

Nevada Division of Environmental Protection 2004 Biennial Report

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ADMINISTRATIVE OFFICES

PURPOSE:

The division is responsible for the statewide regulatory programs for the protection of the health and welfare and environment of the public. Programmatic areas include air quality, water quality, hazardous and solid waste, mining reclamation, hazardous chemicals and alternative fuels, federal facilities, waste management, and water pollution control issues. The Office of the Administrator provides policy and programmatic support to the nine bureaus and the office of Fiscal and Personnel Management as well as the Division's satellite office in Las Vegas.

ORGANIZATIONAL STRUCTURE:

The division is divided into nine Bureaus: Air Quality Planning, Air Pollution Control, Water Pollution Control, Water Quality Planning, Mining Regulation and Reclamation, Corrective Actions, Waste Management, Federal Facilities and the Bureau of Environmental Information and Planning. The division also provides staff support for the State Environmental Commission and the Board to Review Petroleum Claims.

OBJECTIVE:

Build capacity to make effective use of information technology in order to streamline agency business processes and to enable sound decision-making.

ACCOMPLISHMENT:

The Bureau of Environmental Information and Planning was established, through an internal reorganization, in January 2003. This new organizational unit brings together information technology staff, agency planning and public information staff. The Bureau has been awarded grants associated with EPA's National Environmental Information Exchange Network and the CDC's Environmental Public Health Tracking System. Both of these national programs are aimed at integrating and sharing information to better enable problem-solving. A comprehensive plan for upgrading the Division's data systems was adopted in September 2003. The Division is in the process of implementing the plan.

OBJECTIVE:

Improve internal and external communications to enhance staff productivity and foster a greater understanding of the Division's role in addressing the State's environmental issues.

ACCOMPLISHMENTS:

The content of internal and public websites has been enhanced to provide a greater depth of environmental information. A GIS application, i-MapNV, was created to enable interactive mapping of environmental sites of interest and related features. An internal position was reclassified to a Public Information Officer position, in order to coordinate agency communications and to manage media relations.

KEY LONG TERM OBJECTIVES:

1. To achieve and maintain levels of air quality that will protect human health and safety, prevent injury to plant and animal life, prevent damage to property and to preserve the scenic, historical and aesthetic treasures of the state.
2. To protect the waters of the State from the discharge of pollutants of all kinds in order to preserve beneficial uses of water and maintain healthy aquatic habitat.
3. To ensure safe management of solid and hazardous waste; promote waste reduction, reuse, and recycling; and minimize the risk of chemical accidents.
4. To assess and, if necessary, clean up contaminated properties to levels appropriate for their beneficial reuse.
5. To provide financial and technical assistance to businesses and municipalities to enable compliance with environmental laws; to inform the public about the quality of the environment and issues of concern; and to involve citizens in decision-making processes.

SIGNIFICANT LEGISLATION OR EXECUTIVE ACTION AFFECTING THE AGENCY:

AB74 provides authority to establish a “Brownfields” Revolving loan fund to help finance restoration of contaminated properties to a beneficial use.

AB 129 clarified authority for the State Treasurer to provide interest on various funds that the Division manages.

AB 473 transferred the drinking water revolving loan program from the State Health Division to NDEP.

SB 58 established authority to certify labs performing analyses related to hazardous waste and other contaminants.

SB127 clarified and reformed various provisions of the Chemical Accident Prevention law.

BUREAU OF AIR POLLUTION CONTROL

PURPOSE:

To achieve and maintain levels of air quality, which protect human health and safety, prevent injury to plant and animal life, prevent damage to property, and to preserve the scenic, historical and aesthetic treasures of the state. The bureau evaluates potential air quality impacts and establishes appropriate pollution control requirements through the issuance and enforcement of permits for stationary and temporary sources of air pollution in all areas of the state except in Clark and Washoe Counties. The bureau has statewide responsibility for controlling emissions from steam electric power.

OBJECTIVE:

Ensure that air pollutant sources operate in compliance with established air pollution control regulations and permit requirements.

ACCOMPLISHMENT:

During the 2002/2003 biennium, the Bureau has continued to evaluate and establish effective air pollution control measures through permitting of new and existing sources of air pollution. The Bureau finalized all major source Title V permits during the biennium.

OBJECTIVE:

Work with sources of air pollution to effectively control the emissions of air pollutants.

ACCOMPLISHMENT:

The Bureau continues to provide streamlined and cost effective permit processes for smaller industrial sources and temporary construction activities through Class III and General Permits. The Bureau also expanded outreach efforts for notifying land developers of permit and dust control requirements.

