ADOPTED REGULATION OF THE STATE

ENVIRONMENTAL COMMISSION

P2016-09

June 20, 2016

EXPLANATION – Matter in ***italics*** is new; matter in brackets **[~~omitted material~~]** is material to be omitted.

AUTHORITY: §1, NRS 445A.425

Section 1. Chapter 445A of NAC is hereby amended by adding thereto the provisions set forth as Sections 2 through 14, inclusive, of this regulation.

Sec. 2. ***"Augmentation" defined. "Augmentation" has the meaning ascribed to it in NRS 534.0125.***

Sec. 3. ***"Environmental buffer" defined. "Environmental buffer" means a naturally occurring zone that provides sufficient retention time before recovery of reclaimed water into any extraction well for potable use, as reviewed and approved by the Division.***

Sec. 4. ***"Food crop" defined. "Food crop" for reuse means any crop that is intended for human consumption.***

Sec. 5. ***"Indirect potable reuse" defined. "Indirect potable reuse" means discharge of reclaimed water to an aquifer for the purpose of augmentation or recharge of a drinking water source, where the reclaimed water travels through an environmental buffer before recovery into any extraction well for potable use.***

Sec. 6. ***"Log" defined. "Log" is the removal value that measures the ability of a treatment process to remove pathogenic microorganisms. The log value is determined by taking the logarithm of the ratio of pathogen concentration in the influent and effluent water of a treatment process (shown in the equation below). Example: 1 log = 90% reduction; 2 Log = 99% reduction; 3 Log = 99.9%; etc.***

$$Log = \log_{10}\left[\frac{Influent\ Pathogen\ Concentration}{Effluent\ Pathogen\ Concentration}\right]$$

Sec. 7. ***"Reclaimed water" defined. "Reclaimed water" means sewage that has been treated by a physical, biological or chemical process that is directed for a use identified in Sec. 12 or NAC 445A.2762 through NAC 445A.2771, inclusive, and meeting the corresponding water quality criteria for the specified use. The term does not include graywater.***

Sec. 8. ***"Spreading basin" defined. (NRS 445A.425) "Spreading Basin" means a surface impoundment used for the percolation of reclaimed water through an environmental buffer into an aquifer for indirect potable reuse.***

Sec. 9. ***"Unregulated constituent" defined. "Unregulated constituent" means a constituent that does not have any adopted standard or advisory concentration or level.***

Sec. 10. ***The terms and conditions of NAC 445A.274 through 445A.280, inclusive, and Sec. 1 through 14, herein, are not applicable to Colorado River return flow credits described in the Consolidated Decree in Arizona v. California, 547 U.S. 150 (2006), or activities governed by Colorado River contracts, regulatory guidelines, federal laws, compacts, court decisions and decrees, and other credits administered by the U. S. Bureau of Reclamation.***

Sec. 11. ***Fencing is required for category B, C, D or E in areas where pond access is not restricted. The fencing shall function as a physical impediment to climbing and access to the pond.***

Sec. 12. ***Reuse category A+ (Exceptional Quality): Approved uses. Reclaimed water that meets the requirements for water quality criteria set forth in NAC 445A.276 for reuse category A+ may be used for:***

1. ***Indirect potable reuse through injection wells or spreading basins; or***
2. ***Any activity approved for reuse category A, B, C, D or E.***

Sec. 13. ***Reuse category A+ (Exceptional Quality): Water Quality Requirements. Category A+ reclaimed water shall meet the following water quality requirements:***

1. ***The National Primary Drinking Water Standards, adopted by reference in NAC 445A.4525.***
2. ***The secondary maximum contaminant levels included in NAC 445A.455.***

➥ ***Where Category A+ is used for indirect potable reuse, the point of compliance shall be at the zone of saturation.***

3. ***12-log enteric virus reduction, 10-log Giardia cyst reduction, and 10-log Cryptosporidium oocyst reduction shall be demonstrated from the point where raw sewage enters a treatment works to the point of extraction from an aquifer for potable use.***

