

LCB File No. R038-01

**PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

(This proposed regulation was previously adopted as T008-01)

Petition 2001-03

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

Deleted: ~~omitted-material~~

AUTHORITY: §§ 1 to 3, NRS 444A.020

Section 1. Chapter 444A of the NAC is hereby amended by adding thereto a new section to read as follows:

As used in NAC 444A.120 to 444A.130, inclusive, “public building” means any building occupied by:

- 1. Any component of the University and Community College System of Nevada and used for a public purpose related to the system;*
- 2. The State of Nevada or any county, city, school district or other political subdivision of the state and used for any public purpose;*
- 3. Any component of the United States government and used for a public purpose.*

Section 2. Chapter 444A of the NAC is hereby amended by adding thereto a new section to read as follows:

As used in NAC 444A.120 to 444A.130, inclusive:

(a) “Paper” includes newspaper, high-grade office paper, fine paper, bond paper, offset paper, xerographic paper, mimeo paper, duplicator paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, laminate, binder, coating and saturant.

(b) “Paper product” means any paper article or commodity, including, but not limited to, paper napkins, towels, cardboard, construction material, paper and any other cellulosic material which contains not more than 10 percent by weight or volume of a noncellulosic material, including, but not limited to, laminate, binder, coating and saturant.

Section 3. NAC 444A.120 is hereby amended to read as follows.

444A.120 Approval of program: Submission of request for approval and other material; criterion for approval.

1. A municipality which makes a program available pursuant to NRS 444A.040 shall submit a request for approval of the program to the department. The request must be accompanied by:

(a) In a municipality whose population is more than 25,000:

(1) A statement setting forth the location of and types of recyclable material collected by each recycling center.

(2) A description of the program for the disposal of hazardous household products which sets forth:

(I) The location of and types of material collected by each collection site; and

(II) The schedule for the collection of the hazardous household products.

(3) A copy of all ordinances which:

(I) Govern the program; or

(II) Provide for the participation of the municipality in a program adopted by an adjoining municipality.

(4) Any other documentation and information which demonstrates that the program will ensure that the municipality will meet the goal set forth in NAC 444A.110.

(b) In a municipality whose population is more than 100,000, in addition to the documentation and information required by paragraph (a), copies of all contracts and agreements to provide for the separation at the source of recyclable material from other solid waste originating from the residential premises *and public buildings* where services for the collection of solid waste are provided.

2. The department shall approve a program if the department determines that the program will contribute to the achievement of the municipality's goal set forth in NAC 444A.110.

3. As used in subsection 1, "recycling center" means a facility designed and operated to receive, store, process or transfer recyclable material.

Section 4. NAC 444A.130 is hereby amended to read as follows:

444A.130 Program for disposal of hazardous household products; program for separation at source of recyclable material.

1. A municipality which makes available in that municipality a program for the disposal of hazardous household products shall provide for the collection at least semiannually of used or waste motor oil, motor vehicle batteries and:

(a) Paint and products associated with painting; or

(b) Any other household, garage or garden products which are capable of causing harmful physical effects if inhaled, absorbed or ingested. If a program for the disposal of hazardous household products is made available, it must be implemented on or before January 1, 1994.

2. A municipality which makes available in that municipality a program for the separation at the source of recyclable material *at residential premises* shall designate at least three recyclable materials to be so separated.

3. A municipality which makes available in that municipality a program for the separation at the source of recyclable material at public buildings shall designate at least three recyclable materials to be so separated.

Section 5. *The board of county commissioners in a county whose population is more than 100,000, or its designee, shall comply with the provisions of section 1 to 4, inclusive of this regulation by July 1, 2002.*