

**PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R106-97

September 10, 1997

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

AUTHORITY: § 1, NRS 445A.425 and 445A.465.

Section 1. NAC 445A.266 is hereby amended to read as follows:

445A.266 1. A general permit may be issued for:

(a) A discharge; **[or]**

(b) The reuse or ultimate disposal of treated wastewater and sludge [.] ; *or*

(c) Rolling stock for work in waters of this state, including, but not limited to, dredging or filling, bank stabilization or restoration, channel clearance, construction of irrigation diversions or pipe crossings, and the clearance of vegetation, debris or temporary obstructions.

2. The department will process a notice of intent to engage in an activity for which a general permit has been issued pursuant to this section not later than 60 days after the date on which the department receives the completed notice of intent and the required fees, unless the administrator of the division determines that it is in the public interest to hold a public hearing regarding the notice of intent. Upon making such a determination, the administrator of the division shall promptly notify the person who submitted the notice of intent that a public hearing will be held regarding the notice of intent.

3. A facility discharging any pollutant into any waters of this state must be located within:

- (a) An area designated for water quality planning;
- (b) A sewer district or a sewer authority;
- (c) The political boundaries of a city or county;
- (d) A state or county highway system; or
- (e) Any other division or combination of boundaries deemed appropriate by the director,

to be approved to operate under a general permit.

[3.] 4. Discharges from a facility described in subsection [2] 3 must:

- (a) Involve the same or substantially similar types of operations;
- (b) Discharge the same types of pollutants or engage in the same types of use or disposal;
- (c) Require the same effluent limitations, operating conditions or standards for reuse or disposal;
- (d) Contain storm water;
- (e) Require the same or similar monitoring; or
- (f) In the opinion of the director, be more appropriately regulated by a general permit than by an individual permit.

[4.] 5. A general permit may not include a facility that holds an individual permit.