Sec. 14. ***Reuse category A+ (Exceptional Quality): Additional requirements for indirect potable reuse of category A+ reclaimed water. In addition to the requirements set forth in NAC 445A.275, an application by a person for the use of reclaimed water, meeting the requirements for water quality criteria set forth in Sec. 13 for indirect potable reuse, shall demonstrate that the applicant has met the following requirements:***

1. ***Held public workshops.***
2. ***Circulated a notice of public workshops in a manner designed to inform potentially interested persons of the proposed use.***
   - ***(a) Notice must be circulated within the geographical area of the proposed use by publishing in a local newspaper or periodical or, if the local newspaper is not a daily newspaper, in a daily newspaper of general circulation; and***
   - ***(b) Notice must be mailed to any person or group upon request.***
   - ***(c) The applicant must provide a period of not less than 30 days following the date of the public notice during which time interested persons may submit their written comments with respect to the application.***
   - ***(d) All written comments submitted during the 30-day comment period and all written responses to the received comments must be submitted to the Division for consideration in the formulation of the permit.***
3. ***Developed an engineering report, stamped by a Nevada licensed professional engineer, to be reviewed and approved by the Division.***

4. ***Developed an unregulated constituent monitoring program, as approved by the Division. The plan must examine surrogates and indicators to meet project specific unregulated constituent reduction goals.***
5. ***For spreading basins, in addition to the requirements of Sec. 13:***
   (a) The reclaimed water must meet the minimum requirements for bacteriological quality for category A prior to discharge to a spreading basin;
   (b) For each month retained underground, as approved by the Division, the reclaimed water may be credited with 1-log virus reduction. Category A+ used for indirect potable reuse that also demonstrates at least six months retention underground may be credited with 10-log Giardia cyst reduction and 10-log Cryptosporidium oocyst reduction. The point of compliance shall be at the point of extraction.
6. ***For injection wells, in addition to the requirements of Sec. 13:***
   (a) The reclaimed water must pass through a minimum of three separate treatment processes for pathogen removal. A treatment process can be credited with a maximum of 6-log reduction and a minimum of 1-log reduction. For Giardia cyst reduction and Cryptosporidium oocyst reduction, the point of compliance shall be at the point of injection.
   (b) For each month retained underground, as approved by the Division, the reclaimed water may be credited with 1-log virus reduction as a treatment process. The point of compliance shall be at the point of extraction.
7. ***Assessed wastewater source control as it relates to the production and use of category A+ reclaimed water.***
8. ***The demonstrated financial ability of the applicant to:***
   (a) Pay the costs related to maintenance, operations, depreciation and capital expenses; and
   (b) Establish and maintain adequate fiscal controls and accounting methods required for the operation of the system.
9. ***Obtained written approval from the appropriate district board of health in support of the use.***

Sec. 15. NAC 445A.232 is hereby amended to read as follows:

445A.232 1. Except as otherwise provided in subsections 2 and 7, a nonrefundable application fee must accompany each original application for a permit, each application for a modification to a permit, other than a minor modification made pursuant to NAC 445A.263, and each application to renew a permit which is submitted to or required by the Director. The Director shall charge the following fees:

Type of Permit Issued	Application Fee	Fee for Annual Review and Services
DISCHARGE OF DOMESTIC WASTEWATER		
Less than 50,000 gallons daily.....	$1,000	$1,000
50,000 gallons or more but less than 250,000 gallons daily.....	1,500	1,500

