

ADOPTED TEMPORARY REGULATION OF THE NEVADA STATE ENVIRONMENTAL COMMISSION

Petition 1999-01

Explanation: Matter in italics is new language. Matter in [] is material to be omitted.

AUTHORITY: NRS 445A.425 and 445A.520

Section 1. NAC Chapter 445A.121 is hereby amended to read as follows:

445A.121 Standards applicable to all waters. The following standards are applicable to all *surface* waters of the state:

1. Waters must be free from substances attributable to domestic or industrial waste or other controllable sources that will settle to form sludge or bottom deposits in amounts sufficient to be unsightly, putrescent or odorous or in amounts sufficient to interfere with any beneficial use of the water.
2. Waters must be free from floating debris, oil, grease, scum and other floating materials attributable to domestic or industrial waste or other controllable sources in amounts sufficient to be unsightly or in amounts sufficient to interfere with any beneficial use of the water.
3. Waters must be free from materials attributable to domestic or industrial waste or other controllable sources in amounts sufficient to produce taste or odor in the water or detectable off-flavor in the flesh of fish or in amounts sufficient to change the existing color, turbidity or other conditions in the receiving stream to such a degree as to create a public nuisance or in amounts sufficient to interfere with any beneficial use of the water.
4. Waters must be free from high temperature, biocides, organisms pathogenic to human beings, toxic, corrosive or other deleterious substances attributable to domestic or industrial waste or other controllable sources at levels or combinations sufficient to be toxic to human, animal, plant or aquatic life or in amounts sufficient to interfere with any beneficial use of the water. Compliance with the provisions of this subsection may be determined in accordance with methods of testing prescribed by the department. If used as an indicator, survival of test organisms must not be significantly less in test water than in control water.
5. If toxic materials are known or suspected by the department to be present in a water, testing for toxicity may be required to determine compliance with the provisions of this section and effluent limitations. The department may specify the method of testing to be used. The failure to determine the presence of toxic materials by testing does not preclude a determination by the department, on the basis of other criteria or methods, that excessive levels of toxic materials are present.

6. Radioactive materials attributable to municipal, industrial or other controllable sources must be the minimum concentrations which are physically and economically feasible to achieve. In no case must materials exceed the limits established in the 1962 Public Health Service

Drinking Water Standards (or later amendments) or 1/30th of the MPC values given for continuous occupational exposure in the "National Bureau of Standards Handbook No. 69." The concentrations in water must not result in accumulation of radioactivity in plants or animals that result in a hazard to humans or harm to aquatic life.

7. Wastes from municipal, industrial or other controllable sources containing arsenic, barium, boron, cadmium, chromium, cyanide, fluoride, lead, selenium, silver, copper and zinc that are reasonably amenable to treatment or control must not be discharged untreated or uncontrolled into the waters of Nevada. In addition, the limits for concentrations of the chemical constituents must provide water quality consistent with the mandatory requirements of the 1962 Public Health Service Drinking Water Standards.

8. The specified standards are not considered violated when the natural conditions of the receiving water are outside the established limits, including periods of extreme high or low flow. Where effluents are discharged to such waters, the discharges are not considered a contributor to substandard conditions provided maximum treatment in compliance with permit requirements is maintained.

Section 2. NAC 445A.143 is hereby amended to read as follows:

445A.143 Cooperation regarding Colorado River; salinity standards.

1. The State of Nevada will cooperate with the other Colorado River Basin states and the Federal Government to support and carry out the conclusions and recommendations adopted April 27, 1972, by the reconvened 7th session of the conference in the matter of pollution of interstate waters of the Colorado River and its tributaries.

2. Pursuant to subsection 1, the values for total dissolved solids *as the flow-weighted annual average* in mg/l at the three lower main stem stations of the Colorado River are as follows:

Below Hoover Dam	723
Below Parker Dam	747
Imperial Dam	879

Section 3. NAC 445A.213 is hereby repealed.

TEXT OF REPEALED SECTION

445A.213 Minimum quality criteria applicable to interstate waters.

The minimum quality criteria applicable to interstate waters at agreed state line sampling points are as follows:

1. Waters must be free from substances attributable to domestic or industrial waste or other controllable sources that will settle to form sludge or bottom deposits in amounts sufficient to be unsightly, putrescent or odorous or in amounts sufficient to interfere with any beneficial use of the water.

2. Waters must be free from floating debris, oil, grease, scum and other floating materials attributable to domestic or industrial waste or other controllable sources in amounts sufficient to be unsightly or in amounts sufficient to interfere with any beneficial use of the water.

3. Waters must be free from materials attributable to domestic or industrial waste or other controllable sources in amounts sufficient to produce taste or odor in the water or detectable off-flavor in the flesh of fish or in amounts sufficient to change the existing color, turbidity or other conditions in the receiving stream to such degree as to create a public nuisance or in amounts sufficient to interfere with any beneficial use of the water.

4. Waters must be free from high temperature, biocides, organisms pathogenic to human beings, toxic, corrosive or other deleterious substances attributable to domestic or industrial waste or other controllable sources at levels or combinations sufficient to be toxic to human, animal, plant or aquatic life or in amounts sufficient to interfere with any beneficial use of the water.

5. Radioactive materials attributable to municipal, industrial or other controllable sources must be minimum concentrations which are physically and economically feasible to achieve. In no case must materials exceed the 1/10 of the 168-hour values for other radioactive substances specified in National Bureau of Standards Handbook 69.

6. Wastes from municipal or industrial or other controllable sources containing arsenic, barium, boron, cadmium, chromium, cyanide, fluoride, lead, selenium, silver, copper and zinc that are reasonably amendable to treatment or control must not be discharged untreated or uncontrolled into the Colorado River System. At agreed points of sampling above Imperial Dam in the Colorado River System the limits for concentrations of these chemical constituents will

be set at values that recognize their cumulative effects and which will provide river water quality consistent with the mandatory requirements of the 1962 Public Health Service Drinking Water Standards.

7. The dissolved oxygen content and pH value of the waters of the Colorado River System must be maintained at levels necessary to support the natural and developed fisheries.

End of Temporary Petition 1999-01