OBJECTIVE:

Identify and monitor sources of air pollutants, which may impact public health and the environment.

ACCOMPLISHMENT:

The Bureau continues to work with developers, land use planners and new industrial sources to address air quality issues in the Fernley area and along the Truckee River corridor.

OBJECTIVE:

Maintain an accurate inventory of air pollutant emissions.

ACCOMPLISHMENT:

The Bureau is using an increment tracking system to assist the local government and industry in locating new facilities in the area in order to better manage the available air resources.

SIGNIFICANT LEGISLATION OR EXECUTIVE ACTION AFFECTING THE AGENCY:

The Bureau increased staffing in both the Permitting and Compliance Branches to address increasing federal air quality requirements and growth in Nevada.

BUREAU OF AIR QUALITY PLANNING

PURPOSE:

To plan, develop, and implement air pollution control programs. The bureau evaluates potential air quality impacts and establishes appropriate pollution control requirements through the preparation of state implementation plans, the development of regulations, and ambient air monitoring. The bureau is responsible for implementing the conversion of public fleets to alternative fuels. The bureau coordinates with the Department of Motor Vehicles on the vehicle emission inspection program in Clark and Washoe Counties, including a program for heavy-duty diesel trucks. The bureau is also responsible for ensuring compliance through technical assistance to the regulated community.

OBJECTIVE:

Operate and maintain an ambient air quality monitoring network to determine areas that approach or exceed the established state and federal health and welfare standards.

ACCOMPLISHMENT:

The 9th Circuit Court of Appeals upheld the state's use of hydrographic basins as the planning area for the purposes of air quality planning in Nevada.

OBJECTIVE:

Identify and monitor sources of air pollutants, which may impact public health and the environment by maintaining an accurate inventory of air pollutant emissions from both stationary and area sources statewide necessary to do local and regional haze planning.

ACCOMPLISHMENTS:

The bureau completed the emission inventory and increment modeling for the Fernley area, along the Truckee River corridor and near Valmy necessary to facilitate future development while meeting air quality standards in those areas. The bureau continues to work with proposed and existing businesses, developers and land use planners to address air quality issues as they arise.

OBJECTIVE:

Work with local government and sources of air pollution to effectively control the emissions of air pollutants in areas that are not in attainment with state or federal standards.

ACCOMPLISHMENTS:

The bureau has continued to evaluate and establish effective air pollution control measures through planning and coordination with local government.

OBJECTIVE:

The bureau is developing an emissions inventory, do the modeling, and create control measures necessary for an approvable regional haze SIP.

ACCOMPLISHMENTS:

The bureau continues to monitor western regional efforts related to EPA's proposed regional haze control rule.

The bureau continues to work extensively with Clark County on the development of its PM and carbon monoxide, and ozone implementation plans.

The bureau continues to work extensively with Nye County on the development of its Clean Air Action Plan for PM in an effort to avoid a formal designation of non-attainment.

BUREAU OF CORRECTIVE ACTIONS

PURPOSE:

The bureau oversees remediation/corrective actions related to the cleanup of releases of regulated substances using a multi-media (air, water, soil, and ecological resources) approach. In addition, the bureau administers the environmental response program, superfund/brownfields program, a reimbursement fund and certifies environmental consultants to ensure that competent individuals are providing services and information to the businesses and citizens of the state for environmental cleanups.

OBJECTIVE:

Continue to work with the EPA to integrate the federal superfund/brownfields activities with State Remedial Action activities.

ACCOMPLISHMENTS:

Since the 1992 inception of a formalized remedial action program, approximately 3,109 sites have been investigated and cleaned up to state requirements. These cases involved petroleum products, heavy metals, organic compounds, pesticides, and PCB's. Approximately 300 cases are open and active at any given time with another 275 leaking underground storage tank cases open and active.

Investigative efforts continue in Washoe County to evaluate and determine the extent of ground water contamination by an organic solvent, tetrachloroethene or PCE in downtown Reno. The bureau in concert with Washoe County, continue to evaluate and monitor the ongoing investigative activities.

The former Anaconda mine site, in Lyon County has over twenty-three work plans in one phase of development with the other regulatory agencies, the Bureau of Land Management and the US Environmental Protection Agency to protect the Walker River and adjacent lands.

Remedial activities at the former Rio Tinto mine in northern Elko County are continuing, with data collection and evaluation to provide the basis for remedial plan.

Cleanup efforts at the BMI industrial complex in Henderson are on-going to evaluate and provide a remediation plan on the numerous contaminates and turn the site into useable real property.

