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Regulations**

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Effective Date

Expiration Date

Governor's Signature

State Environmental Commission

Classification Proposed Adopted By Agency Temporary Emergency Permanent

R106-16: The proposed amendments pertain to NAC 459.9921 through NAC 459.999, inclusive. The NDEP proposes to adopt, by reference, the provisions of 40 CFR 280.10 to 280.116 and 280.240 to 280.252, as they existed on July 15, 2015. This is in response to the USEPA, through the federal Office of Underground Storage Tanks (OUST), which recently updated the federal code of regulations 40 CFR 280 for the first time in 30 years, when the first UST regulations were promulgated. The proposed amendments also include the addition of a delivery prohibition requirement that more accurately reflects USEPA requirements in the 2005 Energy Policy Guidance documentation regarding operation and maintenance of underground storage tanks. The proposed amendments are also intended to eliminate any duplication and inconsistencies in State regulations that may have been present upon the effective date of the updated federal UST regulations.

Authority citation other than 233B: NRS 459.826, NRS 459.826, NRS 459.830 and NRS 459.832

Notice date: September 6, 2016

Hearing date: October 12, 2016