

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:

A handwritten signature in black ink, appearing to be "D. Dragoni".

Deputy Administrator

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 repeal the regulations for the administration and enforcement of the Alternative Fuels Program codified in Nevada Administrative Code (NAC) 486A.010 to NAC 486A.250, inclusive.

Nevada Revised Statutes (NRS) 445B.210 establishes the authority of the State Environmental Commission (SEC) to adopt regulations to prevent, abate and control air pollution and NRS 486A.150 established specific authority of the SEC to adopt regulations necessary to carry out the provisions of NRS 486A.010 to NRS 486A.180, inclusive.

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

On May 29, 2019, Senate Bill 42 repealed NRS 486A.010 to 486A.200. The repealed statutes provided the statutory authority to administer the Alternative Fuels Program pursuant to NAC 486A.010 to NAC 486A.250, inclusive. NDEP is proposing to repeal NAC 486A.010 to NAC 486A.250, inclusive. Repealing these regulations would resolve the inconsistency between regulatory requirements and statutory authority, and prevent confusion.

5. A statement of the:

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

The program has been defunct since the statutory authority was repealed, so the proposed amendments will not have an economic impact on businesses, the public, or any governmental agency.

(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 amendments 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 amendments 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 amendments are only to repeal existing regulations.

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 amendments are only to repeal existing regulations.

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 amendments do 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.