

**INFORMATIONAL STATEMENT
LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066
LCB FILE R044-14**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC), Chapter 534.

1. The proposed regulations are amendments to the existing Regulations for Water Well and Related Drilling. The proposed amendments change areas of the regulation that were identified by engineering staff, well supervisors, the Well Driller's Advisory Board, the regulated industry and the public as areas that needed clarification or simplification to assist licensed well driller's in complying with the regulation while protecting the public interest.
2. Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and email to persons who were known to have an interest in Nevada's well drilling regulations, as well as any persons that requested such notice. Specifically, notice was provided, but not limited to, every licensed well driller and well drilling company that has provided an email address to the Division. These documents were also made available at the website of the Division of Water Resources, and mailed to county libraries in Nevada.
3. A total of four (4) workshops were held throughout the state for the purpose of receiving comment and input to the regulations. Below are the locations and dates of the workshops.

DATE: September 4, 2014
TIME: 9:00 a.m. – adjournment
PLACE: Stockman's Hotel and Casino, Heart Room
340 Commercial Street
Elko, Nevada

DATE: September 8, 2014
TIME: 9:00 a.m. – adjournment
PLACE: Bryan Building, Tahoe Hearing Room, 2nd Floor
901 South Stewart Street
Carson City, Nevada

DATE: September 9, 2014
TIME: 9:00 a.m. – adjournment
PLACE: Nevada Division of Forestry Building
4747 Vegas Drive
Las Vegas, Nevada

DATE: September 26, 2014
TIME: 9:00 a.m. – adjournment
PLACE: Bryan Building, Tahoe Hearing Room, 2nd Floor
901 South Stewart Street
Carson City, Nevada

A number of individuals from the regulated industry and the general public (12 in Elko, 4 in Carson City, 3 in Las Vegas, and 6 in Carson City) provided both oral and written comments on the changes. The audio and the written public comments are available for review in the Office of the State Engineer. The comments ranged from concerns over types and compositions of plugging and sealing fluids, boreholes, monitoring wells, and clarifying language where deficiencies were identified in the current regulations. Significant changes were made based on the comments received in those areas of the regulation.

Written comments (all by email):

- Ron Peterson, Baroid Industrial Products – September 8, 2014
 - Erin Cole, Las Vegas Valley Water District – September 9, 2014 and March 7, 2014
 - Greg Bushner, Vidler Water Company – June 9, 2014
 - Jon Wilson, United States Geological Survey (USGS) – February 24, 2014
 - Bob St. Louis, Newmont Mining, Regional Hydrology Manager – February 26, 2014, March 1, 2014 and March 6, 2014
4. Sign-in sheets were utilized for each workshop and the final adoption hearing indentifying the persons in paragraphs (b) and (c) of number 3 above. Those sign-in sheets are attached for review.
 5. The proposed regulation was approved and returned by the Legislative Counsel on August 14, 2014. Comments were solicited from affected businesses in the same manner as they were solicited from the public. The audio recordings and written comments are available for review in the Office of the State Engineer.
 6. The regulation was amended to incorporate comments, both written and at the workshops described above. The regulation extensively incorporated the public and industry comments received within the time frame allowed. The regulation was adopted at the final adoption hearing on October 17, 2014.
 7. These regulations are amendments to existing regulations. No new fees or fee increases are proposed. The overall goal of the amendments is to clarify and simplify the well drilling regulations. This should result in a minor reduction in costs to the regulated industry. No potential economic impact on the regulated industry is anticipated. The immediate and long term economic benefit to the industry involves less time necessary to interpret the regulations and clarification on when a well driller's license is necessary for work involving the rehabilitation of water wells; it is clarified that rehabilitation work

does not require a licensed well driller or the filing of paperwork with the Division which will reduce the regulatory burden on the well drilling industry. The potential adverse effect to the public, both short and long term, is expected to be minimal; no adverse effects are anticipated. The immediate and long term economic benefit to the public involves stricter requirements for becoming a licensed well driller, which should improve the quality of work for the public. These proposed changes will offer greater protection of groundwater statewide.

8. The estimated cost to the agency for enforcement of this regulation is expected to be substantially the same as the cost for enforcement of the existing regulation.
9. There are no other state or government agency regulations that the proposed amendments duplicate.
10. The proposed regulation does not duplicate nor is it more stringent than federal law.
11. No new fee or increase to existing fees is established by the regulation.
12. The agency has determined that the proposed regulation does not impose a direct and significant economic burden upon a small business or restrict the formation, operation or expansion of a small business. In making this determination the agency considered the fact that the proposed regulations only provide for amendatory language to existing regulations primarily for simplification and clarification. No changes were made to the regulations that would have any impact on the formation or expansion of a small business. There is no significant economic burden as further addressed in Question #5.