

LCB File No. R018-99

NEVADA STATE ENVIRONMENTAL COMMISSION NOTICE OF PUBLIC HEARING

The Nevada State Environmental Commission will hold a public hearing beginning at **10:00 a.m. on Thursday, September 9, 1999**, at the Reno City Council Chambers, located at 490 South Center Street, **Reno**, Nevada.

The purpose of the hearing is to receive comments from all interested persons regarding the adoption, amendment, or repeal of regulations. If no person directly affected by the proposed action appears to request time to make an oral presentation, the State Environmental Commission may proceed immediately to act upon any written submission.

Petitions 1999-01, 1999-02, 1999-03, 1999-05, 1999-06, and 1999-07 have been previously adopted as temporary regulations by the Environmental Commission on December 9, 1998 or April 9, 1999. These regulations expire by limitation on November 1, 1999. These temporary regulations are before the Commission for permanent adoption.

1. Petition 1999-01 (LCB R-017-99) permanently amends NAC 445A.121, 445A.143, 445A.144, 445A.213 of the water pollution control regulations. The regulations are proposed to be amended to change the reference for limits in drinking water standards from the U.S. Public Health Service to those adopted by the Nevada State Board of Health. NAC 445A.143, the Colorado River salinity standards, is proposed to be amended to include the term "flow weighted average." NAC 445A.213, the minimum quality criteria applicable to interstate waters, is proposed to be repealed. Definitions for "annual mean flow" and "flow weighted annual average," sections 2 and 3 of the regulation, are being added since the adoption of the temporary regulation.

The proposed permanent regulation is not anticipated to have any significant adverse short or long term economic impact on Nevada businesses. The adoption of this regulation is not anticipated to have a direct short or long term adverse economic impact upon the public. The proposed regulations do not overlap or duplicate any regulations of another state or local governmental agency. The regulations are no more stringent than federal regulations. There is no additional cost to the agency for enforcement. This regulation does not add a new fee, nor increase an existing fee.

2. Petition 1999-02 (LCB R-018-99) is a permanent regulation amending NAC 445A.232 "fees" in the water pollution program by extending the date of expiration from June 30, 1999 to June 30, 2001. The portion of NAC 445A.232 effective from July 1, 1999 to June 30, 2001 is repealed, and that portion of NAC 445A.232 effective on July 1, 2001 is retained. This petition affects mining water pollution control discharge fees. This petition amends a 1997

Petition 1999-02 was submitted to the State Environmental Commission (SEC) on October 26, 1998, for adoption as a temporary regulation. Petition 1999-02 was adopted by the Commission on December 9, 1998. The temporary regulation was effective on December 14, 1998 upon filing with the Nevada Secretary of State. Temporary regulations expire by statute on November 1, 1999.

action where the fees were amended with three rolling escalating fee schedules between the time of adoption and the year 2001. Those mining water pollution control fees currently in effect are proposed to be retained until July 1, 2001. The intermediate fee schedule is proposed to be repealed by this action.

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The proposed permanent regulation is anticipated to have significant affirmative short or long term economic impact on Nevada businesses. The mining industry will see a decrease in the fees paid regarding mining water pollution control permits. The adoption of this regulation is not anticipated to have a direct short or long term adverse economic impact upon the public. The proposed regulations do not overlap or duplicate any regulations of another state or local governmental agency. The regulations are no more stringent than federal regulations. There is no additional cost to the agency for enforcement. This regulation does not add a new fee, nor increase an existing fee. The regulation decreases fees on the mining industry.

3. Petition 1999-03 (LCB R-019-99) is a permanent amendment to NAC 445B. The regulation amends NAC 445B.319, 445B.327 and 445B.331 by increasing air quality operating permit fees for administrative amendments, Class I and II operating permits and change of location permits. The regulation adds new fees for Prevention of Significant Deterioration (PSD) permits and major revisions to PSD permits. The regulation increases the annual emission fees and annual maintenance fees for all stationary sources.

The proposed permanent regulation is anticipated to have a significant economic impact on businesses in Nevada. The proposed fees will increase annual cost for all stationary sources regulated by the state by approximately \$ 1.1 million. The impact on each stationary source will vary widely depending upon the number of tons of air pollutants emitted by the sources. One stationary source will realize a substantial increase in annual fees due to the volume of their emissions. Fees for applications will also substantially increase. The fee structure will generate approximately \$ 1.9 million.

