

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: Jim Balderson, P.E.

Address: 901 S. Stewart St. Ste 4001, Carson City, NV 89701

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

Telephone Number: 775 687-9517

Date of Petition: May 19, 2020

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

Jim Balderson P.E. BSDW-BRANCH SUPERVISOR

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:

Governmental Agency
Department of Conservation and Natural Resources (DCNR)
Nevada Division of Environmental Protection (NDEP)
Bureau of Safe Drinking Water (BSDW)

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 proposed regulation strikes the word "wet" from requirement that a professional engineer must use a "wet seal or stamp" before adding his or her signature and date each plan sheet in a submittal to BSDW. The revised regulation proposes to cite the Nevada Board of Engineers' (BOE) regulations for stamping, signing, and submitting projects to a governmental agency.

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

The use of wet ink stamps for applying the image of an engineer's seal is outdated. By citing BOE regulations, a professional engineer will be allowed to attach an electronically generated seal with the additional option to apply a secure digital signature to each sheet in a plan submittal to BSDW. There have been countless professional engineers that have expressed their frustration with BSDW's outdated regulation, and not being able to use electronic seals and digital signatures. BSDW has been told that it can take hours to wet stamp, sign, and date large engineering plan sets. BSDW is looking for its regulations to be in alignment with BOE regulations in order to save engineers time when submitting a project for review. Reference to BOE regulations also allows that agency to be in the lead on decisions regarding this matter without having to make future NAC 445A amendments when NAC 625 changes.

5. A statement of the:

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

This proposed regulation will have a beneficial effect. Where secure digital signature is used, it will save an engineer's time when preparing a project for submittal to NDEP. The proposed regulation will create regulatory efficiency by removing outdated requirements and providing for new technology to be used.

(1) Both adverse and beneficial effects:

Beneficial: The amendment will save engineering time and create regulatory efficiency.
Adverse: None identified

(2) Both immediate and long-term effects:

The proposed regulation has the possibility to save an engineer hours of work throughout the year. The change will also eliminate NDEP's rejection of plan submittals where a wet ink stamp of the engineer's seal has not been applied.

(b) Estimated economic effect on the public:

The proposed regulation has the potential to save money on engineering services.

(1) Both adverse and beneficial effects:

Beneficial: Save money by not requiring engineers to wet stamp, sign, and date each plan sheet when using secure digital signature.
Adverse: None

(2) Both immediate and long-term effects:

The proposed regulation will save billable hours to engineering firms starting immediately and will continue to accumulate throughout the year.

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

No cost will be incurred by BSDW to enforce the proposed regulation. Cost savings will be experienced through receipt of digital plans, or plans with electronically-generated seals, and not having to reject and re-process plan sets where a wet ink stamp has not been used.

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:

The proposed regulation cites, and therefore does not overlap or duplicate, BOE regulations regarding stamping, signing, dating, and submitting projects to a governmental agency for review.

The proposed regulation does not overlap or duplicate a federal regulation.

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:

None.

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 regulation does not address fees.

Supporting Documents



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

