

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: Nevada Division of Environmental Protection

Address: 901 South Stewart Street, Suite 4001

E-mail Address: ddragoni@ndep.nv.gov

Telephone Number: (775) 687-9340

Date of Petition: TBD

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

Jennifer Schumacher

Chief of Bureau of Air Pollution Control

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.

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 amend the language of Nevada Administrative Code (NAC) 459.953451(1).

Nevada Revised Statutes (NRS) 459.3818 establishes the authority of the State Environmental Commission (SEC) to adopt regulations consistent with the intent and purpose of NRS 459.380 to NRS 459.3874, inclusive.

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

The purpose of the proposed amendment is to revise a regulation that has a requirement that is no longer necessary for achieving the intents and purposes of NRS 459.380 to NRS 459.3874, inclusive. It removes the requirement to submit two copies of a completed permit to construct application that is subject to the Chemical Accident Prevention Program (CAPP). It is necessary to repeal the regulation to improve efficiency in administering CAPP and minimize the resources needed.

This amendment aligns with Governor Lombardo's Executive Order 2023-003 encouraging executive agencies to streamline and simplify their regulations.

5. A statement of the:

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

The proposed amendment will not impose requirements on businesses, so there is no economic impact. The proposed amendment will simplify the process for applying for a permit to construct.

(1) Both adverse and beneficial effects:

Not applicable.

(2) Both immediate and long-term effects:

Not applicable.

(b) Estimated economic effect on the public:

The proposed amendment will have no economic effect on the public.

(1) Both adverse and beneficial effects:

Not applicable.

(2) Both immediate and long-term effects:

Not applicable.

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

The proposed amendment will have no economic effect on the agency.

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:

Not applicable, the proposed amendment removes an unnecessary requirement of an existing regulation.

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:

Not applicable, the proposed amendment removes a requirement from an existing regulation.

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:

Not applicable, the proposed amendment does not provide for any new fees or increases to existing fees.

Supporting Documents



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