



State of Nevada

Dept. of Conservation & Natural Resources

State Environmental Commission SEC.nv.gov

901 South Stewart Street, Suite 4001, Carson City, Nevada 89701

Agenda SEC Regulatory Meeting

The State Environmental Commission (SEC) will hold a meeting on **Wednesday, December 14, 2022, at 09:00 am in Carson City**. Capacity at the physical locations is limited; remote participation is encouraged.

Join the meeting https://teams.microsoft.com/join/19%3ameeting_NzNhNzdjNDctOWZiYS00MWFiTgwMWEtNWlwMTM1MzVmNDMw%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22ddd8c148-951a-40a2-8a5f-489f3867594b%22%7d

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Please Note: This is a stacked agenda, and the following items may be taken out of order and/or combined for consideration. Items may also be removed from the agenda, or the SEC may delay discussion relating to an item on the agenda at any time. No public comment may be taken on a contested case or quasi-judicial proceeding prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual. See NRS 233B.126.

1) Call to Order, Roll Call, Establish Quorum (Discussion only)

2) Public Comment:

Members of the public will be invited to speak before the SEC; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to three minutes per person at the discretion of the chairperson.

3) Approval of September 20, 2022, Summary Meeting Minutes (For Discussion and Possible Action)

4) Sustainable Materials Management Plan Update (For Discussion and Possible Action)

The Bureau of Sustainable Materials Management will provide an update to their Sustainable Materials Management Plan.

Regulatory Petitions

5) Permanent Regulatory Petition R109-22 - Bureau of Administrative Services, Office of Financial Assistance (For Possible Action)

R109-22 proposes the following amendments to NAC 445A.255: Define the term “disadvantaged,”

- (a) Streamline the process for funding drinking water systems under emergency situations,
- (b) Amend the environmental review process,
- (c) Add an administrative fee for loans,
- (d) Align state regulations with federal changes and direction, and
- (e) Make a few housekeeping amendments.

6) Permanent Regulatory Petition R112-22 - Bureau of Water Pollution Control (For Possible Action)

R112-22 proposes to increase the fees required to obtain general, temporary, and five-year permits to authorize discharges to the environment (surface or groundwater).

7) Permanent Regulatory Petition R155-22 - Bureau of Safe Drinking Water (For Possible Action)

R155-22 proposes to increase the fees for engineering plan reviews and annual operating permits to implement the Safe Drinking Water Act in NAC 445A.6664 and NAC 445A.604, add a new fee for water haulers in NAC 445A.6728, and provide general updates to reference the correct agency in the regulations.

8) Permanent Regulatory Petition R114-22 - Bureau of Water Quality Planning (For Possible Action)

R114-22 NDEP proposes to update the water quality standard for beryllium to the current drinking water standard of 4 ug/L. The proposed standard of 4 ug/L is a more realistic standard than the current standard of 0 ug/L.

Additionally, the change in language under NAC 445A.1236(1)(c) from "detection limit of a method" to "reporting limit of a method" will align the regulatory language with how laboratories typically report data.

9) Permanent Regulatory Petition R116-22 - Bureau of Water Quality Planning (For Possible Action)

R116-22 proposes to adopt protective criteria for selenium that are based on scientific rationale to protect aquatic life beneficial use in the Las Vegas Wash.

10)Permanent Regulatory Petition R115-22 - Bureau of Water Quality Planning (For Possible Action)

R115-22 proposes to apply a realistic and appropriate set of beneficial uses and associated water quality criteria to the stormwater channels that flow into to the Las Vegas Wash.

11)Administrator's Briefing to the Commission: (Discussion Only) Administrator Greg Lovato will provide the Commission general management updates.

12)Public Comment: Members of the public will be invited to speak before the SEC; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to three minutes per person at the discretion of the chairperson.

13)Adjournment

Additional Information: Persons wishing to comment on the proposed actions of the State Environmental Commission (SEC) may appear at the scheduled public hearing or may address their comments, data, views, or arguments in written form to: **State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249**. The SEC must receive written submissions at least five days before the scheduled public hearing.

If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the SEC may proceed immediately to act upon any written submissions.

Members of the public can inspect copies of any regulations to be adopted at the State Library and Archives in Carson City (**100 Stewart Street**), and at the offices of the Division of Environmental Protection in Carson City and Las Vegas. The Carson City office is located at **901 South Stewart Street, Suite 4001**, and the Las Vegas office at **375 East Warm Springs Road, Suite 200**.

As required by the provisions of chapters 233B and 241 of Nevada Revised Statutes, the public notice for this hearing was posted at the following locations: the Bryan Building (**901 South Stewart Street, Carson City, Nevada**); the offices of the Division of Environmental Protection in Las Vegas (**375 East Warm Springs Road, Suite 200**), the Nevada Division of Minerals, **400 W. King Street, Carson City, NV** and at the Nevada Department of Agriculture (**405 South 21st Street, Sparks, Nevada**).

In addition, copies of this notice have been deposited electronically at major library branches in each county in Nevada. This notice and the text of the proposed regulations are also available on the State Environmental Commission's website at <https://sec.nv.gov/meetings/sec-regulatory-meeting-december-14-2022>. Any proposed regulations denoted in this notice, including previous drafts, are or will be posted on the Legislative Counsel Bureau's website.

Members of the public who would like to inspect all supporting materials for this meeting or members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, the Nevada State Environmental Commission, in care of Sheryl Fontaine, Executive Secretary, **901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249**, facsimile **(775) 687-5856**, or by calling **(775) 687-9374** no later than 5:00 p.m. on December 7, 2022.