

# Form #1

## Petition to Adopt, Amend, or Repeal Commission Regulations

Approved 10-3-1995



NEVADA  
STATE ENVIRONMENTAL  
COMMISSION

### 1. Name, address, telephone number, and signature:

Name: Annalyn Settelmeyer

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Telephone Number: (775) 687-9366

Date of Petition: 06/20/24

Representative capacity and signature of petitioner, authorized individual, officer or attorney:

*Annalyn Settelmeyer*

### 2. Specific type of petitioner (individual, partnership, corporation, government agency, or other) and the exact occupation or business, including a description of the occupation or business if necessary:

The Nevada Division of Environmental Protection (NDEP) is a division of the Nevada Department of Conservation and Natural Resources of the State of Nevada. The NDEP is an environmental regulatory agency authorized by U.S. EPA to regulate businesses that generate, treat, dispose, store, or recycle hazardous waste in Nevada or bring hazardous waste into Nevada. As an authorized state, Nevada is required to adopt regulations that are at least as stringent as the Federal regulations.

### 3. Exact and specific nature of changes sought, including delineation of the regulations, statutory provisions of Commission decisions involved. May include a statement of the written term or substance of the proposed regulatory action, or a description of the subjects and issues involved:

NDEP is proposing to revise the Definition of Solid Waste Rule that was partially adopted in 2020 to ensure the protection of human health and the environment. The revisions include:

1. Adopting the exclusions for hazardous secondary materials with multiple changes including that any facility that is claiming an exemption or exclusion under sections 260-279 may not claim confidentiality of information to prove that exemption or exclusion.
2. Sections 261.4(a)(23)(i)(B), 261.6(c)(2), and 273.60(b) are removed.
3. Section 261.4(a)(24)(v)(B)(3) is adopted except that "publicly available" is deleted.

**4. A statement of the need for and purpose of the proposed regulations:**

**5. A statement of the:**

(a) Estimated economic effect of the regulation on the business which it is to regulate:

(1) Both adverse and beneficial effects:

(2) Both immediate and long-term effects:

(b) Estimated economic effect on the public:

(1) Both adverse and beneficial effects:

(2) Both immediate and long-term effects:

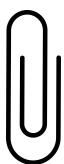
(c) Estimated cost by the agency for enforcement of the proposed regulation:

**6. A description of any regulations for other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:**

**7. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions. The statement must include the specific citation of the federal statute or regulation requiring such adoption:**

**8. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:**

### Supporting Documents



When submitting this form, attach a second document to your email with your proposed regulatory language. Include other supporting documents as needed.