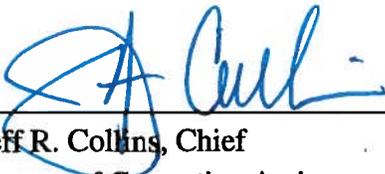


**FORM FOR PETITIONING THE STATE ENVIRONMENTAL COMMISSION FOR  
ADOPTION, FILING AMENDMENTS OR REPEAL OF COMMISSION  
REGULATIONS**

**Form #1**

1. Division of Environmental Protection  
901 South Stewart Street, Suite 4001  
Carson City, NV 89701-5249  
(775) 687 – 9397  
August 6, 2015



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Jeff R. Collins, Chief  
Bureau of Corrective Actions  
(775) 687-9381

2. The Division of Environmental Protection (Division) is an agency of the Department of Conservation and Natural Resources of the State of Nevada. The Division is an environmental regulatory agency.
3. Nevada Administrative Code (NAC) 445A.3475 establishes the means of notifying the Director of a release of a hazardous substance pursuant to NAC 445A.347 or 445A.3473.  
SPECIFIC CHANGES:  
Amend NAC Chapter 445A – WATER CONTROLS to allow notification of incidents or releases of hazardous substances not applicable to NAC 445A.3473 by an online reporting system at [www.ndep.nv.gov](http://www.ndep.nv.gov) or by facsimile to (775) 687-8335:

Provision of notice. ([NRS 445A.425](#), [445A.660](#), [459.485](#)) Any notice of a release of a hazardous substance required to be provided to the Director pursuant to [NAC 445A.3473](#) must be provided by telephone at (888) 331-6337, for in-state telephone calls, or (775) 687-9485, for in-state or out-of-state telephone calls. *Notice of a release of a hazardous substance required to be provided to the Director pursuant to [NAC 445A.347](#) and not applicable to NAC 445A.3473 can be reported via the online reporting system at [www.ndep.nv.gov](http://www.ndep.nv.gov) or faxed to (775) 687-8335.*

4. NEED FOR AND PURPOSE:  
Online reporting of non-significant incidents and releases will provide a more streamlined, efficient, and effective reporting system for the Division and for Users. The Division identified **less than 10%** of the 514 reported incidents or releases of regulated

substances as significant in 2014. Online submission is extremely efficient: once the User completes and submits the online report form, it is automatically emailed directly to the Duty Officer and Program Manager who will be able to route it to the appropriate agency and directly upload the information into the current database. This system of first person reporting will result in more accurate spill reports.

Online reporting fulfills the online reporting requirement set forth in Senate Bill No. 236: *AN ACT relating to governmental administration; requiring a state agency to make available on an Internet website maintained by the state agency certain forms of the state agency in a format which allows the form to be completed, downloaded and saved electronically and submitted securely to the state agency via the Internet; authorizing a state agency to provide a copy of certain records to any other state agency upon request; and providing other matters properly relating thereto.*

Additionally, allowing for online submission may increase the amount of spill reports by creating a more convenient means of reporting by Users and increasing reporter anonymity.

5. **ECONOMIC EFFECTS:**

- a. **Regulated Business/Industry:** These proposed regulations would have no economic effect on Regulated Businesses/Industries.
  - b. **Public:** These proposed regulations would have no economic effect on the Public.
  - c. **Enforcing Agency:** There is no additional cost to the Division for enforcement of the proposed regulation.
6. The proposed revisions to NAC 445A do not overlap or duplicate any regulations of other state or government agencies.
  7. The proposed revisions are no more stringent than what is established by federal law.
  8. The proposed revisions do not address fees.