOAV 3150 for the 2023 failed tests is \$29,150. Ms. Grover confirmed that Safety-Kleen is now in compliance with source testing and asked the commissioners if there were any questions.

Vice Chairman King asked if there were monitoring requirements for Safety-Kleen to submit the results of the failed source tests back in 2020 and questioned the delay in notification. Mr. Tucker responded that there is a 60-day requirement for facilities to report source test results to NDEP. Ms. Grover added that Safety-Kleen did submit the report to NDEP as required, but due to staffing issues and telework during that time, the results were missed until the Compliance branch was fully staffed in 2023. Chairman Porta asked if there was a statute of limitations for violating Nevada Administrative Code (NAC) with regard to failed source tests. Ms. Grover confirmed the statute of limitations was not exceeded since Safety-Kleen was out of compliance from 2020 until the source

test passed in June 2024. Mr. Tucker reiterated the 2020 source tests were not factored into the current penalties because of the delay.

Chairman Porta asked if there were any questions from the commissioners, but there were none. Chairman Porta then asked if any representatives from Safety-Kleen wanted to make a statement or comment. Sheila Smith, Director for Environmental Compliance at Safety-Kleen's Fallon facility, introduced Greg Brooks, Director of Compliance for Refineries for Safety-Kleen. Ms. Smith expressed appreciation for Ms. Grover and NDEP for their cooperation throughout the process and reiterated that they have updated their permits as needed and are now in compliance. Chairman Porta asked if there were any questions for Ms. Smith, and there were none. Chairman Porta then opened the floor for public comment; there was none.

**Motion:** Commissioner Landreth made a motion to move to approve the penalties for NOAV Nos. 3069 and 3150 through the findings of fact and conclusions of law. Vice Chairman King seconded. The motion carried. None opposed.

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## Regulatory Petitions

### 5) Regulatory Petition – LCB File No. R119-24P – Bureau of Air Quality Planning – Adopting Federal Regulations by Reference (For Possible Action)

Jennifer Schumacher, Chief of the Bureau of Air Pollution Control (BAPC) at NDEP, introduced Ken McIntyre, Supervisor for the Planning and Data Management branch for the BAQP. Ms. Schumacher explained that NDEP was proposing a regulatory change to adopt by reference certain federal regulations to align Nevada state regulations with federal requirements. She explained that this process is done regularly, typically every one or two years. These regulations affect stationary sources that meet the criteria for compliance with Environmental Protection Agency's (EPA) New Source Performance Standard (NSPS) and the EPA National Emission Standards for Hazardous Air Pollutants (NESHAP).

Mr. McIntyre continued, explaining that NDEP is proposing to amend NAC 445B.221, adoption by reference and applicability of certain provisions of federal law and regulations that have been promulgated since the last update to state regulations in March 2022. The proposed amendments in R119-24P would adopt federal regulations from 40 Code of Federal Regulations (CFR) parts 51, 60, 61, and 63, to enable NDEP to implement them in Nevada.

Mr. McIntyre explained that NDEP is delegated the implementation of certain federal NSPS and NESHAP rules that apply in Nevada. The proposed amendments aim to update the state's adoption by reference regulation, allowing Nevada to request delegation for implementation of new and revised NSPSs and NESHAPs promulgated since the last update. This would enable the regulated industry to continue to work with the State of Nevada rather than the EPA.

The Legislative Council Bureau (LCB) published its draft of R119-24P to the Nevada Register on June 12, 2024, and a hybrid public workshop was held on July 31, 2024, in person in Carson City, Nevada, and virtually. Mr. McIntyre stated that seven members of the public attended virtually, and no comments were received. The proposed amendments are estimated to have no economic impact on regulated entities. Mr. McIntyre further explained that regulated businesses and industry are already required to comply with the federal rules being adopted in the proposed regulatory amendments, regardless of whether they are implemented by EPA or NDEP. Mr. McIntyre noted that the amendments are not more stringent than federal law.

Chairman Porta asked for questions from the Commission. Commissioner Mudd questioned how the Bureau estimates economic impact. Ms. Schumacher stated the Bureau holds a public workshop to introduce all the regulations and conducts outreach to the group of potentially affected facilities if there are any changes that could cause an impact, such as required equipment upgrades or new controls.

