



NOTICE OF PUBLIC WORKSHOPS
Proposed Regulation R126-19
Nevada Division of Environmental Protection
November 12, 2020

The Nevada Division of Environmental Protection (NDEP) is proposing to adopt regulation R126-19 amending Chapters 445A, 445B and 459 of the Nevada Administrative Code (NAC). Specifically, this amendment addresses NAC 445A.293, 445A.646, 445A.647, 445A.652, 459.9729, with the addition of new sections to be added to the NAC for programmatic detail and conforming changes. This workshop is to be the second conducted for this petition (formerly noticed as NDEP petition number P2020-02) and is warranted due to substantive changes made to the proposal subsequent to the workshops conducted on February 4, 7 and 10, 2020, that directly affect Certified Environmental Managers, Certified Tank Handlers and Certified Tank Testers. This notice is being posted publicly, but the workshop will focus on the aforementioned programs.

The proposed regulatory revision provides due process clarity for disciplinary actions taken in three certification programs administered by NDEP (Water Pollution Control in NAC 445A, Safe Drinking Water in NAC 445A, and Corrective Actions in NAC 459). The proposal adds due process procedures for when NDEP initiates disciplinary action for individuals who are Wastewater Operators, Drinking Water Operators, Certified Environmental Managers, Certified Tank Handlers or Certified Tank Testers.

Workshops to discuss and receive comment on changes between the Agency Draft P2020-02 and Legislative Council Bureau File #R126-19 will be held virtually at the date and time indicated. Pursuant to the Governor's Emergency Directive 006, this meeting will be conducted online and there will be no physical location. A workshop agenda is attached.

Tuesday, December 1, 2020
2:00 PM – 3:00 PM

To join the meeting:

<https://call.lifesizecloud.com/5952857>

Join the Lifesize meeting using Skype for Business: <https://skype.lifesizecloud.com/5952857>

Call in by Phone (audio only): +1 (877) 422-8614; extension 5952857#

Materials may be obtained at <https://sec.nv.gov> on the December 9, 2020 Regulatory Meeting page, at workshops, or by contacting NDEP at (775) 687-9302. Interested parties may provide comments at the workshops or submit them to Jennifer Carr, Deputy Administrator (jcarr@ndep.nv.gov), Division of Environmental Protection, 901 South Stewart Street, Suite 401, Carson City, Nevada, 89701. **Written comments will be accepted until 5:00 pm, December 2, 2020.**

Members of the public who are disabled and require special accommodations or assistance at the meetings should notify NDEP no later than 5 days prior to the workshop(s).

This notice and agenda have been posted at the following locations: NDEP office in Carson City, NDEP office in Las Vegas, State Library and Archives in Carson City, and the Department of Motor Vehicles in Carson City; and websites of NDEP, Legislative Counsel Bureau, Department of Administration, and the State Environmental Commission.

AGENDA
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The purpose of the public workshops is to receive comments from all interested parties regarding the information listed on this agenda. No action will be taken by the Nevada Division of Environmental Protection (NDEP) at the public workshops on these proposed regulatory changes. The workshops are informational only and in preparation for action that will be taken by the State Environmental Commission at a regulatory meeting scheduled for December 9, 2020. The following items may be taken out of order and/or items may be combined for consideration.

- 1) Call to order and introductions
- 2) Presentation and discussion of proposed regulation R126.19 (formerly P2020-02):

Agency Draft Petition P2020-02 was presented at workshops on February 4, 7 and 10, 2020 in Elko, Carson City and Las Vegas, respectively. At this workshop, NDEP will provide brief review on the background, purpose and need for the proposed revisions to Nevada Administrative Code 445A, 445B and 459 *with a focus on substantive changes made to the petition since those workshops were conducted. These substantive changes only pertain to Certified Environmental Managers, Certified Tank Testers and Certified Tank Handlers.*

R126-19 proposes to add due process procedures for when NDEP initiates disciplinary action for individuals who are Wastewater Operators, Drinking Water Operators, Certified Environmental Managers, Certified Tank Handlers or Certified Tank Testers.

- 3) Question and answer period
- 4) Public comment for any items not agendized
- 5) Adjournment