Type of Permit Issued	Application Fee	Fee for Annual Review and Services
250,000 gallons or more but less than 500,000 gallons daily.....	2,000	2,000
500,000 gallons or more but less than 1,000,000 gallons daily.....	3,000	3,000
1,000,000 gallons or more but less than 2,000,000 gallons daily.....	4,000	4,000
2,000,000 gallons or more but less than 5,000,000 gallons daily.....	6,000	6,000
5,000,000 gallons or more but less than 10,000,000 gallons daily.....	10,000	10,000
10,000,000 gallons or more but less than 20,000,000 gallons daily.....	10,000	20,000
20,000,000 gallons or more but less than 40,000,000 gallons daily.....	10,000	30,000
40,000,000 gallons or more daily.....	10,000	40,000
DISCHARGE OF ***RECLAIMED WATER EXCEPT THROUGH A SPREADING BASIN***		
Less than 50,000 gallons daily.....	$750	$750
50,000 gallons or more but less than 250,000 gallons daily.....	1,000	1,000
250,000 gallons or more but less than 500,000 gallons daily.....	1,250	1,250
500,000 gallons or more but less than 1,000,000 gallons daily.....	1,500	1,500
1,000,000 gallons or more but less than 10,000,000 gallons daily.....	2,000	2,000
10,000,000 gallons or more but less than 20,000,000 gallons daily.....	2,500	2,500

Type of Permit Issued	Application Fee	Fee for Annual Review and Services
20,000,000 gallons or more but less than 40,000,000 gallons daily.....	3,000	3,000
40,000,000 gallons or more daily.....	3,500	3,500
DISCHARGE OF RECLAIMED WATER THROUGH A SPREADING BASIN		
Less than 10,000,000 gallons daily……	***10,000***	***10,000***
10,000,000 gallons or more but less than 20,000,000 gallons daily……	***10,000***	***20,000***
20,000,000 gallons or more but less than 40,000,000 gallons daily……	***10,000***	***30,000***
40,000,000 gallons or more daily……..	***10,000***	***40,000***
DISCHARGE FROM REMEDIATION, DEWATERING, OTHER THAN A DISCHARGE TO GROUNDWATER FROM THE DEWATERING OF A MINE, OR FROM A POWER PLANT, A MANUFACTURING OR FOOD PROCESSING FACILITY OR ANY OTHER COMMERCIAL OR INDUSTRIAL FACILITY		
Cooling water only.....	$2,000	$2,000
Less than 50,000 gallons of process water daily.....	2,500	2,500
50,000 gallons or more but less than 250,000 gallons of process water daily.....	3,000	3,000
250,000 gallons or more but less than 500,000 gallons of process water daily.....	4,000	4,000
500,000 gallons or more but less than 1,000,000 gallons of process water daily.....	5,000	5,000
1,000,000 gallons or more but less than		

Type of Permit Issued	Application Fee	Fee for Annual Review and Services
2,000,000 gallons of process water daily.....	6,000	6,000
2,000,000 gallons or more but less than 5,000,000 gallons of process water daily.....	8,000	8,000
5,000,000 gallons or more but less than 10,000,000 gallons of process water daily.....	10,000	10,000
10,000,000 gallons or more but less than 20,000,000 gallons of process water daily.....	10,000	20,000
20,000,000 gallons or more but less than 40,000,000 gallons of process water daily.....	10,000	30,000
40,000,000 gallons or more of process water daily.....	10,000	40,000
DISCHARGE FROM A TREATMENT PLANT FOR DRINKING WATER		
Intermittent discharge of less than 100,000 gallons daily.....	$500	$500
Intermittent discharge of 100,000 gallons or more but less than 1,000,000 gallons daily.....	750	750
Intermittent discharge of 1,000,000 gallons or more daily.....	1,000	1,000
Routine discharge of less than 100,000 gallons daily.....	500	500
Routine discharge of 100,000 gallons or more but less than 1,000,000 gallons daily.....	750	750
Routine discharge of 1,000,000 gallons or more daily.....	1,000	1,000
DISCHARGE OF WASTEWATER FROM A CONCENTRATED ANIMAL FEEDING OPERATION		
Less than 100,000 gallons daily.....	$1,500	$1,500

