

**REVISED PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R020-02

March 7, 2002

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

AUTHORITY: §§1-5, NRS 519A.160.

Section 1. Chapter 519A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *If an operator has filed a corporate guarantee to meet the surety requirements of NAC 519A.350, the operator shall, on or before April 15 of each calendar year:*

- 1. Submit to the division an annual review fee of \$10,000; or*
- 2. Arrange for an annual review by a third-party financial consultant to demonstrate to the satisfaction of the division that the operator has adequate financial security.*

Sec. 3. 1. *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 annual fee for the permit.*

2. 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 annual fee for the permit.

3. As used in this section, “minor modification” does not include:

- (a) 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; or*

(b) Changes to the proposed seed mix for reclamation.

Sec. 4. NAC 519A.010 is hereby amended to read as follows:

519A.010 As used in NAC 519A.010 to 519A.415, inclusive, *and sections 2 and 3 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. 5. 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 \$9,000.

(f) If the total affected area is more than 2,500 acres but not more than 5,000 acres, a fee of \$12,000.

(g) If the total affected area is more than 5,000 acres, a fee of \$16,000.