Permanent Regulation – Informational Statement

A Permanent Regulation Related to Environmental Programs

Legislative Review of Adopted Permanent Regulations as Required
by Administrative Procedures Act, NRS 233B.066

State Environmental Commission
Permanent No: R025-25P

The Nevada State Environmental Commission (SEC) offers the following informational statement in compliance with Nevada Revised Statute (NRS) 233B.066.

1. Need for Regulation

The United States Environmental Protection Agency (EPA) finalized and promulgated the following rules: Lead and Copper Rule Revisions (LCRR – January 15, 2021), Lead and Copper Rule Improvements (LCRI - October 30, 2024), and Consumer Confidence Report Rule Revisions (CCR – May 15, 2024). The NDEP does not currently have Safe Drinking Water Act's primacy over LCRR, LCRI or CCR. NDEP is proposing to adopt federal rules into regulations to request and obtain primacy over these rules. Adopting these rules into regulations and updating primacy would allow NDEP to implement, manage, and enforce the federal rule requirements as promulgated. NDEP is not proposing changes to the adopted rules. If these rules are adopted and primacy is obtained, public water systems will continue to work directly with the NDEP rather than the U.S. Environmental Protection Agency.

2. A description of how public comment was solicited, a summary of public response and an explanation of how other interested persons may obtain a copy of the summary.

The Legislative Counsel Bureau published its draft, R025-25P, in the Nevada Register on August 6, 2025.

The NDEP held four public workshops for R025-25P:

Date	Location	Workshop type	Number of Attendees	Number of Comments Received
June 5, 2025	Elko, Nevada	In-person	13	None
June 10, 2025	Carson City, Nevada	In-person and virtual	2 in person 28 virtually	None
June 11, 2025	Las Vegas, Nevada	In-person	4	None
July 23, 2025	Carson City, Nevada	Virtual	17	None

A summary of the workshops is included on the NDEP website as well as the SEC website.

The proposed regulations were also distributed to the Bureau of Safe Drinking Water's email distribution list. The Division accepted written comments on R025-25I and R025-25P for more than 50 days ending on July 29, 2025.

The SEC held a hybrid regulatory hearing on September 9, 2025, to consider possible action on R025-25P. The SEC posted its public notice, which included a link[1] and instructions to access R025-25P and pertinent documents and information supporting the regulation, for the regulatory meeting at the State Library in Carson City, at Division offices located in both Carson City and Las Vegas, at all county libraries throughout the state, and to the SEC email distribution list. The SEC also posted the public notice at the Division of Minerals in Carson City, at the Department of Agriculture, on the LCB website, on the Division of Administration website, and on the SEC website.

The public notice was also published in the Las Vegas Review Journal and Reno Gazette Journal newspapers once per week for three consecutive weeks prior to the SEC regulatory meeting.

3. The number of persons who attended the SEC Regulatory Hearing:

(a) Attended September 9, 2025, hearing: 51 (approximately)
(b) Testified on this petition at the hearing: 3

1. Andrea Seifert, on behalf of the Nevada Division of Environmental Protection
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3. Cassie Ehleringer, on behalf of the Nevada Division of Environmental Protection
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[1] https://sec.nv.gov/meetings/sec-meeting-september-9-2025

(c) Submitted to the agency written comments: None

4. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation of how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses through four public workshop and during the September 9, 2025, SEC hearing as noted in number 2 above. There were no verbal or written comments regarding the regulatory amendments during the September 9, 2025, SEC meeting:

A recording of these comments is available on the SEC website.

5. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The Commissioners unanimously adopted R025-25P without change because the SEC was satisfied with the proposed regulation.

6. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public.

Regulated Business/Industry: There are no economic impacts to businesses associated with this action in the short- or long-term.

Public: There are no adverse or economic impacts on the public associated with this action in the short- or long-term.

7. The estimated cost to the agency for enforcement of the adopted regulation.

Enforcing Agency. The proposed amendments will have a slight economic effect on the agency. NDEP intends to request a 0.5 FTE position to address the increase in agency responsibilities but does not intend to increase or add new fees to fund this position.

8. A description of any regulations of 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 do not duplicate any other state or government regulations.

9. If the regulation includes provisions which are more stringent than a federal regulation, which regulates the same activity, a summary of such provisions.

The proposed amendments do not include requirements that are more stringent than the regulations of other state or federal agencies.

10. 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.

R025-25P does not provide for any new fees or increases to existing fees.