

**PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R027-97

July 31, 1997

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

AUTHORITY: §1, NRS 445A.425; §§2-5, NRS 445A.425 and 445A.430.

Section 1. Chapter 445A of NAC is hereby amended by adding thereto a new section to read as follows:

1. A modification to the design of a facility for which a permit has been granted by the department does not require a new public notice if:

(a) The modification requires review by the department pursuant to NAC 445A.350 to 445A.447, inclusive; and

(b) The commission determines that the modification is not a modification of such significance as to constitute a “minor modification” or a “major modification,” as those terms are described in NAC 445A.416 and 445A.417, respectively.

2. Such a modification may not extend the term of the permit.

Sec. 2. NAC 445A.232 is hereby amended to read as follows:

445A.232 1. Except as otherwise provided in subsections 2 and 5, a nonrefundable application fee must accompany each original application for a permit and each application to renew a permit which is submitted to or required by the director. The director shall charge the following fees:

Type of Discharge Permitted	Application Fee for Original Permit	Application Fee for Renewal of Permit	Fee for Annual Review and Services
DOMESTIC WASTE WATER			
5,000 or more but less than 25,000 gallons daily	\$375	\$125	\$600
25,000 or more but less than 100,000 gallons daily	500	250	850
100,000 or more but less than 1,000,000 gallons daily	750	375	1,000
1,000,000 or more but less than 10,000,000 gallons daily	1,000	500	2,000
10,000,000 or more gallons daily	1,250	625	2,500
MANUFACTURING, POWER PLANTS (excluding geothermal power plants which are not subject to NPDES), MINING DEWATERING AND OTHER INDUSTRY			
Cooling water only	\$625	\$315	\$1,000
Less than 50,000 gallons of process water daily	625	315	1,500
50,000 or more but less than 1,000,000 gallons of process water daily	875	440	2,000
1,000,000 or more but less than 5,000,000 gallons of process water daily	1,000	500	2,500
5,000,000 or more gallons of process water daily	1,250	625	3,000

WATER TREATMENT PLANTS

Intermittent discharge	\$250	\$125	\$500
Routine discharge	375	190	750

MINING

Discharging washwater where chemicals are not added for metallurgical recovery	[\$400] \$500	[\$200] \$500	[\$200] \$250
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Chemically processing less than [10,000] 18,250 tons per year or a pilot or testing facility	[300] 500	[150] 500	[150] 250
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Chemically processing [10,000] 18,250 to less than [100,000] 36,500 tons per year	[3,000] 1,500	[2,000] 1,500	[1,500] 1,000
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<i>Chemically processing 36,500 to less than 100,000 tons per year</i>	<i>4,000</i>	<i>4,000</i>	<i>2,000</i>
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Chemically processing 100,000 to less than 500,000 tons per year	[4,000] 6,000	[3,000] 6,000	[2,000] 4,000
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Chemically processing [more than 500,000 tons in 1 year 500,000 to less than 1,000,000 tons per year]	8,000	6,000	4,000]
	10,000	10,000	6,000

<i>Chemically processing 1,000,000 to less than 2,000,000 tons per year</i>	<i>14,000</i>	<i>14,000</i>	<i>10,000</i>
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<i>Chemically processing more than 2,000,000 tons per year</i>	<i>20,000</i>	<i>20,000</i>	<i>16,000</i>
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<i>Monitoring of closed facilities</i>	<i>250</i>	<i>250</i>	<i>500</i>
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STORM WATER RUNOFF

Industrial or commercial facility, including any structure, that is 5 to 10 acres, inclusive, in size	\$300	\$150	\$750
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Industrial or commercial facility,

including any structure, that is greater than 10 acres and less than 25 acres in size	600	300	750
Industrial or commercial facility, including any structure, that is greater than 25 acres in size	1,000	500	750
Municipality whose population is 250,000 or less	600	300	750
Municipality whose population is greater than 250,000	1,000	500	1,000
MISCELLANEOUS DISCHARGES			
Discharge from fish hatcheries	\$250	\$125	\$300
Other permits for discharge	250	125	500

2. An applicant for a permit or for the renewal of a permit to use wastewater for irrigation which has been treated by a person other than the applicant must pay a fee in an amount equal to 75 percent of the amount of the fee required by subsection 1 for domestic wastewater.