Type of Permit Issued	Application Fee	Fee for Annual Review and Services
100,000 gallons or more but less than 500,000 gallons daily.....	2,000	2,000
500,000 gallons or more daily.....	2,500	2,500
PERMIT FOR A CONCENTRATED ANIMAL FEEDING OPERATION THAT DOES NOT DISCHARGE WASTEWATER		
Area of a holding facility that is less than 10 acres.....	$1,500	$1,500
Area of a holding facility that is 10 acres or more but less than 20 acres.....	2,000	2,000
Area of a holding facility that is 20 acres or more.....	2,500	2,500
DISCHARGE FROM A FISH HATCHERY		
Less than 500,000 gallons daily.....	$750	$750
500,000 gallons or more but less than 2,500,000 gallons daily.....	1,000	1,000
2,500,000 gallons or more daily.....	1,500	1,500
OTHER PERMITTED DISCHARGES		
Less than 50,000 gallons daily.....	$1,000	$1,000
50,000 gallons or more but less than 250,000 gallons daily.....	1,500	1,500
250,000 gallons or more but less than 500,000 gallons daily.....	3,000	3,000
500,000 gallons or more but less than 1,000,000 gallons daily.....	5,000	5,000
1,000,000 gallons or more but less than		

Type of Permit Issued	Application Fee	Fee for Annual Review and Services
10,000,000 gallons daily.....	10,000	10,000
10,000,000 gallons or more but less than 35,000,000 gallons daily.....	10,000	20,000
35,000,000 gallons or more daily.....	10,000	30,000
REUSE OF SEWAGE SLUDGE		
Less than 20,000 cubic yards per year.....	$1,500	$1,500
20,000 cubic yards or more per year.....	3,000	3,000
REUSE OF DOMESTIC SEPTAGE.....	$1,000	$1,000
DISCHARGE FROM A RECREATIONAL LAKE.....	$5,000	$5,000
TEMPORARY PERMIT.....	$250	Not Applicable

Sec. 16. NAC 445A.275 is hereby amended to read as follows:

445A.275 1. A person shall not use [~~treated effluent~~] ***reclaimed water*** unless:

(a) The person has:

(1) Received the approval of the Division of a plan for the management of [~~effluent~~]***reclaimed water***; and

(2) Obtained a permit pursuant to NAC 445A.228 to 445A.263, inclusive; and

(a) The [~~treated effluent~~] ***reclaimed water*** has received at least secondary treatment.

2. A person shall not use reclaimed water for maintaining a controlled temperature and humidity environment within an enclosed area.

[~~2~~] ***3***. As used in this section:

(a) "Five-day inhibited biochemical oxygen demand" means the amount of dissolved oxygen required to stabilize the carbonaceous decomposable organic matter by aerobic bacterial action at 20 degrees centigrade for 5 days.

(b) "Plan for the management of [~~effluent~~]***reclaimed water***" means:

(1) A[~~n~~] [~~effluent~~]***reclaimed water*** management plan; or

(2) A site specific management plan.

(c) "Secondary treatment" means the treatment of sewage until the sewage has, calculated as a 30-

day average:

(1) A 5-day inhibited biochemical oxygen demand concentration of 30 milligrams per liter or less;

(2) A total suspended solids concentration of 30 milligrams per liter or less; and

(3) A pH of 6.0 to 9.0 SU.

Sec.17. NAC 445A.2752 is hereby amended to read as follows:

445A.2752 1. A person using [~~treated effluent~~] ***reclaimed water*** shall post signs along the outer perimeter of the:

(a) Area of use; and

(b) Buffer zone, if any.

2. The signs must provide reasonable notice to the general public that:

(a) [~~Treated effluent~~] ***Reclaimed water*** is in use; and

(b) Contact with the [~~effluent~~] ***reclaimed water*** should be avoided***, where applicable.***

3. Pipe infrastructure conveying the reclaimed water shall be identified either by color marking or metal tag.

4. All reclaimed water outlets such as hose connections, open ended pipes, and faucets shall be appropriately identified at the point of use.