OBJECTIVE:

Coordinate Petroleum Cleanup Fund actions with the Underground Storage Tank program for the enforcement of tank rules and requirements, and the development of policy and operational procedures.

ACCOMPLISHMENTS:

The bureau opened 40 new Petroleum Fund cases in fy04, with reimbursement to over 1,200 cases of approximately \$104.9 million in Petroleum Fund monies.

OBJECTIVE:

Continue certification of environmental consultants by improving testing and establishing reciprocity with other states.

ACCOMPLISHMENT:

The bureau currently certifies 691 individuals providing environmental remediation services in the Consultant Certification program.

OBJECTIVE:

Continue to implement and improve benefit criteria used in determining the cost of cleaning up pollution.

ACCOMPLISHMENTS:

The State of Nevada has initiated Brownfields, a land-recycling program, to redevelop undesirable properties and revitalize communities. (The term “brownfields” is used to describe abandoned, idled, or underused industrial or commercial properties taken out of productive use because of real or perceived risks from environmental contamination.)

The Former Fire Training Academy in Stead, owned by University of Nevada, Reno, has elected to undergo cleanup via the Voluntary Cleanup Program authorized by the 1999 legislature.

SIGNIFICANT LEGISLATION OR EXECUTIVE ACTION AFFECTING THE AGENCY:

The bureau passed legislation to administer a Brownfields Clean-up Revolving Loan Fund, municipalities and individuals may receive low interest loans are intended to put underutilized properties back into productive use.

BUREAU OF ENVIRONMENTAL INFORMATION AND PLANNING

PURPOSE:

The bureau, established through internal reorganization in January 2003, provides planning, policy analysis, public information and information technology services to the Division. The bureau coordinates activities associated with the National Environmental Information Exchange Network and the National Environmental Public Health Tracking System. The bureau also provides staff support to Natural Resource Damage cases.

OBJECTIVE:

Develop a comprehensive plan to upgrade the agencies database systems and streamline business processes.

ACCOMPLISHMENTS:

The bureau has completed an agency Information Management Plan in September 2003. This plan provides guidance for development of the Division’s information management systems over a 3-5 year period.

KEY LONG TERM OBJECTIVES:

Implement the 2003 Information Management Plan.

Develop a communications strategy to engage stakeholders in relevant environmental issues, manage media relations regarding significant or controversial issues, and inform the public of the Division's key activities and accomplishments.

PUBLICATIONS LIST:

Information Management Plan 2003

BUREAU OF FEDERAL FACILITIES

PURPOSE:

The bureau oversees environmental remediation activities being initiated on Department of Defense (DoD) and Department of Energy (DOE) installations. These activities are related to the clean-up of historically contaminated federal sites in Nevada (e.g., Nevada Test Site, Nellis Air Force Base and Range Complex, Hawthorne Ammunition Depot, Fallon Naval Air Station). The bureau is also responsible for the permitting and regulatory compliance of active water pollution control operations at DOE facilities.

OBJECTIVE:

Work with federal agencies to develop acceptable planning schedules for the remediation of contaminated sites on federal facilities in Nevada.

ACCOMPLISHMENTS:

The bureau has continued to implement the terms of Consent Agreements with federal defense and energy agencies for corrective action and waste management activities conducted on the Nevada Test Site and on the identified DOD installations.

OBJECTIVE:

Work with federal agencies to expedite clean-up of contaminated sites to allow potential re-use of sites and facilities for both defense and non-defense purposes.

ACCOMPLISHMENTS:

Approximately 3,200 contaminated sites have been identified for assessment and remediation at the above-mentioned federal facilities. Over 1,370 of these sites have been formally approved by the division for closure.

OBJECTIVE:

Conduct inspections to determine if Federal facilities are in compliance with applicable state environmental laws and regulations.

ACCOMPLISHMENTS:

Approximately 285 compliance inspections have been conducted over the past two years. These inspections included sewage lagoons, hazardous waste accumulation areas and permitted facilities, corrective and remedial action sites, and polychlorinated biphenyl waste storage areas.

KEY LONG TERM OBJECTIVES:

Continue to conduct oversight at Federal Facilities to assure compliance with state regulatory requirements and to work closely with Federal defense and energy agencies to continue remediation of contaminated sites.

SIGNIFICANT LEGISLATION OR EXECUTIVE ACTION AFFECTING THE AGENCY:

The DOE is moving its Environmental Management (EM) activities and budget to the Office of Legacy Management and National Nuclear Security Administration (NNSA) purview. This could have an adverse impact on agency funding and moving forward with cleanup operations at DOE Facilities in Nevada. The Bureau of Federal Facilities has a long-term objective to maintain agency oversight funding and continue to facilitate DOE's moving forward on remedial efforts.

