

LCB File No. T009-01

ADOPTED TEMPORARY REGULATION OF THE  
STATE ENVIRONMENTAL COMMISSION

(Effective May 14, 2001)

Petition 2001-04

Explanation: Matter in *italics* is new; matter in ~~red~~ is to be omitted.

Deleted: ~~omitted material~~

AUTHORITY: §§ 1 to 3, NRS 232.007

**Section 1.** The NAC is hereby amended by adding thereto a new section to read as follows:

*1. Each state agency shall recycle paper and paper products at each building normally occupied by its employees unless one of the following conditions apply:*

*(a) The agency building or facility lacks space for containers for the storage of recyclable paper and paper products;*

*(b) There is no collection service for paper and paper products in the community where the building is located;*

*(c) The agency is unable to make arrangements for collection service for recyclable materials due to building lease restrictions; or*

*(d) The agency has received a waiver from the chief of the budget division of the department of administration pursuant to NRS 232.007.*

*2. To the extent practicable, containers for recyclable materials must be made available for both employees working in the building and members of the public visiting the building. The containers must be clearly labeled.*

*3. Each state agency shall submit the following information on a form provided by the division of environmental protection:*

*(a) A statement signed by the agency administrator of the agency's recycling policy;*

*(b) The name of a designated agency recycling coordinator;*

*(c) A list of the buildings normally occupied by agency personnel;*

*(d) A list of any buildings at which the agency will not recycle paper and paper products pursuant to the provisions of subsection 1.*

*4. For each building or group of buildings at which recycling of paper and paper products is conducted, the agency shall submit a building recycling plan on a form provided by the division of environmental protection. If the agency shares a building or group of buildings with other agencies, only one building recycling plan must be submitted. In such cases the agencies may coordinate the preparation and implementation of the building recycling plan. The building recycling plan must:*

*(a) Provide the name and address of the building;*

*(b) Designate a building recycling coordinator;*

*(c) List the types of recyclable materials collected;*

*(d) Note the collection locations for each recyclable material;*

*(e) Note any special requirements for the separation and handling of the recyclable material;*

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Agency Draft of Adopted Temporary Regulation T009-01

Temporary Petition 2001-04 was adopted by the Environmental Commission on May 10, 2001 and became effective upon filing with the Nevada Secretary of State on May 14, 2001. This regulation expires on November 1, 2001.

- (f) Designate who is responsible for removing the recyclable materials to common collection containers;*
  - (g) Describe the arrangements for the collection and transportation of the materials to a recycling center;*
  - (h) Describe the methods to inform all employees in the building of the paper and paper products recycling plan and to encourage them to participate; and*
  - (i) List any other state agencies participating in the building recycling plan.*
- 5. At least every 36 months each state agency shall conduct a review of its recycling program, make such revisions as are necessary and appropriate and resubmit the forms required under subsection 3 to the division of environmental protection.*

**Section 2.** *Each state agency shall comply with the provisions of section 1 of this regulation by July 1, 2002.*

## NOTICE OF ADOPTION OF TEMPORARY REGULATION T009-01

The Nevada State Environmental Commission adopted amendments to the solid waste recycling program on May 10, 2001.

**Notice date:** 1/16/0, 1/25/01 & 1/30/01  
**Hearing date:** 10/18/00 & 10/20/00

**Date of Adoption by Agency:** 5/10/01  
**Filing date:** 5/14/02

### INFORMATIONAL STATEMENT

#### LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066 TEMPORARY PETITION 2001-04 STATE ENVIRONMENTAL COMMISSION

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 444A. This temporary regulation deals with amendments to the solid waste recycling program.

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

**Petition 2001-04**, was noticed three (3) on January 16, January 25 and January 30, 2001 as a temporary regulation in the Las Vegas Review Journal and the Reno-Gazette-Journal newspapers. Regulatory workshops were conducted by the Nevada Division of Environmental Protection's Bureau of Waste Management on October 18, 2000 in Carson City, October 20, 2000 in Las Vegas. The regulation was adopted by the State Environmental Commission on May 10, 2001. No oral or comments opposing or supporting the regulation were received by the Commission. One exhibit (#4) from the Dairy Commission supporting the regulation was received. The public was also mailed the notice of intent and agenda through the Environmental Commission's mailing list. A copy of the written comments may be obtained by calling the Nevada State Environmental Commission (775) 687-4670 extension 3117, or writing to the Commission at 333 W. Nye Ln., Room 138, Carson City, Nevada 89706-0851.

**2. The number persons who:**

(a)	<b>Attended each hearing;</b>	35
(b)	<b>Testified at each hearing;</b>	0
(c)	<b>Submitted to the agency written comments;</b>	1

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

Comments were solicited from affected businesses by the notices in the newspapers, as outlined in #1 and by direct mail to interested persons subscribing to the Commission's mailing list. See above statement for dates of the public notices and public workshops. No oral or written testimony was received that opposed or supported the regulation. A copy of the written comments may be obtained by calling the Nevada State Environmental Commission (775) 687-4670 or writing to the Commission at 333 W. Nye Ln., Room 138, Carson City, Nevada 89706-0851.

**4. 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 temporary regulation was adopted by the State Environmental Commission on May 10, 2001 with one proposed amendment that was adopted by the Commission.

**5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:**

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

The regulated business community may encounter some startup costs to provide a collection service at public buildings. There may be a modest beneficial long term economic effect on recycling businesses because of the potential to increase the amount of recyclable commodities diverted from disposal.

- (b) Estimated economic effect on the public;

The adoption of this regulation is not anticipated to have a direct short or long term adverse economic impact upon the public.

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

There will be no additional cost to the Division of Environmental Protection for enforcement of these amendments.

**7. 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.**

The regulations do not overlap or duplicate any regulations of another state or local governmental agency.

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

The regulations are no more stringent than federal regulations. There is no federal regulation that requires recycling collection services be provided to public buildings.

**9. 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.**

The amendment does not provide a new fee and nor does it amend existing fees.