

**PROPOSED REGULATION OF THE  
STATE ENVIRONMENTAL COMMISSION**

**LCB File No. R020-02**

February 25, 2002

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

AUTHORITY: §§1-4, NRS 519A.160.

**Section 1.** Chapter 519A of NAC is hereby amended by adding thereto a new section to read as follows:

*If an operator wishes to file a corporate guarantee to meet the surety requirements of NAC 519A.350, the operator must agree to pay to the division on or before July 1 of each calendar year an annual review fee of \$10,000.*

**Sec. 2.** NAC 519A.010 is hereby amended to read as follows:

519A.010 As used in NAC 519A.010 to 519A.415, inclusive, *and section 1 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 519A.015 to 519A.095, inclusive, have the meanings ascribed to them in those sections.

**Sec. 3.** NAC 519A.225 is hereby amended to read as follows:

519A.225 1. An applicant for a permit for an exploration project shall submit to the division ~~an application fee of:~~

~~—(a) One dollar and fifty cents for each acre of affected and unreclaimed public land included in the plan for reclamation; and~~

~~—(b) Two dollars and fifty cents for each acre of affected and unreclaimed privately owned land included in the plan for reclamation.] :~~

*(a) If the total affected area is 20 acres or less, an application fee of \$100.*

*(b) If the total affected area is more than 20 acres but not more than 100 acres, an application fee of \$500.*

*(c) If the total affected area is more than 100 acres but not more than 500 acres, an application fee of \$1,000.*

*(d) If the total affected area is more than 500 acres, an application fee of \$2,000.*

2. An applicant for a permit for a mining operation shall submit to the division ~~an application fee of:~~

~~—(a) One dollar and fifty cents for each acre of affected and unreclaimed public land administered by a federal land management agency and included in the plan for reclamation; and~~

~~—(b) Two dollars and fifty cents for each acre of affected and unreclaimed privately owned land included in the plan for reclamation.] :~~

*(a) If the total affected area is 50 acres or less, an application fee of \$500.*

*(b) If the total affected area is more than 50 acres but not more than 200 acres, an application fee of \$1,500.*

*(c) If the total affected area is more than 200 acres but not more than 500 acres, an application fee of \$3,000.*

*(d) If the total affected area is more than 500 acres but not more than 1,000 acres, an application fee of \$4,500.*

*(e) If the total affected area is more than 1,000 acres but not more than 2,500 acres, an application fee of \$6,000.*

*(f) If the total affected area is more than 2,500 acres but not more than 5,000 acres, an application fee of \$8,000.*

*(g) If the total affected area is more than 5,000 acres, an application fee of \$10,000.*

*3. The fee for a minor modification to a permit for an exploration project or a permit for a mining operation is one-half the amount of the applicable application fee for the permit.*

*4. The fee for a major modification to a permit for an exploration project or a permit for a mining operation is equal to the amount of the applicable application fee for the permit.*

*5. As used in this section, “minor modification” includes an increase or decrease in the amount of surety necessary to cover the cost of reclamation as determined by the 3-year periodic review of the amount of surety required by NAC 519A.380, but does not include changes to the proposed seed mix for reclamation.*

**Sec. 4.** NAC 519A.235 is hereby amended to read as follows:

519A.235 *1.* On or before April 15, 1991, and on or before April 15 of each year thereafter, an operator of an exploration project or *a* mining operation shall submit to the division for services rendered by the division ~~⌈~~:

~~—1. One hundred dollars for~~ *⌋ the applicable fees required by this section.*

*2. For* each exploration project which is active on October 1, 1990, and for which a permit has been issued by the division or an application for a permit has been submitted to the division ~~⌈~~:

~~—2.⌋~~ *, the operator shall submit to the division:*

*(a) If the total affected area is 20 acres or less, a fee of \$100.*

*(b) If the total affected area is more than 20 acres but not more than 100 acres, a fee of \$500.*

*(c) If the total affected area is more than 100 acres but not more than 500 acres, a fee of \$1,000.*

*(d) If the total affected area is more than 500 acres, a fee of \$2,000.*

3. For each mining operation which is active on October 1, 1990, and for which a permit has been issued by the division or an application for a permit has been submitted to the division ~~[-~~

~~—(a) A fee of \$500 if the total affected area is 200 acres or less;~~

~~—(b) A fee of \$1,000 if the total affected area is more than 200 acres but does not exceed 500 acres;~~

~~—(c) A fee of \$1,500 if the total affected area is more than 500 acres but does not exceed 1,000 acres; and~~

~~—(d) A fee of \$2,000 if the total affected area is more than 1,000 acres.],~~ *the operator shall submit to the division:*

*(a) If the total affected area is 50 acres or less, a fee of \$500.*

*(b) If the total affected area is more than 50 acres but not more than 200 acres, a fee of \$1,500.*

*(c) If the total affected area is more than 200 acres but not more than 500 acres, a fee of \$3,000.*

*(d) If the total affected area is more than 500 acres but not more than 1,000 acres, a fee of \$4,500.*

*(e) If the total affected area is more than 1,000 acres but not more than 2,500 acres, a fee of \$6,000.*

*(f) If the total affected area is more than 2,500 acres but not more than 5,000 acres, a fee of \$8,000.*

*(g) If the total affected area is more than 5,000 acres, a fee of \$10,000.*