



State of Nevada

Dept. of Conservation & Natural Resources

**State Environmental Commission** SEC.nv.gov

901 South Stewart Street, Suite 4001, Carson City, Nevada 89701

## Agenda SEC Meeting

The State Environmental Commission (SEC) will hold a meeting on **Thursday, September 5, 2024, at 9:00 am in Carson City**. The meeting will be held in the Bonnie B. Bryan conference room on the first floor of the Bryan Building, located at 901 South Stewart Street. Space is limited at this location; therefore, remote participation is encouraged. Additionally, the meeting will be video streamed to the Red Rock conference room at 375 East Warm Springs Road, Suite 200, in Las Vegas. The public may also participate and provide public comment, either virtually or telephonically, using the following link or dial-in number:

Join the meeting: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MDcxZDczNWetZmVlOC00MjI4LTk0ZWYtMmFkNzI0OWNjMmRI%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22f7cf1a57-aa9a-4aa8-ab6b-9414ab15f56e%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDcxZDczNWetZmVlOC00MjI4LTk0ZWYtMmFkNzI0OWNjMmRI%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22f7cf1a57-aa9a-4aa8-ab6b-9414ab15f56e%22%7d)

*Meeting ID: 279 591 386 119*

*Passcode: 6pHUB6*

*Click to call from Mobile (audio only)*

*+1 775-321-6111,,925575060#*

*Call in by Phone (audio only)*

*United States: +1 775-321-6111*

*Meeting extension: 925 575 060#*

**Please Note:** This is a stacked agenda, and the following items may be taken out of order and/or combined for consideration. Items may also be removed from the agenda, or the SEC may delay discussion relating to an item on the agenda at any time. No public comment may be taken on a contested case or quasi-judicial proceeding prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual. See NRS 233B.126.

**1) Call to Order, Roll Call, Establish Quorum (Discussion only)**

## **2) Public Comment (Discussion Only):**

Those wishing to make public comment that are participating remotely may do so by calling (775) 321-6111 and using meeting extension 925 575 060#, or by raising your hand through the TEAMS platform so the moderator may call on you.

Members of the public will be invited to speak before the SEC; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to three minutes per person at the discretion of the chairperson.

Additional comments may be submitted to the Commission for inclusion in the meeting minutes.

## **3) Approval of June 18, 2024, Draft Meeting Minutes (For Discussion and Possible Action)**

### **Regulatory Petitions**

#### **4) Permanent Regulatory Petition R137-24 - Mining Regulation and Reclamation - Changes to the Fee Structure for the Dewatering of Mines (For Possible Action)**

NDEP is proposing to revise sections of Nevada Administrative Code (NAC) 445A to allow for a comprehensive change to the fee structure for the discharge to groundwater from the dewatering of a mine and water pollution control from mining. These activities are regulated by the Regulation and Closure Program with the Bureau of Mining Regulation and Reclamation. The amendment seeks to increase and modify the fee categories assessed (last updated more than 20 years ago) to align the revenue generated by the permits with the increasing costs associated with implementation of the Mining Program. The amendment also seeks to establish an annual five percent (5%) increase of these fees.

The economic impact on the regulated community will depend on the size of the facility, with larger, more established mines being most impacted. The impact may be significant.

The proposed changes are not expected to have any economic impact on the public or the Division.

#### **5) Permanent Regulatory Petition R120-24 - Bureau of Air Quality Planning - Aligning Vehicle Emissions Testing Requirements with Nevada Revised Statutes (For Possible Action)**

NDEP is proposing to amend Nevada Administrative Code (NAC) 445B.592(3) to align with Nevada Revised Statutes (NRS) 445B.825, changing the requirement to inspect new motor vehicles until the fourth registration of the vehicle instead of

the third. The Nevada Department of Motor Vehicles has approved this regulatory amendment, pursuant to NRS 445B.760.

The proposed changes are not expected to have any economic impact on the public, the regulated community, or the Division.

**6) Permanent Regulatory Petition R136-24 - Bureau of Water Pollution Control - Clean-up of Water Regulations Relating to Holding Tanks (For Possible Action)**

NDEP is proposing to revise portions of NAC 445A to expand the definition of “holding tank” and to provide an avenue for permitting the temporary storage of domestic sewage in Nevada counties with populations larger than 700,000.

The proposed changes are expected to have a slight impact on the regulated community in that there is a fee for permits; however, this impact will be offset by the fact that permittees will now be allowed to operate. This amendment is anticipated to have a slight economic impact on the Division in the form of a slight increase in permit applications. These changes are not expected to have any economic impact on the public.

**7) Administrator's Briefing to the Commission: (Discussion Only)** Administrator Jennifer Carr will provide the Commission general management updates.

**8) Public Comment:** Members of the public will be invited to speak before the SEC; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to three minutes per person at the discretion of the chairperson.

**9) Adjournment**

**Additional Information:** Persons wishing to comment on the proposed actions of the State Environmental Commission may appear at the scheduled public hearing or may address their comments, data, views, or arguments in written form to: **State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249.** The SEC must receive written submissions at least five days before the scheduled public hearing.

If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the SEC may proceed immediately to act upon any written submissions.

Members of the public can inspect copies of any regulations to be adopted at the State Library and Archives in Carson City (**100 Stewart Street**), and at the offices of the Division of Environmental Protection in Carson City and Las Vegas. The

Carson City office is located at **901 South Stewart Street, Suite 4001**, and the Las Vegas office at **375 East Warm Springs Road, Suite 200**.

As required by the provisions of chapters 233B and 241 of Nevada Revised Statutes, the public notice for this meeting was posted at the following locations: the Bryan Building (**901 South Stewart Street, Carson City, Nevada**); the offices of the Division of Environmental Protection in Las Vegas (**375 East Warm Springs Road, Suite 200**), the Nevada Division of Minerals, **400 W. King Street, Carson City, NV** and at the Nevada Department of Agriculture (**405 South 21st Street, Sparks, Nevada**).

In addition, copies of this notice have been deposited electronically at major library branches in each county in Nevada. This notice and the text of the proposed regulations are also available on the State Environmental Commission's website at: <https://sec.nv.gov/meetings/sec-meeting-sept-5-2024>.

Any proposed regulations denoted in this notice, including previous drafts, are or will be posted on the Legislative Counsel Bureau's website.

Members of the public who would like to inspect all supporting materials for this meeting or 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 Sheryl Fontaine, Executive Secretary, **901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249**, facsimile **(775) 687-5856**, or by calling **(775) 687-9374** no later than 5:00 p.m. on August 28, 2024.