

**PROPOSED REGULATION OF THE
STATE EMERGENCY RESPONSE COMMISSION**

LCB File No. R034-00

March 20, 2000

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1, 3 and 4, NRS 459.744; §2, NRS 459.740

Section 1. Chapter 459 of NAC is hereby amended by adding thereto a new provision to read as follows:

Except as otherwise provided in subsection 2 of NRS 459.744, the commission will charge a person for whom it performs a service or regulatory activity the fees set forth in the following schedule:

1. For processing a report filed with the commission pursuant to Subpart B of Part 370 of Title 40 of the Code of Federal Regulations, except for a report of an extremely hazardous material pursuant to NAC 459.9917 \$100

2. For each hour or part of an hour that an employee, agent, contractor or other designee of the commission spends in responding to a request for information, except for a request for information made pursuant to Subpart C of Part 370 of Title 40 of the Code of Federal Regulations..... \$50

Sec. 2. NAC 459.9915 is hereby amended to read as follows:

459.9915 As used in this section and NAC 459.9917 ~~[and 459.9919, “person” includes any agency or political subdivision of this state.]~~ *to 459.9919 and section 1, inclusive, of this*

regulation unless the context otherwise requires, the words and terms defined in this section have the meanings ascribed to them in this section.

1. *“Commission” means the state emergency response commission.*
2. *“Extremely hazardous material” has the meaning ascribed to it in NRS 459.7022.*
3. *“Person” includes any agency or political subdivision of this state.*

Sec. 3. NAC 459.9917 is hereby amended to read as follows:

459.9917 1. The filing fee required pursuant to subparagraph (1) of paragraph (b) of subsection 1 of NRS 459.744 is \$100 for each facility in which extremely hazardous material is stored.

2. The surcharge required pursuant to subparagraph (2) of paragraph (b) of subsection 1 of NRS 459.744 is \$100 per ton for each ton of material stored in excess of 1 ton.

~~{3.—A person may not be required to pay more than \$5,000 annually pursuant to this section.}~~

Sec. 4. NAC 459.9919 is hereby amended to read as follows:

459.9919 1. The filing fee required pursuant to subparagraph (1) of paragraph (c) of subsection 1 of NRS 459.744 is \$100.

2. The surcharge required pursuant to subparagraph (2) of paragraph (c) of subsection 1 of NRS 459.744 is \$100 for each ton of material which is manufactured for transport in this state.

~~{3.—A person may not be required to pay more than \$2,000 annually pursuant to this section.}~~