3. The fee for a permit with a term of less than 5 years must be reduced by the director in accordance with the term of the permit, but in no case may the fee be reduced by an amount equal to more than one-third of the fee stated in subsection 1.

4. If required, the fee for the annual review and services must be submitted to the division on or before July 1 of each year.

5. If a storm water runoff permit is not required, the director may refund the application fee for the permit.

Sec. 3. NAC 445A.232 is hereby amended to read as follows:

445A.232 1. Except as otherwise provided in subsections 2 and 5, a nonrefundable application fee must accompany each original application for a permit and each application to

renew a permit which is submitted to or required by the director. The director shall charge the following fees:

Type of Discharge Permitted	Application Fee for Original Permit	Application Fee for Renewal of Permit	Fee for Annual Review and Services
DOMESTIC WASTE WATER			
5,000 or more but less than 25,000 gallons daily	\$375	\$125	\$600
25,000 or more but less than 100,000 gallons daily	500	250	850
100,000 or more but less than 1,000,000 gallons daily	750	375	1,000
1,000,000 or more but less than 10,000,000 gallons daily	1,000	500	2,000
10,000,000 or more gallons daily	1,250	625	2,500
MANUFACTURING, POWER PLANTS (excluding geothermal power plants which are not subject to NPDES), MINING DEWATERING AND OTHER INDUSTRY			
Cooling water only	\$625	\$315	\$1,000
Less than 50,000 gallons of process water daily	625	315	1,500
50,000 or more but less than 1,000,000 gallons of process water daily	875	440	2,000
1,000,000 or more but less than 5,000,000 gallons of process water daily	1,000	500	2,500
5,000,000 or more gallons of process water daily	1,250	625	3,000

WATER TREATMENT PLANTS

Intermittent discharge	\$250	\$125	\$500
Routine discharge	375	190	750

MINING

Discharging washwater where chemicals are not added for metallurgical recovery	\$500	\$500	\$250
Chemically processing less than 18,250 tons per year or a pilot or testing facility	500	500	250
Chemically processing 18,250 to less than 36,500 tons per year	1,500	1,500	[1,000] 1,500
Chemically processing 36,500 to less than 100,000 tons per year	4,000	4,000	[2,000] 3,000
Chemically processing 100,000 to less than 500,000 tons per year	6,000	6,000	[4,000] 6,000
Chemically processing 500,000 to less than 1,000,000 tons per year	10,000	10,000	[6,000] 8,000
Chemically processing 1,000,000 to less than 2,000,000 tons per year	14,000	14,000	[10,000] 12,000
Chemically processing more than 2,000,000 tons per year	20,000	20,000	[16,000] 18,000
Monitoring of closed facilities	250	250	500

STORM WATER RUNOFF

Industrial or commercial facility, including any structure, that is 5 to 10 acres, inclusive, in size	\$300	\$150	\$750
Industrial or commercial facility, including any structure, that is greater than 10 acres and less than 25 acres in size	600	300	750
Industrial or commercial facility, including any structure, that is greater than 25 acres in size	1,000	500	750
Municipality whose population is 250,000 or less	600	300	750
Municipality whose population is greater than 250,000	1,000	500	1,000

MISCELLANEOUS DISCHARGES

Discharge from fish hatcheries	\$250	\$125	\$300
Other permits for discharge	250	125	500

2. An applicant for a permit or for the renewal of a permit to use wastewater for irrigation which has been treated by a person other than the applicant must pay a fee in an amount equal to 75 percent of the amount of the fee required by subsection 1 for domestic wastewater.