Sec. 18. NAC 445A.2754 is hereby amended to read as follows:

445A.2754 1. A person using [~~treated effluent~~] ***reclaimed water*** for irrigation shall not:

(a) Allow the [~~effluent~~] ***reclaimed water*** to run off the site being irrigated.

(b) Except as otherwise provided in ***NAC 445A.2762 and*** NAC 445A.2768, use [~~treated effluent~~] ***reclaimed water*** to irrigate crops intended for human consumption.

2. A person using [~~treated effluent~~] ***reclaimed water*** for spray irrigation shall conduct the irrigation in a manner that inhibits the [~~treated effluent~~] ***reclaimed water*** spray from drifting beyond the area of use or the buffer zone, if any.

Sec. 19. NAC 445A.2756 is hereby amended to read as follows:

445A.2756 1. Except as otherwise provided in NAC 445A.2766, 445A.2768 and 445A.2771, the Division will establish the size of a buffer zone.

2. The inner boundary of a buffer zone is determined by measuring a distance equal to the size of the buffer zone from:

(a) A boundary line of the property on which the site is located;

(b) A sign posted pursuant to NAC 445A.2752 informing the public of the presence of [~~treated effluent~~] ***reclaimed water***; or

(c) Any point where the property is open to public access,

as determined by the Division.

3. Except as otherwise provided in NAC 445A.2754, a buffer zone must be kept free of [~~treated effluent~~] ***reclaimed water***.

Sec. 20. NAC 445A.276 is hereby amended to read as follows:

445A.276 1. [~~Treated effluent~~] ***Reclaimed water*** being used for an activity approved for a reuse category must meet the following requirements for bacteriological quality for that category:

	Total Coliform	Fecal Coliform			
	c.f.u. or mpn/100ml	c.f.u. or mpn/100ml			
Reuse Category	A	B	C	D	E
Maximum 30-day geometric mean	2.2	2.2	23	200	No Limit
Maximum daily number	23	23	240	400	No Limit

2. As used in this section, "c.f.u. or mpn/100ml" means colony forming units or most probable number per 100 milliliters of the reclaimed water.

Sec. 21. NAC 445A.2762 is hereby amended to read as follows:

445A.2762 [~~Treated effluent~~] ***Reclaimed water*** that meets the requirements for water quality criteria set forth in NAC 445A.276 for reuse category A may be used for:

1. Spray irrigation of land used as a cemetery, commercial lawn, golf course, greenbelt or park even if:
   (a) Public access to the area of use is ***unrestricted*** [~~not controlled~~]; and
   (b) Human contact with the [~~treated effluent~~] ***reclaimed water*** can reasonably be expected to occur.
2. An impoundment in which swimming is prohibited even if where:
   (a) Public access to the impoundment is ***unrestricted*** [~~not controlled~~]; and
   (b) Human contact with the [~~treated effluent~~] ***reclaimed water*** can reasonably be expected to occur.
3. Snowmaking; the Division may require additional treatment.
4. Irrigation of food crops; the Division may require additional treatment.
5. Outdoor decorative water features.
6. Commercial toilet and urinal flushing.
7. Outdoor commercial window washing and pressure cleaning.
8. Any activity approved for reuse category B, C, D or E.
9. Any other use that is approved by the Division.

Sec. 22. NAC 445A.2764 is hereby amended to read as follows:

445A.2764 [~~Treated effluent~~] ***Reclaimed water*** that meets the requirements for water quality criteria set forth in NAC 445A.276 for reuse category B may be used for:

1. Spray irrigation of land used as a cemetery, commercial lawn, golf course, greenbelt or park if:
   (a) Public access to the area of use is ***restricted*** [~~controlled~~]; and
   (b) Human contact with the [~~treated effluent~~] ***reclaimed water*** cannot reasonably be expected to occur.
2. Subsurface irrigation of land used as a commercial lawn, greenbelt or park.
3. Cooling water in an industrial process.
4. Fire-fighting operations in an urban area if approved by the fire department, fire protection district or other fire-fighting agency in whose district the fire occurs.
5. Commercial chemical mixing (i.e. pesticides, herbicides, fertilizers).
6. Hydro-seeding.
7. Street sweeping.
8. Any activity approved for reuse category C, D or E.
9. Any other use that is approved by the Division.