Commissioner Ghiglieri, Chairman Porta, and Ms. Schumacher discussed the how the state is managing the challenges associated with changing federal rules and standards. Ms. Schumacher explained that any changes at the federal level that required a subsequent change in state regulations would be brought to the Commission. She assured the commissioners that NDEP continues to work collaboratively with industry and other stakeholders to implement federal regulations.

Chairman Porta asked for any public comment and there was none. Chairman Porta then brought the item back to the Commission for discussion and a potential motion to approve.

**Motion:** Vice Chairman King moved to approve LCB File No. R119-24P, Commissioner Sullivan seconded. The motion carried. None opposed.

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## **6) Regulatory Petition – LCB File No. R126-24P – Bureau of Corrective Actions – Alignment of Brownfields Regulatory Language with Federal Regulations (For Possible Action)**

Jeff Collins, Chief of the Bureau of Corrective Actions (BCA) for NDEP introduced R126-24P, which proposes changes to the Brownfields Program Regulations that will better support the program’s mission and objectives. Mr. Collins continued, explaining that Nevada’s Brownfields program has been very successful over the years in funding the transformation of blighted, underutilized, and sometimes unsafe buildings and properties into profitable and environmentally safe properties for reuse and/or redevelopment. Mr. Collins stated that these proposed regulatory changes will not have any economic effect on the public, the regulated community, or the Division. Additionally, the proposed regulations will enhance the Bureau’s ability to support more eligible communities and projects with Brownfields funding. Mr. Collins said that the Bureau conducted a public workshop for the regulated community, and did not receive any concerns or questions regarding the proposed changes.

Mr. Collins introduced Dave Friedman, supervisor overseeing the Brownfields Program. Mr. Friedman provided a brief overview of the history of the regulation. The Division initially received funding for this program in 2001 and with the passage of Assembly Bill 74 in 2003, the Division received the authority to capitalize and provide loans and subgrants using this federal funding. In 2004, the State Environmental Commission (SEC) adopted regulations to establish the Fund for Brownfields Program (Fund). Mr. Friedman listed three key changes to the current regulations. The current regulations allow for use of the Fund for clean up only. The first change would allow for use of the Fund for environmental site assessments as well. The current regulations also limit the use of the Fund to a maximum of 40 percent (%) of the total Fund value for use as a subgrant without repayment, which is problematic for some low-income communities without sufficient resources to repay. The second proposed change would remove this cap on the subgrant percentage of the Fund. Finally, current regulations require a 20% match in money for a loan or subgrant. The final change would replace the term “money” with “sharing of costs” and would define resources and contributions that would be eligible to provide cost share from the grant recipients. Mr. Friedman

then asked if the commissioners had any questions.

Commissioner Mudd asked for clarification on the customers receiving assistance. Mr. Friedman confirmed that assistance is restricted to municipalities or nonprofits. Chairman Porta questioned whether the Fund continued to be sustainable for programmatic needs. Mr. Friedman stated the current value was approximately \$800,000 and that the Bureau currently has one active grantee, the City of Wells, that the Bureau is working with to bring closure to a long-closed gas station on West Sixth Street in Wells.

There were no additional questions from the Commission. Chairman Porta asked if there were any members of the public who wished to comment. There were none.

**Motion:** Commissioner KC made a motion to approve R126-24P. Commissioner Ghiglieri seconded. The motion carried. None opposed.

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## **7) Regulatory Petition – LCB File No. R130-24P – Bureau of Corrective Actions – Regulatory Clean-up in Response to the Governor’s Executive Order EO2023-003 (For Possible Action)**

Mr. Collins introduced R130-24P, which includes changes to regulations governing the action levels for contaminated sites, aligning them with the current standard of the industry, and removes a reference to an EPA process for developing action levels that is no longer accurate for the intended purposes of the regulations. Mr. Collins said the proposed regulations provide clarity to the regulated community and are not expected to have any economic effect on the public, the regulated community, or the Division. The Bureau held two public workshops and there were no concerns from the workshop participants. One peripheral question was submitted (and addressed) after the first workshop. The second workshop was held in response to an LCB concern over a reference to these regulations by another regulation governing the NDEP’s Bureau of Water Pollution Control.

Mr. Collins introduced Ben Moan, Professional Engineer in the BCA, who gave a summary of the proposed changes to NAC 445A.2272 and NAC 445A.8585. Mr. Moan explained that the proposed changes would update and clarify the methodology used for setting action levels for contaminants in soil and groundwater. Mr. Moan further explained the term “action levels” and the difference between action levels and cleanup goals. The action levels set under these regulations will allow NDEP to initiate a case and direct further assessment activities.

