



State of Nevada

Dept. of Conservation & Natural Resources

State Environmental Commission

901 South Stewart Street, Suite 4001 -- Carson City, Nevada 89701-5249



Notice of Regulatory Hearing Adoption of Regulations and Other Matters Before the State Environmental Commission

The State Environmental Commission (SEC) will hold a meeting on Wednesday, March 19, 2025, at 9:00 am. The meeting will be held in the Bonnie B. Bryan Conference Room, on the first floor of the Bryan Building, at 901 South Stewart Street in Carson City, Nevada. There is also the option to participate virtually using the link below.

Join the meeting https://teams.microsoft.com/l/meetup-join/19%3ameeting_OTI5NDZMTMtZDFmOC00MjY3LWExODItNzUxMmI4MWQ2YmE2%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22f7cf1a57-aa9a-4aa8-ab6b-9414ab15f56e%22%7d

Meeting ID: 260 561 852 779

Passcode: xL2QM6gm

Click to call from Mobile (audio only)

+1 775-321-6111,,969884116#

Call in by Phone (audio only)

United States: +1 775-321-6111

Meeting extension: 969 884 116#

The meeting will also be streamed to the Red Rock Conference room at the Las Vegas Nevada Division of Environmental Protection (NDEP) offices, located at 375 East Warm Springs Road. The purpose of this meeting is to receive comments from all interested persons regarding the information listed on this notice and the meeting agenda. The following information is provided pursuant to the requirements of Nevada Revised Statutes (NRS) 233B.0603.

Permanent Regulation R119-24: Bureau of Air Quality Planning - Adopting Federal Regulations by Reference

R119-24 is proposing to amend sections 445B.220 and 445B.221 of Nevada Administrative Code (NAC) to adopt by reference applicable provisions of federal law and regulations to prevent, abate, and control air pollution and to establish standards for air quality (Nevada Revised Statutes [NRS] 445B.210). Under existing regulations, the Commission has adopted by reference certain provisions of federal regulations and certain standards for testing air quality. (NAC 445B.221) This regulation: (1) revises which provisions of federal regulations are adopted by reference; (2) revises certain standards for testing air quality previously adopted by reference; and (3) updates the price for and manner of obtaining the publications containing those standards.

The proposed changes are not expected to have any economic impact on the public, the regulated community, or the Division.

Permanent Regulation R126-24: Bureau of Corrective Actions - Alignment of Brownfield Regulatory Language with Federal Regulations

R126-24 proposes to amend Chapter 459 of the NAC to ensure consistency with the terms and conditions entered by the state with the U.S. EPA regarding the use of federally granted Fund for Brownfield Projects (Fund). The proposed revisions: 1) define new terms introduced by the proposed revisions; 2) identify the goal of the Fund; 3) expand existing match funds to include in-kind services and provide relief from match for disadvantaged recipients; 4) increase the percentage of the Fund available for subgrant to eligible entities; and 5) expand eligible uses of the Fund, which is currently limited to cleanup, to include planning, community involvement, site assessment, and other tasks necessary for successful Brownfield property redevelopment.

The proposed changes are not expected to have any adverse economic impacts on the public, the regulated community, or the Division.

Permanent Regulation R130-24: Bureau of Corrective Actions - Regulatory Clean-up in Response to the Governor's Executive Order EO2023-003

R130-24 proposes to amend Chapter 445A of the NAC to remove outdated references and add references to current and dynamic federal regulations and guidance. The amended language clarifies that current soil contaminant screening levels and drinking water Maximum Contaminant Levels should be used for risk assessment and potential cleanup rather than levels determined based on 1996 toxicology data.

The proposed changes are not expected to have any economic effect on the public, regulated businesses, or the Division.

Permanent Regulation R146-24: Bureau of Water Quality Planning - Regulatory Clean-up in Response to the Governor's Executive Order EO2023-003

NDEP is proposing to amend sections of NAC 445A to reflect current conditions of stream reaches and existing names of waters, and to reference the most current criteria documents.

The proposed changes are not expected to have any economic impact on the public, the regulated community, or the Division.

Permanent Regulation R149-24: Bureau of Water Quality Planning - Adoption of Federal Criteria for Algal Toxins Within Waters of the State

NDEP is proposing to amend sections of NAC 445A to adopt federal recommendations for criteria for the algal toxins microcystin and cylindrospermopsin within surface waters of the State with the beneficial use recreation involving contact with the water.

The proposed changes are not expected to have any economic impact on the public, the regulated community, or the Division.

Additional Information: Persons wishing to comment on the proposed actions of the SEC may participate in the scheduled public hearing (virtually or by phone) 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 the 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 is located 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), at the State Library and Archives building in Carson City (100 Stewart Street), the Nevada Division of Minerals, 400 W. King Street, Carson City, NV and the Department of Agriculture, 405 South 21st Street, Sparks, NV.

In addition, copies of this notice have been deposited electronically at major library branches in each county in Nevada as specified below. This notice and the text of the proposed regulations will also be available on the SEC's website

at: <https://sec.nv.gov/meetings/sec-meeting-march-19-2025>. The proposed regulation denoted in this notice, is, or will be, posted on the Legislative Counsel Bureau's website at <http://www.leg.state.nv.us/register/> and also the Department of Administration's website at <https://notice.nv.gov/>.

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 March 12, 2025.

This Notice was provided to or posted at the following Nevada county locations:

Carson City Library
900 North Rook Street
Carson City, Nevada 89701-3101

Lincoln County Library
63 Main Street
Pioche, Nevada 89043

Churchill County Library
553 South Main Street
Fallon, Nevada 89406-3306

Lyon County Library System
20 Nevin Way
Yerington, Nevada 89447-2399

Las Vegas-Clark County Library District
Director of Marketing and Community Relations
7060 W. Windmill
Las Vegas, Nevada 89113

Mineral County Public Library
P.O. Box 1390
Hawthorne, Nevada 89415

Douglas County Public Library
1625 Library Lane
Minden, Nevada 89423-0337

Pershing County Library
1125 Central Avenue
Lovelock, Nevada 89419

Elko County Library
720 Court Street
Elko, Nevada 89801-3397

Storey County Library - Closed
Posted at Clerk's Office
Address below:

Esmeralda County Library
Corner of Crook & 4th Street
P.O. Box 430
Goldfield, Nevada 89013-0430

Storey County Treasurer and Clerk's Office
Drawer D
Virginia City, Nevada 89440

Eureka County Library
10190 Monroe Street
Eureka, Nevada 89316

Tonopah Public Library (Nye County)
P.O. Box 449
Tonopah, Nevada 89049

Humboldt County Library
85 East 5th Street
Winnemucca, Nevada 89445-3095

Washoe County Library System
301 South Center Street
Reno, Nevada 89501-2102

Battle Mountain Branch Library (Lander County)
625 South Broad Street
Battle Mountain, Nevada 89820

White Pine County Library
950 Campton Street
Ely, Nevada 89301