



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 **Tuesday, September 9, 2025, 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\\_Y2U1Njc3NDItYTc1ZS00Y2QzLWE5NzktNDIzYTE1OTM5MzI1%40thred.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_Y2U1Njc3NDItYTc1ZS00Y2QzLWE5NzktNDIzYTE1OTM5MzI1%40thred.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: 263 695 144 724 7*

*Passcode: tk27sZ6U*

*Click to call from Mobile (audio only)*

*+1 775-321-6111,,502503520#*

*Call in by Phone (audio only)*

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

*Meeting extension: 502 503 520#*

**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 502 503 520#, 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 May 28, 2025, Draft Meeting Minutes (For Discussion and Possible Action)**

### **Penalty Assessments**

## **4) Drilling Minerals Industries, LLC - Osino Plant - NOAV No. 3175 (For Possible Action)**

Alleged failures to construct or operate a stationary source in accordance with any condition of an operating permit, in violation of Class II Air Quality Operating Permit AP1479-3903. Note that this penalty was heard at the May 2025 SEC meeting and both parties agreed to discuss the option of a Supplemental Environmental Project (SEP) in lieu of half of the recommended penalty. The parties were unable to agree on a SEP, so the matter is being brought before the Commission again.

Recommendation: Approve the NDEP-recommended penalties for Drilling Minerals Industries, LLC, in the amount of \$28,900 for NOAV No. 3175, or take other action as appropriate.

## **5) Nevada Cement Company - NOAV Nos. 3152 and 3191 (For Possible Action)**

Alleged failures to construct or operate a stationary source in accordance with any condition of an operating permit, in violation of Class I Air Quality Operating Permit AP3241-0387.

Recommendation: Approve the NDEP-recommended penalties for Nevada Cement Company, in the amounts of \$7,000 for NOAV No. 3152 and \$60,000 for NOAV No. 3191, for a total penalty amount of \$67,000, or take other action as appropriate.

## **Regulatory Petitions**

### **6) Permanent Regulation R149-24P: Bureau of Water Quality Planning - Revising Water Quality Standards for Algal Toxins (For Possible Action)**

R149-24 is proposing to amend the Nevada Administrative Code (NAC) section 445A.1236 to adopt the Environmental Protection Agency's nationally recommended criteria for the algal toxins microcystins and cylindrospermopsin within surface waters of the state with the beneficial use recreation involving contact with water.

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

### **7) Permanent Regulation R025-25: Bureau of Safe Drinking Water - Lead and Copper Rule Revisions and Improvements (For Possible Action)**

R025-25 proposes to amend Chapter 445A of the NAC to adopt federal rules into regulations to request and obtain primacy over the Lead and Copper Rule Revisions, Lead and Copper Rule Improvements, and Consumer Confidence Reports Rule. Adopting these rules into regulation and updating primacy will allow NDEP to implement, manage, and enforce the federal rule requirements as promulgated. This will also allow public water systems to work directly with NDEP rather than with the federal Environmental Protection Agency.

The proposed changes are expected to have no economic impact on the regulated community or the public. This amendment is expected to have a slight economic impact on the Division in the form of increased responsibility. The Division was approved for an additional 0.5 FTE to address the increase in duties; however, the Division is not requesting additional fees to fund the new position.

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

### **9) 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.

### **10) 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-9-2025>.

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 September 2, 2025.