Mr. Moan stated the proposed change to NAC 445A.2272 would replace adoption by reference of the EPA Integrated Risk Information System (IRIS) from 1996 with adoption by reference of EPA’s Regional Screening Levels (RSLs). There are two primary purposes for this change. First, the IRIS reference is outdated, and second, it doesn’t have look up tables. The proposed change would replace a system for risk assessment that involves toxicology, many calculations, and some assumptions on the type of exposure that a contaminant poses, with tables that have been developed through that process – these are look-up tables with thresholds developed through the IRIS process. This will reduce ambiguity in establishing a cleanup goal based on a methodology that requires expertise in toxicology. There are a few other changes to clean up and align references as well.

Mr. Moan stated NAC 445A.22735 establishes the action levels for groundwater with the primary goal of protecting groundwater that may be a source for drinking water. The proposed changes in

Section 4 would replace outdated adoption by reference of the Safe Drinking Water Act and some associated federal regulations with the current National Primary Drinking Water Regulations, from the Safe Drinking Water Act and associated CFRs. These regulations also include lookup tables with the maximum contaminant levels for drinking water. The Bureau uses these action levels for groundwater. These changes will bring the Bureau up to current practices.

Lastly, Mr. Moan stated the current NAC 445A.8585 references the adoption by reference of IRIS in NAC 445A.2272 and needs to be amended to reference the correct new adoption of the EPA's RSLs so the language aligns across all NACs.

Mr. Moan reiterated that the Bureau received one comment after the workshops, which requested that the Bureau insert language to include the word "air," because the definition of action level in NAC 445A.22605 specified soil, groundwater, and surface water, but not air. Mr. Moan stated that, after Bureau review, they would not be asking for that change to be made as the BCA does not regulate air through these regulations. Mr. Moan asked the commissioners if they had any questions. There were none.

Chairman Porta asked if there were any public comments for this agenda item. There were none.

**Motion:** Commissioner KC made a motion to approve LCB File No. R130-24P, Commissioner Landreth seconded. The motion passed. None opposed.

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## 8) Language Access Plan (Discussion)

Sheryl Fontaine, the Executive Secretary for the SEC, gave a brief introduction to the Language Access Plan (LAP), explaining that the passage of Senate Bill (SB) 318 requires all state agencies to create an LAP to improve access to government services, programs, and information for Nevadans with Limited English Proficiency. According to the Governor's Office of New Americans (GONA), this includes approximately 300,000 residents in Nevada. SB 318 requires an LAP to be adopted by each state agency, including boards and commissions. Ms. Fontaine stated that the SEC must adopt a plan that will allow those with Limited English Proficiency to receive information in their preferred language. The provided draft LAP was based on LAPs submitted by several other boards or commissions that have received GONA approval. Ms. Fontaine stated the State has contracts with several translators and although this was not built into the SEC's budget for this year, staff will work on getting funds in place. Ms. Fontaine indicated that the LAP would be posted on the SEC website for public comment for 30 days and then presented again for adoption at the next SEC meeting. Once adopted, the LAP will be submitted to the Governor's office on the SEC's behalf. The LAP must be reviewed every six months.

Ms. Fontaine asked the commissioners if they had any questions. Commissioner Mudd questioned whether there was any coordination going on between the agencies and bureaus to have one service provided for translations instead of each agency or bureau hiring their own. Ms. Fontaine responded that the state has a Master Service Agreement to provide the service or language translation. As far as the coordination effort, any request would be specific to the event being attended, such as a workshop or specific meeting, and the language being requested, so coordination may be challenging.

Chairman Porta asked about the deadline, and Ms. Fontaine stated the deadline to submit the LAP to the Governor's Office of New Americans is June 30, 2025. Chairman Porta also asked if this applies to hearings as well and if the SEC has had any requests for these services in the past. Ms. Fontaine confirmed that it would apply to hearings as well, and that, to her knowledge, the SEC had

not received any such requests in the past. Chairman Porta lastly directed Ms. Fontaine to move forward with the LAP and keep the commissioners updated. Chairman Porta asked if there were any public comments for agenda item 8. There were none.

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## Administrator's Briefing to the Commission

### 9) Discussion

Jennifer Carr, Administrator of the NDEP, thanked the commissioners for their attendance and began her briefing by providing an overview of NDEP's two key legislative initiatives, Assembly Bill (AB) 40 and SB 43.