The adoption of this regulation is not anticipated to have a direct short or long term adverse economic impact upon the public. The proposed regulations do not overlap or duplicate any regulations of another state or local governmental agency. The regulations are no more stringent than federal regulations. There is no additional cost to the agency for enforcement of the regulation. Fees will pay for the State's air pollution control program, including staffing and operating costs.

4. Petition 1999-05 (LCB R-020-99) makes permanent amendments to NAC 445A.228 to 445A.292. The amendments clarify wording, remove outdated language, conforms the water pollution regulations to statutes, addresses who must sign a discharge monitoring permit, clarifies establishment of effluent limits and compliance schedules and provides for minor water control discharge permit modifications. The amendments also provide for the transfer of permits to new owners. NAC 445A.105 and 445A.246 are proposed to be repealed.

Petition 1999-02 was submitted to the State Environmental Commission (SEC) on October 26, 1998, for adoption as a temporary regulation. Petition 1999-02 was adopted by the Commission on December 9, 1998. The temporary regulation was effective on December 14, 1998 upon filing with the Nevada Secretary of State. Temporary regulations expire by statute on November 1, 1999.

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The proposed permanent regulation is not anticipated to have any significant adverse short or long term economic impact on Nevada businesses. The proposed regulation should make it easier for affected businesses to comply by simplifying the requirements for securing a water pollution control permit. The adoption of this regulation is not anticipated to have a direct short or long term adverse economic impact upon the public. The proposed regulations do not overlap or duplicate any regulations of another state or local governmental agency. The regulations are no more stringent than federal regulations. There is no additional cost to the agency for enforcement. This regulation does not add a new fee, nor increase an existing fee.

5. Petition 1999-06 (LCB R-021-99) proposes to permanently amend NAC 444.8901, 444.8906, 445A.347, and 459.9729 by removing the Division of Emergency Management in the Nevada Department of Motor Vehicles & Public Safety from the list of agencies required to be notified of spills and releases pursuant to Nevada's water pollution control regulations. The intent of this regulation is to provide for regulatory relief regarding the disclosure of spills and releases. Other emergency reporting requirements are not affected by this amendment.

The proposed permanent regulation is not anticipated to have any significant adverse short or long term economic impact on Nevada businesses. Businesses should find the process of reporting less burdensome. The adoption of this regulation is not anticipated to have a direct short or long term adverse economic impact upon the public. The proposed regulations do not overlap or duplicate any regulations of another state or local governmental agency. The regulations are no more stringent than federal regulations. There is no additional cost to the agency for enforcement. This regulation does not add a new fee, nor increase an existing fee.

6. Petition 1999-07 (LCB R-022-99) proposes to permanently amend NAC 445B.001 to 445B.395, the air pollution control regulations. Amendments are proposed to NAC 445.221 to update the reference to the Code of Federal Regulations from 1997 to 1998. The amendments to 445B.300 extends the expiration of an operating permit from one year to 18 months. NAC 445B.362 and 445B.373 are proposed to be amended to correct equation errors and add the term "maximum." NAC 445B.383 is amended to correct the references from cubic feet to yards.

The proposed permanent regulation is not anticipated to have any significant adverse short or long term economic impact on Nevada businesses. Businesses should find the process of reporting less burdensome. The adoption of this regulation is not anticipated to have a direct short or long term adverse economic impact upon the public. The proposed regulations do not overlap or duplicate any regulations of another state or local governmental agency. The regulations are no more stringent than federal regulations. The proposed amendments will make the Nevada air pollution control regulations consistent with the federal air pollution

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control rules. There is no additional cost to the agency for enforcement. This regulation does not add a new fee, nor increase an existing fee.

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7. **Petition 1999-08 (R-070-99)** is a permanent regulation amending NAC 445A.055 through 445A.067, the laboratory certification program. The existing regulations are proposed to be repealed and supplanted with the standards of the National Environmental Laboratory Accreditation Program. The amended regulations provide for definitions, scope of accreditation, categories of certification, laboratory certification criteria, certification requirements, and proficiency testing requirements. The regulation adopts by reference many of the provisions that have been listed. Fees in NAC 445A.066 are retained and amended to reduce the fee for toxicity bioassays from \$ 400 to \$ 125. All other provisions from NAC 445A.055 to 445A.067 are proposed to be repealed.

The proposed permanent regulation is not anticipated to have any significant adverse short or long term economic impact on Nevada businesses. Businesses should find the process of water quality laboratory certifications to open competition in other states where the national standards have been adopted. Since these regulations provide for reciprocity with other states, Nevada businesses will see reduced costs in working in other states, and in securing federal contracts. The adoption of this regulation is not anticipated to have a direct short or long term adverse economic impact upon the public. The changes will be beneficial to the public since water quality measurements that affect the public health and environment will be more trustworthy. The proposed regulations do not overlap or duplicate any regulations of another state or local governmental agency. The regulations are no more stringent than federal regulations. The regulations will complement Safe Drinking Water Act regulations for laboratory certification. There is no additional cost to the agency for enforcement. This regulation does not add a new fee, nor increase an existing fee.