3. The fee for a permit with a term of less than 5 years must be reduced by the director in accordance with the term of the permit, but in no case may the fee be reduced by an amount equal to more than one-third of the fee stated in subsection 1.

4. If required, the fee for the annual review and services must be submitted to the division on or before July 1 of each year.

5. If a storm water runoff permit is not required, the director may refund the application fee for the permit.

Sec. 4. NAC 445A.232 is hereby amended to read as follows:

445A.232 1. Except as otherwise provided in subsections 2 and 5, a nonrefundable application fee must accompany each original application for a permit and each application to renew a permit which is submitted to or required by the director. The director shall charge the following fees:

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Cooling water only	\$625	\$315	\$1,000
Less than 50,000 gallons of process water daily	625	315	1,500
50,000 or more but less than			

1,000,000 gallons of process water daily	875	440	2,000
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5,000,000 or more gallons of process water daily	1,250	625	3,000
WATER TREATMENT PLANTS			
Intermittent discharge	\$250	\$125	\$500
Routine discharge	375	190	750
MINING			
Discharging washwater where chemicals are not added for metallurgical recovery	\$500	\$500	\$250
Chemically processing less than 18,250 tons per year or a pilot or testing facility	500	500	250
Chemically processing 18,250 to less than 36,500 tons per year	1,500	1,500	[1,500] 2,000
Chemically processing 36,500 to less than 100,000 tons per year	4,000	4,000	[3,000] 4,000
Chemically processing 100,000 to less than 500,000 tons per year	6,000	6,000	[6,000] 8,000
Chemically processing 500,000 to less than 1,000,000 tons per year	10,000	10,000	[8,000] 10,000
Chemically processing 1,000,000 to less than 2,000,000 tons per year	14,000	14,000	[12,000] 14,000

Chemically processing more than 2,000,000 tons per year	20,000	20,000	[18,000] 20,000
Monitoring of closed facilities	250	250	500
STORM WATER RUNOFF			
Industrial or commercial facility, including any structure, that is 5 to 10 acres, inclusive, in size	\$300	\$150	\$750
Industrial or commercial facility, including any structure, that is greater than 10 acres and less than 25 acres in size	600	300	750
Industrial or commercial facility, including any structure, that is greater than 25 acres in size	1,000	500	750
Municipality whose population is 250,000 or less	600	300	750
Municipality whose population is greater than 250,000	1,000	500	1,000
MISCELLANEOUS DISCHARGES			
Discharge from fish hatcheries	\$250	\$125	\$300
Other permits for discharge	250	125	500

2. An applicant for a permit or for the renewal of a permit to use wastewater for irrigation which has been treated by a person other than the applicant must pay a fee in an amount equal to 75 percent of the amount of the fee required by subsection 1 for domestic wastewater.

3. The fee for a permit with a term of less than 5 years must be reduced by the director in accordance with the term of the permit, but in no case may the fee be reduced by an amount equal to more than one-third of the fee stated in subsection 1.

4. If required, the fee for the annual review and services must be submitted to the division on or before July 1 of each year.

5. If a storm water runoff permit is not required, the director may refund the application fee for the permit.

Sec. 5. NAC 445A.418 is hereby amended to read as follows:

445A.418 1. The fee for a minor modification to a permit is one-half the amount of the renewal fee for a permit [.] , *up to a maximum fee of \$5,000.*

2. The fee for a major modification to a permit is equal to the amount of the renewal fee for a permit.

3. The fee for the type of a modification described in section 1 of this regulation is \$500.

Sec. 6. 1. Section 2 of this regulation expires by limitation on June 30, 1999.

2. Section 3 of this regulation becomes effective on July 1, 1999 and expires by limitation on June 30, 2001.

3. Section 4 of this regulation becomes effective on July 1, 2001.