Ms. Carr explained that AB 40 is related to mining and introduces provisions to strengthen financial assurance mechanisms, with lien provisions for certain circumstances such as cleanups, in the case that a mine reclamation doesn't go as planned, or if an entity abandons a property. AB 40 will provide the Division with financial security if state resources are expended and need to be recovered. The bill also clarifies existing regulatory authority over solid and hazardous waste management facilities, to address the increase in existing industries looking to move into the state, particularly those related to recycling of hazardous materials. Under the bill, the SEC would adopt regulations defining the criteria for qualification as a "solid waste management facility" (rather than keeping that process in statute, which is more difficult to amend as needed). The SEC would also adopt regulations requiring landfill and facility owners and operators to demonstrate adequate financial responsibility for proper waste management. These changes aim to enhance fiscal safeguards and provide clarity for businesses entering Nevada, many of whom are unfamiliar with the State's environmental laws.

Chairman Porta asked if there were any existing sites that would be affected by this bill. Ms. Carr cited a recent situation involving a bankrupt mine property. Ms. Carr also confirmed that the Agency is collaborating with the mining industry to improve bond calculations to ensure that permitted properties are adequately bonded and to mitigate risks associated with underfunded or marginal properties. She acknowledged that this may cause bond costs to rise in the future. Ms. Carr further explained that if a company were to go bankrupt, funds could be accessed through the Agency's Interim Fluid Management account to protect the state's water resources, although the financial assurance mechanisms vary. Chairman Porta asked for clarification that the bill would ensure access to additional funding in such scenarios, and Ms. Carr confirmed. Commissioner Mudd commended the Agency's proactive approach and highlighted the importance of supporting economic development.

Ms. Carr then discussed SB 43, which addresses the delegation of authority for NDEP's Safe Drinking Water and Solid Waste Management programs. She noted that NDEP has managed solid waste regulations since 1971 and drinking water standards since 1977. Current law allows district boards of health to assume responsibility for the drinking water program on the State's behalf, when a local health district exists. The assumption of solid waste management responsibilities from NDEP by a local health district is optional under current statute. Ms. Carr explained that local health districts, such as Northern Nevada Public Health and the Southern Nevada Health District, have managed these programs in collaboration with NDEP for decades. Discussions started as a result of the recent formation of the Central Nevada Health District. Current law clearly states when a new health district is formed, they take on the responsibility for the drinking water program, but it is a challenging role, even for a large agency like NDEP. NDEP's biggest concern is that it is an automatic

transfer of authority. To address this, the bill proposes a process for health districts to demonstrate their capacity (financial, technical, human resources, and managerial) before assuming responsibility of either program. The bill would require that the SEC adopt regulations establishing the criteria for a district to demonstrate capacity, which the NDEP Administrator would use to determine whether the local health district could assume responsibility for the programs. The health districts could seek partial or full delegation of the programs based on their capacity.

Chairman Porta raised concerns about the financial burden of upgrading facilities and inquired whether fee increases would be addressed under the new regulations. Chairman Porta also stressed the importance of health districts demonstrating the ability to fund necessary upgrades. Ms. Carr acknowledged Chairman Porta's concerns and agreed to add it to their list of concerns. She continued by pointing out the Agency's existing infrastructure financing programs such as the Capital Improvements Grants Program and the State Revolving Funds which can also help with upgrades. Ms. Carr stated that NDEP will continue to be able to support the districts in part but may need to have further conversations regarding financial stability and potential fees enacted at the local level to ensure fiscal sustainability.

Chairman Porta followed up by stressing that needs may exceed available funds in the future and he hopes this can also be addressed. Ms. Carr agreed and brought up prior times when the bond sales were zero because of the economy. Ms. Carr reported that NDEP's Capital Improvement Program budget, which would be heard May 1, may receive \$33.9 million this biennium, which is unprecedented in recent times.

Commissioner Sullivan asked if SB 43 had been heard and whether there was any opposition from local health districts. Ms. Carr stated that both bills had been heard, and that SB 43 has been amended significantly from the original version as introduced.