The State Environmental Commission will be hearing a **variance** request to NAC 445B, the air pollution control regulations, from the U.S. Department of Energy, Albuquerque Office for the fire experiment facility at the U.S. Air Force's Tonopah Test Range in south central Nevada. The variance relates to NAC 445B.354 (opacity) and 445B.362 (particulate emissions).

Pursuant to NRS 233B.0603(c) the provisions of NRS 233B.064 (2) is hereby provided:

“Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporation therein its reason for overruling the consideration urged against its adoption.”

Petition 1999-02 was submitted to the State Environmental Commission (SEC) on October 26, 1998, for adoption as a temporary regulation. Petition 1999-02 was adopted by the Commission on December 9, 1998. The temporary regulation was effective on December 14, 1998 upon filing with the Nevada Secretary of State. Temporary regulations expire by statute on November 1, 1999.

Persons wishing to comment upon the proposed regulation changes may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Environmental Commission, 333 West Nye Lane, Carson City, Nevada 89706-0851. Written submissions must be received at least five days before the scheduled public hearing.

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A copy of the regulations to be adopted or amended will be on file at the State Library, 100 Stewart Street and the Division of Environmental Protection, 333 West Nye Lane - Room 104, in Carson City and at the Division of Environmental Protection, 555 E. Washington - Suite 4300, in Las Vegas for inspection by members of the public during business hours. In addition, copies of the regulations and public notice have been deposited at major library branches in each county in Nevada. The notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653. The proposed regulations are on the Internet at <http://www.leg.state.nv.us>. In addition, the State Environmental Commission maintains an Internet site at <http://www.state.nv.us/ndep/admin/envir01.htm>. This site contains the public notice, agenda, codified regulations, and petitions for pending and past commission actions.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, the Nevada State Environmental Commission, in care of David Cowperthwaite, 333 West Nye Lane, Room 138, Carson City, Nevada, 89706-0851, facsimile (775) 687-5856, or by calling (775) 687-4670 Extension 3118, no later than 5:00 p.m. on **September 2, 1999**.

This public notice has been posted at the following locations: Clark County Public Library and Grant Sawyer Office Building in Las Vegas; Reno City Council Chambers and Washoe County Library in Reno; and Division of Environmental Protection and Department of Museums, Library and Arts in Carson City.

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PROPOSED REGULATION OF THE STATE ENVIRONMENTAL COMMISSION

Petition 1999-02

Explanation: Matter in *italics* is new language. Matter in brackets ~~+~~ and **striked out** is material to be omitted.

AUTHORITY: NRS 445A.425 and 445A.430

Section 1. NAC 445A.232 is hereby amended to read as follows:

445A.232 Fees. (NRS 445A.425, 445A.430) ~~[Effective until July 1, 1999.]~~ *[Effective until July 1, 2001.]*

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

Petition 1999-02 was submitted to the State Environmental Commission (SEC) on October 26, 1998, for adoption as a temporary regulation. Petition 1999-02 was adopted by the Commission on December 9, 1998. The temporary regulation was effective on December 14, 1998 upon filing with the Nevada Secretary of State. Temporary regulations expire by statute on November 1, 1999.

Cooling water only	\$625	\$315	\$1,000
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MANUFACTURING, POWER PLANTS (excluding geothermal power plants which are not subject to NPDES), MINING DEWATERING AND OTHER INDUSTRY

Less than 50,000 gallons of process water daily	\$625	\$315	\$1,500
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50,000 or more but less than 1,000,000 gallons of process water daily	875	440	2,000
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1,000,000 or more but less than 5,000,000 gallons of process water daily	1,000	500	2,500
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5,000,000 or more gallons of process water daily	1,250	625	3,000
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WATER TREATMENT PLANTS

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

Discharging washwater where chemicals are not added for metallurgical recovery	\$500	\$500	\$250
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Chemically processing less than 18,250 tons per year or a pilot or testing facility	500	500	250
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Chemically processing 18,250 to less than 36,500 tons per year	\$1,500	\$1,500	\$1,000
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Chemically processing 36,500 to less than 100,000 tons per year	4,000	4,000	2,000
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Chemically processing 100,000 to less than 500,000 tons in 1 year	6,000	6,000	4,000
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Chemically processing 500,000 to less than 1,000,000 tons per year	10,000	10,000	6,000
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MINING

