

**ADOPTED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R064-03

Effective October 30, 2003

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

AUTHORITY: §1, NRS 445B.640.

Section 1. NAC 445B.281 is hereby amended to read as follows:

445B.281 1. Except as otherwise provided in NAC 445B.001 to 445B.3497, inclusive, any violation of the provisions of those sections is classified as a major violation, and a fine up to \$10,000 per day per violation may be levied.

2. For Class II and Class III sources, violations of NAC 445B.22037, 445B.22067, 445B.2207, 445B.22087, subsections 3 and 4 of NAC 445B.232, subsection 8 of NAC 445B.252, subsection 2 of NAC 445B.265, paragraph (e) of subsection 1 of NAC 445B.275 and NAC 445B.331 are classified as minor or lesser violations, unless there are four or more violations of any one of those sections by a person, occurring within a period of 60 consecutive months.

3. The schedule of fines for minor violations is as follows:

First	Second	Third
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	Offense	Offense	Offense
NAC 445B.22037, fugitive dust.....	[\$125]	[\$250]	[\$500]
	<i>\$250</i>	<i>\$500</i>	<i>\$500</i>
NAC 445B.22067, open burning.....	[50]	[100]	[200]
	<i>250</i>	<i>500</i>	<i>500</i>
NAC 445B.2207, incinerator burning 1,			
—equal to or less than 25 lbs per hour.....	—50	—100	—200
—greater than 25 lbs per hour.....	—50]	[100]	[200]
	<i>250</i>	<i>500</i>	<i>500</i>
NAC 445B.22087, odors.....	[100]	[200]	[400]
	<i>250</i>	<i>500</i>	<i>500</i>
Subsection 3 or 4 of NAC 445B.232, reporting of excess emissions.....	[125]	[250]	[500]
	<i>250</i>	<i>500</i>	<i>500</i>
Subsection 8 of NAC 445B.252, testing and sampling reporting.....	[100]	[200]	[400]
	<i>250</i>	<i>500</i>	<i>500</i>
Subsection 2 of NAC 445B.265, reporting of monitoring systems.....	[100]	[200]	[400]
	<i>250</i>	<i>500</i>	<i>500</i>
Paragraph (e) of subsection 1 of NAC 445B.275, recordkeeping, monitoring, reporting or compliance certification.....	[50]	[100]	[200]
	<i>250</i>	<i>500</i>	<i>500</i>

NAC 445B.331, change of location	100	200	400
	250	500	500

4. All minor violations become major violations upon the occurrence of the fourth violation of the same section within a period of 60 consecutive months.