Commissioner Mudd questioned the districts' desire to take on these responsibilities in the first place if the programs were already being managed by the State. Ms. Carr stated they have examples of both; the Central Nevada Health District sees a strong nexus between the community health and wellness that they formed for, and the link that drinking water has with that public health nexus. In contrast, feasibility studies are being conducted to form another health district which would include Carson City and Douglas, Lyon, and Storey counties. Conversations NDEP has had with these entities suggest they have no desire to be responsible for the drinking water program. Ms. Carr suggested that an initial starting point with the districts may be the transient public water systems because local health districts already have the responsibility for conducting restaurant inspections, and the water inspections could be added if the districts were interested.

Chairman Porta asked whether the city of Gerlach still has the Nuclear Regulatory Commission Permit for treatment of their drinking water to remove uranium and transport it to an appropriate facility (providing an idea how broad drinking water issues can be). Ms. Carr confirmed.

Ms. Carr mentioned that she's heard repeatedly that the SEC is well respected for their thoroughness and transparency in enacting regulations and thanked the Commission for its work.

Ms. Carr discussed some other bills that NDEP is tracking, including SB 143, which would require NDEP to conduct a study on the use of artificial turf products and the potential impact on public and/or environmental health, not just for Nevada, but for other states in the Colorado River Basin as well. Chair Porta asked if it was related to microplastics and Ms. Carr responded that NDEP has received calls asking about PFAS in artificial turf.

Additionally, Ms. Carr discussed SB 276, which is intended to strengthen certain reporting

requirements on elicited discharges to Nevada waters. This bill would require NDEP to provide a repository of water quality data collected by various cities, counties, and water districts. Chair Porta asked whether the bill referred to surface and groundwater or just surface water, and Ms. Carr responded that the bill currently references Waters of the State, so all surface and groundwater. Vice Chair King asked about the genesis of the bill and Ms. Carr said that the Division believes that the release of raw sewage from an apartment complex that made news in Reno and was not reported to NDEP until a year later may have prompted this bill. The bill may be an effort to improve and clarify related reporting requirements.

Commissioner Mudd asked about the purpose of the data collection, what parameters and data would be collected, and what the data would be used for. Ms. Carr said they hoped to find out when the bill was presented.

Next, Ms. Carr discussed SB 78, which proposes to restructure dozens of the State's Boards and Commissions. The Governor's office has a special office to make board appointments and there are a lot of board appointments. She indicated that this bill may be trimmed back to just licensed boards. Currently, Section 67 proposes to change the composition of the SEC from five governor appointees to three, reducing the number of commissioners by two. The bill still needs to be presented and may be amended to remove that section. Chairman Porta asked about the deadline for introducing bills and asked for clarification that SEC was specifically mentioned in the bill. Ms. Carr confirmed the SEC was specifically mentioned in Section 67 and clarified several related deadlines.

Ms. Carr mentioned another bill that intends to increase the speed of board and commission reappointments and would require a list of potential candidates for future vacancies to be developed and maintained.

Finally, Ms. Carr discussed some recent changes in the federal government. She indicated that the recently passed continuing resolution would keep the federal government open and operating, and also appears to have left the budgets for the states' grant programs in effect. Overall, the budget for state-funded grant programs budget is decreasing, but not significantly, which brings some reassurance for NDEP. Programmatically, federal regulations could be eliminated, but Nevada is permitted to be more stringent than the federal regulations and can bring the eliminated language into State rule.

Commissioner Mudd asked if there may be an opportunity to relieve some burden for the agency in terms of paperwork or other things that don't help the resource. Ms. Carr confirmed, and cited the example of Governor Lombardo's Executive Order 2023-003. She said that one of the regulations resulting from that exercise was presented earlier in the meeting as agenda item #7. Chairman Porta asked about funding of Division staff in terms of percentage from federal grants versus state fees. Ms. Carr responded that overall, approximately 30% of the Agency's revenue is from fees, but that this varies by program. For example, Water Quality Planning is 100% grant funded, Safe Drinking Water is about 80% grants, and Mining has no federal funding. Ms. Carr also confirmed that NDEP does have reserve funds available if needed. Ms. Carr further stated that NDEP currently has \$260 million worth of federal grant funds open and that the current proposed budget for NDEP is \$112-114 million per year.

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## **10) Public comments**

Chairman Porta called for public comments. There were none.

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## **11) Adjournment**

Commissioner Mudd made a motion for adjournment. Vice Chairman King seconded. The meeting was adjourned.

The audio recording of this meeting is available at <https://sec.nv.gov/meetings/sec-meeting-march-19-2025>.