Chemically processing 1,000,000 to less than 2,000,000 tons per year	\$14,000	\$14,000	\$10,000
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Chemically processing more than 2,000,000 tons per year	20,000	20,000	16,000
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Monitoring of closed facilities	250	250	500
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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
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Industrial or commercial facility, including any structure, that is greater than 25 acres in size	1,000	500	750
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Municipality whose population is 250,000 or less	600	300	750
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Municipality whose population is greater than 250,000	1,000	500	1,000
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Petition 1999-02 was submitted to the State Environmental Commission (SEC) on October 26, 1998, for adoption as a temporary regulation. Petition 1999-02 was adopted by the Commission on December 9, 1998. The temporary regulation was effective on December 14, 1998 upon filing with the Nevada Secretary of State. Temporary regulations expire by statute on November 1, 1999.

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.

Section 2. NAC 445A.232 is hereby repealed:

~~[445A.232 Fees. (NRS 445A.425, 445A.430) [Effective from July 1, 1999 until July 1, 2001.]
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
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~~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~~

Petition 1999-02 was submitted to the State Environmental Commission (SEC) on October 26, 1998, for adoption as a temporary regulation. Petition 1999-02 was adopted by the Commission on December 9, 1998. The temporary regulation was effective on December 14, 1998 upon filing with the Nevada Secretary of State. Temporary regulations expire by statute on November 1, 1999.

~~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~~

Petition 1999-02 was submitted to the State Environmental Commission (SEC) on October 26, 1998, for adoption as a temporary regulation. Petition 1999-02 was adopted by the Commission on December 9, 1998. The temporary regulation was effective on December 14, 1998 upon filing with the Nevada Secretary of State. Temporary regulations expire by statute on November 1, 1999.

facility	500	500	250
Chemically processing 18,250 to less than 36,500 tons per year	1,500	1,500	1,500
Chemically processing 36,500 to less than 100,000 tons per year	4,000	4,000	3,000
Chemically processing 100,000 to less than 500,000 tons per year	6,000	6,000	6,000
Chemically processing 500,000 to less than 1,000,000 tons per year	10,000	10,000	8,000
Chemically processing 1,000,000 to less than 2,000,000 tons per year	14,000	14,000	12,000
Chemically processing more than 2,000,000 tons per year	\$20,000	\$20,000	\$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

Petition 1999-02 was submitted to the State Environmental Commission (SEC) on October 26, 1998, for adoption as a temporary regulation. Petition 1999-02 was adopted by the Commission on December 9, 1998. The temporary regulation was effective on December 14, 1998 upon filing with the Nevada Secretary of State. Temporary regulations expire by statute on November 1, 1999.

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.]~~

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

445A.232 Fees. (NRS 445A.425, 445A.430) [Effective July 1, 2001.]

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

Petition 1999-02 was submitted to the State Environmental Commission (SEC) on October 26, 1998, for adoption as a temporary regulation. Petition 1999-02 was adopted by the Commission on December 9, 1998. The temporary regulation was effective on December 14, 1998 upon filing with the Nevada Secretary of State. Temporary regulations expire by statute on November 1, 1999.

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

Services

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
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Chemically processing less than 18,250 tons per year or a pilot or testing

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facility	500	500	250
Chemically processing 18,250 to less than 36,500 tons per year	1,500	1,500	2,500
Chemically processing 36,500 to less than 100,000 tons per year	\$4,000	\$4,000	\$4,000
Chemically processing 100,000 to less than 500,000 tons per year	6,000	6,000	8,000
Chemically processing 500,000 to less than 1,000,000 tons per year	10,000	10,000	10,000
Chemically processing 1,000,000 to less than 2,000,000 tons per year	14,000	14,000	14,000
Chemically processing more than 2,000,000 tons per year	20,000	20,000	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

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Municipality whose population is 250,000 or less	\$600	\$300	and \$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.

Section 4:

1. Section 1 of this regulation expires by limitation on June 30, 2001.
2. Section 2 of this regulation is hereby repealed.
3. Section 3 of this regulation is effective July 1, 2001.

Petition 1999-02 was submitted to the State Environmental Commission (SEC) on October 26, 1998, for adoption as a temporary regulation. Petition 1999-02 was adopted by the Commission on December 9, 1998. The temporary regulation was effective on December 14, 1998 upon filing with the Nevada Secretary of State. Temporary regulations expire by statute on November 1, 1999.