Sec. 23. NAC 445A.2766 is hereby amended to read as follows:

445A.2766 1. [~~Treated effluent~~] ***Reclaimed water*** that meets the requirements for bacteriological quality set forth in NAC 445A.276 for reuse category C may be used for:

(a) Spray irrigation of land used as a cemetery, golf course or greenbelt if:

(1) Public access to the area of use is ***restricted*** [~~controlled~~];

(2) Human contact with the [~~treated effluent~~] ***reclaimed water*** does not occur; and

(3) A buffer zone of not less than 100 feet is maintained.

(b) Watering of nursery stock if public access to the area of use is ***restricted*** [~~controlled~~].

(c) Establishment, restoration or maintenance of a wetland if public access to the wetland is ***restricted*** [~~controlled~~].

(d) Washing ***and processing of aggregate and concrete production***[~~of gravel used in concrete mixing~~].

(e) Feed water for a boiler.

(f) An impoundment if:

(1) Public access to the impoundment is ***restricted*** [~~controlled~~]; and

(2) Human contact with the [~~treated effluent~~] ***reclaimed water*** cannot reasonably be expected to occur.

(g) Fire fighting of forest or other wildland fires if approved by the fire department, fire protection district or other fire-fighting agency in whose district the fire occurs.

(h) Any activity approved for reuse category D or E.

(i)Any other use that is approved by the Division.

2. As used in this section:

(a) "Nursery stock" has the meaning ascribed to it in NRS 555.23562.

(b) "Wetland" has the meaning ascribed to it in NRS 244.388.

Sec. 24. NAC 445A.2768 is hereby amended to read as follows:

445A.2768 1. [~~Treated effluent~~] ***Reclaimed water*** that meets the requirements for water quality criteria set forth in NAC 445A.276 for reuse category D may be used for:

(a) Spray irrigation of land used for agricultural purposes if:

(1) Public access to the area of use is prohibited; and

(2) A buffer zone of not less than 400 feet is maintained.

(b) Surface irrigation of land used:

(1) As greenbelt if:

(I) Public access to the area of use is prohibited; and

(II) Human contact with the [~~treated effluent~~] ***reclaimed water*** does not occur.

(2) For agricultural purposes; and

(3) For the cultivation of fruit-bearing trees or nut-bearing trees.

(c) Subsurface irrigation of land used for agricultural purposes if public access is prohibited.

(d) Dust control.

(e) Soil compaction.

(f) Flushing sewer lines.

(g) An impoundment if:

(1) Public access to the impoundment is prohibited;

(2) All human activities involving contact with the of-[~~treated effluent~~] ***reclaimed water*** are prohibited; and

(3) Human contact with the [~~treated effluent~~] ***reclaimed water*** does not occur.

(h) Any activity approved for reuse category E.
(i) Any other use approved by the Division.
1. As used in this section, "dust control" means the program required pursuant to NAC 445B.22037 to prevent controllable particulate matter from becoming airborne.

Sec. 25. NAC 445A.2771 is hereby amended to read as follows:

445A.2771 [~~Treated effluent~~] ***Reclaimed water*** that meets the requirements for bacteriological quality set forth in NAC 445A.276 for reuse category E may be used for:
1. Spray irrigation of land used for agricultural purposes if:
(a) Public access to the area of use is prohibited; and
(b) A buffer zone of not less than 800 feet is maintained.
2. Any other use that is approved by the Division.

