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AN ACT relating to hazardous materials; requiring the State Environmental Commission to adopt regulations relating to the handling and storage of certain quantities of mercury; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Under existing law, the State Environmental Commission is required to adopt, as part of the Chemical Accident Prevention Program for the State of Nevada (C.A.P.P.), regulations relating to hazardous substances. (NRS 459.3818; NAC 459.95225) This bill requires the Commission to adopt specific regulations for the handling and storage of mercury when present in a quantity of 200,000 pounds or more to protect the health, safety and welfare of the residents of this State.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** NRS 459.3818 is hereby amended to read as follows:

459.3818 1. In addition to the regulations required to be adopted pursuant to NRS 459.380 to 459.3874, inclusive, the State Environmental Commission shall adopt such other regulations as are necessary to carry out the purposes and enforce the provisions of NRS 459.380 to 459.3874, inclusive. The regulations must include, without limitation:

(a) Specifications for the applicability of the provisions of NRS 459.380 to 459.3874, inclusive, and any regulations adopted pursuant thereto;

(b) The establishment of a program for the prevention of accidental releases of chemicals that satisfies the provisions of the chemical process safety standard set forth pursuant to 29 U.S.C. § 655;

(c) *Provisions to protect the health, safety and welfare of the residents of this State from the effects of the handling and storage of mercury when present in a quantity of 200,000 pounds or more;*

(d) Provisions necessary to enable the Division to administer and enforce the provisions of NRS 459.380 to 459.3874, inclusive, and any regulations adopted pursuant thereto;

~~(d)~~ (e) Requirements for the registration of a facility with the Division; and

~~(e)~~ (f) Provisions to ensure that the public is involved in the process of evaluating proposed regulatory actions that may affect the public.



2. The Division shall:

(a) Administer and enforce the provisions of NRS 459.380 to 459.3874, inclusive, and any regulations adopted pursuant thereto; and

(b) Make every effort to involve advisory councils on hazardous materials, where they exist, the governing bodies of local governments and other interested persons in explaining actions taken pursuant to those sections and the regulations adopted pursuant thereto.

3. The State Environmental Commission must apply the provisions of NRS 459.380 to 459.3874, inclusive, to dealers of liquefied petroleum gas who sell, fill, refill, deliver or are permitted to deliver any liquefied petroleum gas in a manner that is consistent with 42 U.S.C. § 7412(r)(4)(B).

4. As used in this section, "liquefied petroleum gas" has the meaning ascribed to it in NRS 590.475.

**Sec. 2.** This act becomes effective on July 1, 2007.

