



## Proposed Regulation Revision R155-22 Summary of Public Workshop

**Date:** November 3, 2022

**Time:** 1:30pm-2:30pm

**Locations:**

- Bryan Building  
901 S. Stewart Street, Tahoe Conference Room (2nd Floor)  
Carson City, NV 89701
- NDEP Office  
375 E. Warm Springs Road, Ste. 200 (Red Rock Conference Room)  
Las Vegas, NV 89119
- Virtually via Microsoft Teams

**Participants:**

Name	Organization	Name	Organization
Brendon Grant	Bureau of Safe Drinking Water	Tyler Shaw	Farrari Reeder Public Affairs
Andrea Seifert	Bureau of Safe Drinking Water	Jon Rudolph	McDonald Carrano
Art Marr	Bureau of Safe Drinking Water	Felisha Haslem	KGHM Robinson Mine
Ryan Finley	Bureau of Safe Drinking Water	James Hendrickson	KGHM Robinson Mine
Alex Lanza	Bureau of Safe Drinking Water	Alexander Lyon	Wynn Las Vegas
Phillip Martinovich	Bureau of Safe Drinking Water	Greg Sutter	City of Henderson
Angelito Accad	Bureau of Safe Drinking Water	Byron Brice	SSR Mining
Greg Reed	Gardnerville Ranchos GID	Tim Simpson	Washoe County Community Development
Collin Sturge	Lumos and Associates		
Paul Ripa	Speed Vegas		
John Glenn	Wynn Las Vegas		
Dakota Krist	USDA		

**Summary:**

- Brendon Grant (Brendon) and Andrea Seifert (Andrea) started the Public Workshop (Workshop) by reviewing the agenda which included the following topics: contact information for Brendon and Andrea, ways for the public to participate and comment on the regulation revisions, review how regulations are created/revise, role of the State Environmental Commission (SEC), general cleanup revisions, proposed engineering plan review fee revisions, proposed annual water system permitting fee revisions, proposed water hauling fees, and end of workshop.

- Brendon presented on what BSDW terms as the *General Cleanup* to NAC 445A. The *General Cleanup* includes citing the correct oversight agency in regulations. The Office of Safe Drinking Water used to be under the Nevada Department of Health and Human Services, Division of Public and Behavioral Health, Bureau of Health Protection Services. Safe Drinking Water is now the Bureau of Safe Drinking Water (BSDW) under the Department of Conservation and Natural Resources, Nevada Division of Environmental Protection and falls under the purview of the State Environmental Commission.
- Andrea presented various graphs depicting the BSDW's expenditures and sources of revenue. Sources of revenue include permitting fees and federal grants. It was mentioned that the last time BSDW increased engineering and water system operating fees was on January 22, 2004. Using the Consumer Price Index (CIP) calculator, the annual operating fees need to increase a minimum of 60%. In addition, the BSDW's goal is to have one year of total budget in reserve.
- Brendon and Andrea provided various reasons the fee increase is needed. The following reasons were given: additional staff is needed to carry out more regulatory oversight from the U.S. Environmental Protection Agency, hire temporary staff where needed, travel cost to inspect water systems has increased, send new staff to required training and professional development, purchase software and hardware required for electronic plan review, maintain cash in reserve, and allow for flexibility to address pay raises if approved by the State Legislature.
- Brendon presented an overview the number of staff that make up the Engineering Branch, Compliance Branch, Data Management and Operator Certification Branch, and the Administrative Assistants.
- Brendon presented the current Engineering Branch review fee structure and the proposed review fee structure. He mentioned that the construction, modification, renovation, or expansion of various facilities at one time will continue to be reviewed under one project number. Brendon presented a table that demonstrates how the proposed review fee was determined. Starting on January 1, 2024, engineering review fees will increase 3% from the previous year's fee. The fee increase will be at the discretion of the Director and will be posted on the BSDW website.
- Andrea presented proposed water hauler fees. If a water system intends to submit a water hauling plan, there is a proposed fee of \$600. The review fee covers the cost to review the construction of the water hauler truck and water coliform sampling. There is a proposed fee of \$300 to inspect water hauling trucks initially and annually. Starting on January 1, 2024, water hauling fees will increase 3% from the previous year's fee. The fee increase will be at the discretion of the Director and will be posted on the BSDW website.
- Andrea presented the current and proposed annual permitting and treatment fees for public water systems. Starting on January 1, 2024, annual permitting fees for community water systems and treatment facility fees for all water systems will increase 3% from the previous year's fee. Annual permitting fees for non-community water systems will gradually increase through 2025, and starting January 1, 2026, the fees will increase 3% from the previous year's fee. All fee increases will be at the discretion of the Director and will be posted on the BSDW website.

- Andrea presented a slide that demonstrated the estimated increase revenue from the proposed fee increase.
- Greg Reed with Gardnerville Ranchos GID agreed that it was time for the BSDW to increase fees but did not agree with the proposed future 3% increase from the previous year's fee. He mentioned that BSDW should streamline engineering plan reviews and not focus on minor details, e.g., discrepancy between two documents. Andrea asked Greg what information the director should consider to determine if a fee increase is needed each year, and he responded that he wasn't sure, but that he didn't believe an automatic increase is the way to go.
- Collin Sturge from Lumos wanted to confirm that the engineering plan review fees will be posted on the website. Brendon confirmed that the fees will be posted on the website and added that the proposed fees need to be approved by the SEC and Legislative Commission before they go into effect. Brendon mentioned that the fees will most likely not go into effect until after the first of the year, and a notice will go out to all water systems before the fees are officially adopted into regulation.

**END**