Sec. 26. NAC 445A.819 is hereby amended to read as follows:

445A.819 "Degrade" means to cause or create an increase in the amount or concentration of any substance in an underground source of drinking water to an extent that:
1. A regulation prescribing **[~~standards for~~]** primary drinking water ***standards or secondary maximum contaminant levels*** is violated; or
2. The Director finds that the existing or potential municipal, industrial, domestic or agricultural use of that water is impaired.

Sec. 27. NAC 445A.872 is hereby amended to read as follows:

445A.872 1. A nonrefundable fee must accompany each application for a permit for an injection well. The applicable fee is:

Type of Injection Well	Application Fee	Fee for Annual Services, Major Modifications or Renewal of Permit
Class II, oil and gas.....	$5,000 plus $625 for each well	$2,500 plus $200 for each well
Class V, geothermal injection wells associated with the production of energy		
Producing 25 megawatts or more.....	$6,250 plus $625 for each well	$3,750 plus $200 for each well
Producing 10 megawatts or more but less than 25 megawatts.....	$5,000 plus $625 for each well	$1,875 plus $200 for each well
Producing less than 10 megawatts.....	$3,750 plus $625 for each well	$1,250 plus $200 for each well

Type of Injection Well	Application Fee	Fee for Annual Services, Major Modifications or Renewal of Permit
Class V, geothermal injection associated with space heating		
Discharging less than 250,000 gallons daily.....	$875	$325
Discharging 250,000 gallons or more daily.....	$1,875	$625
Class V, injection wells associated with remediation, treatment of waste or experimental technology.....	$3,000	$1,500
Class V, injection wells associated with mining pit dewatering.....	$5,000 plus $625 for each well	$2,500 plus $200 for each well
Class V, injection wells associated with aquifer storage and recovery, aquifer recharge ***using other than reclaimed water*** ***[*** ~~***or treated effluent projects***~~ ***]***.....	$2,000 plus $60 for each well	$600 plus $40 for each well
Class V, injection wells associated with reclaimed water projects injecting less than 10,000,000 gallons daily…	***$10,000 plus $625 for each well after 10 wells***	***$10,000 plus $200 for each well after 10 wells***
Class V, injection wells associated with reclaimed water projects injecting 10,000,000 gallons or more but less than 20,000,000 gallons daily.....	***$10,000 plus $625 for each well after 20 wells***	***$20,000 plus $200 for each well after 20 wells***
Class V, injection wells associated with reclaimed water projects injecting 20,000,000 gallons or more but less than 40,000,000 gallons daily.....	***$10,000 plus $625 for each well after 30 wells***	***$30,000 plus $200 for each well after 30 wells***
Class V, injection wells associated with reclaimed water projects injecting 40,000,000 gallons or more daily.....	***$10,000 plus $625 for each well after 40 wells***	***$40,000 plus $200 for each well after 40 wells***

Type of Injection Well	Application Fee	Fee for Annual Services, Major Modifications or Renewal of Permit
Class V, all others.....	$625 plus $125 for each well	$200 plus $50 for each well
General Permit, remediation lasting more than 6 months.....	$1,500	$900
General Permit, remediation lasting 6 months or less.....	$300	
General Permit, septic system with a capacity of 5,000 or more gallons.....	$400	$300
General Permit, all others with a report requirement.....	$400	$300
General Permit, all others without a report requirement.....	$200	$150
General Permit, filing fee for review of the plan.....	$200	

2. A Class III well will be charged a fee for a permit for the actual cost of the review of the application calculated at a rate of $50 per hour for the time spent for the review. The fee for renewal of a permit for a Class III well is $750.

3. A fee for the renewal of a permit or for major modifications, if applicable, must be paid in addition to the fee for annual services.

4. The fee for annual services must be:

(a) Submitted to the Division on or before July 1; and

(b) Paid in advance for each subsequent year during the life of the permit.

Sec. 28. NAC 445A.867 is hereby amended to read as follows:

445A.867 Except as otherwise provided in NAC 445A.8491 to 445A.8499, inclusive, an applicant for a permit to inject fluids must satisfy the Director that the underground injection will not endanger any source of drinking water. **~~[An application for a permit must be filed within 180 days after July 22, 1987, for the operation of an injection well which is existing on that date and does not have a permit.]~~** Each application for a permit must be signed by the owner or, if the owner does not operate the well, the operator of the well and must contain the following information:

1. The name of the facility.
2. The name and address of the owner.
3. The name and address of the operator, if different than the owner.
4. A description of the location of each injection well by the quarter-quarter section, section, township and range, and latitude and longitude.

5. A map of the location of the facility, preferably a topographic map prepared by the United States Geological Survey, extending at least 1 mile beyond the boundaries of the facility, locating each injection well for which a permit is sought and the area of review. The map must show, within the area of review, the number, location and type of all injection wells, producing wells, abandoned wells, surface bodies of water, surface and subsurface mines, quarries, public and private systems to supply water and other pertinent features on the surface.

6. A plan for corrective action, as required pursuant to NAC 445A.899, for each injection well within the area of review which penetrates the zone for injection, but is not correctly completed or plugged.

7. A narrative report, geologic cross section and isopach map in sufficient scale to detail the local geology and hydrology. The information should be sufficient to show the geologic formations, structural features and concentration of total dissolved solids for each formation, zone for injection and confining zone.

8. The plans and drawings for construction showing the details of the casing and cementing, including the size of the hole, type of casing and type and grade of cement.

9. The drilling log for each production or injection well owned or operated by the applicant which is located within the area of review.

10. The proposed operating data, including:

(a) The average and maximum daily rates of injection and the volume of the fluid injected;

(b) The average and maximum pressures of the injection; and

(c) The source of the fluid injected and an analysis of its physical, chemical and biological characteristics.

11. A chemical analysis, if available, of the fluid in the receiving formation to ensure compatibility with the injectate, and an analysis of the hydraulic conductivity of the receiving formation.

12. The proposed procedures for injection, including additives to or storage and pretreatment, if any, of the fluid injected, the use of the well, the planned standard practices for stimulation of the well and the planned schedule for workover.

13. A certificate that the applicant has ensured, through a performance bond or other appropriate means, the resources necessary to plug and abandon the well.

14. A plan for plugging and abandoning the well as described in NAC 445A.923.

15. Any other information required by the Director to ensure that the proposed operation will not degrade an underground source of drinking water. That information may include a plan for monitoring the elevation or quality of groundwater surrounding the zone for injection.

16. For injection of reclaimed water for indirect potable reuse, the application shall satisfy NAC 445A.274 through 445A.280, inclusive, and Sections 1 through 14, herein.

Sec. 29 NAC 445A.849 is hereby amended to read as follows**:**

445A.849 A Class V well is any injection well not included in Classes I, II, III and IV, including, without limitation:

10. Wells used to inject domestic sewage for facilities other than single-family residences and having a volume capacity of more than [~~3,000~~] ***5,000*** gallons per day which are regulated as on-site sewage disposal systems pursuant to NAC 445A.950 to 445A.9706, inclusive;

Sec. 30 NAC 445A.880 is hereby amended to read as follows:

445A.880 A permit expires 5 years after the date of issuance except that an earlier date may be specified by the Director.

1. A person who holds an expired permit and who has submitted a timely application for renewal of the permit in the manner set forth in NAC 445A.882 may continue to conduct the permitted activity in accordance with the terms and conditions of the expired permit until the Department takes final action on the application unless:

(a) The Department determines that the permittee is not in substantial compliance with the terms and conditions of the expired permit or with a compliance schedule designed to bring the permittee in compliance with the terms and conditions of the expired permit;

(b) The Department, as a result of an action or the failure to act of the permittee, has been unable to take final action on the application on or before the expiration date of the permit; or

(c) The permittee has submitted an application with major deficiencies or has failed to supplement properly the application in a timely manner after being informed of deficiencies.