BUREAU OF MINING REGULATION AND RECLAMATION

PURPOSE:

The Bureau of Mining Regulation and Reclamation is divided into three major programs: the Regulation Branch, the Mine Closure Branch, and the Reclamation Branch.

The Regulation Branch is responsible for ensuring that the quality of Nevada's water resources is not adversely impacted by active mining operations. The branch issues permits to prevent degradation of Nevada's water, conducts inspections, takes appropriate action to ensure compliance with permit conditions, and reviews the regulatory fee structure that supports the branch.

The Mine Closure Branch regulates mines in closure, ensuring chemical stabilization of all components. This branch also issues permits to prevent degradation of Nevada's water, conducts inspections, takes appropriate action to ensure compliance with permit conditions, and reviews the regulatory fee structure that supports the branch.

The Mining Reclamation Branch ensures that land disturbed by mining and exploration activities is returned to a productive post-mining land use. The branch is responsible for issuing reclamation permits, reviewing bond cost estimates and establishing surety requirements, conducting compliance inspections, initiating regulatory actions, and reviewing the regulatory fee structure that supports the branch.

OBJECTIVE:

Provide a well-established regulatory framework whereby environmentally responsible mining is encouraged and environmentally irresponsible mining is prevented.

ACCOMPLISHMENTS:

During the FY 2002-2003 biennium the bureau issued 107 permits and conducted 1,145 inspections. Few enforcement actions are required to maintain compliance.

OBJECTIVE:

Working in close cooperation with the regulated community, fellow governmental agencies and stakeholder groups, continue to improve on mine closure techniques and overall mine closure direction.

ACCOMPLISHMENT:

Mine closure strategies currently being investigated include: engineered caps and covers; evapotranspiration and evaporation basins; land application of limited amounts of process fluids; enhanced solution evaporative practices; in-site treatment of targeted process solution constituents; advanced process solution flow/fate and transport models; and advanced risk assessment tools.

OBJECTIVE:

The goal of zero discharge mine closure has gone from an idea to a hypothesis and now a theory. Agencies and operators are aggressively pursuing technologies to make zero discharge of long-term draindown solutions a fact and standard mining practice.

ACCOMPLISHMENT:

Through the use of component covers and evapotranspiration basins, there are currently five mines in closure pursuing the goal of a long-term, zero discharge mine closure strategy.

OBJECTIVE:

Establish and sustain a system of surety that is durable fiscally secure.

ACCOMPLISHMENTS:

A state bonding task force was convened to evaluate bonding issues. A corporate guarantee review panel was also established.

KEY LONG TERM OBJECTIVES:

Prevent degradation of waters of the state and ensure proper reclamation of affected lands.

SIGNIFICANT LEGISLATION OR EXECUTIVE ACTION AFFECTING THE AGENCY:

Legislation was passed allowing the bureau to collect and keep interest on reclamation accounts. This decision was especially significant for the Interim Fluid Management Fund, to maintain the fund at an adequate level at all times.

PUBLICATIONS LIST:

See web page for Bureau.

BUREAU OF WATER POLLUTION CONTROL**PURPOSE:**

To issue wastewater discharge permits, conduct compliance inspections, enforce water pollution control permit requirements, administer the State Revolving Loan Fund program for Clean Water and Drinking water, review and approve the design of wastewater treatment facilities, review subdivision

plans for water pollution and adequate sewage disposal, and conduct training and certification programs for wastewater treatment plant operators. In addition, the bureau administers a grant program to assist small publicly owned drinking water systems.

OBJECTIVE:

Continue with early intervention through the water pollution control permitting programs.

ACCOMPLISHMENTS:

The bureau has increased the activities of the Groundwater Protection Branch to address potential groundwater pollution from septic tanks, oil/water separators, injection wells, etc. Guidance has been posted on the Bureau web site. New general permits are being developed for Injection Well remediation projects, Individual Sewage Disposal Systems, car washes, etc. A Groundwater Quality database has been developed and being prepared for agency use.

OBJECTIVE:

Continue to assist Nevada's communities by the issuance of water and wastewater treatment construction loans, providing training, and technical assistance for wastewater treatment plant operators.

ACCOMPLISHMENTS:

The Bureau has processed \$206,702,816 in wastewater treatment facility construction loans from the State Revolving Loan program. Some of the facilities receiving funding include: Reno, Sparks, Henderson, Fallon, Elko, Lovelock, Fernley, Mesquite, and Incline Village.

The Bureau has processed \$50,090,536 in drinking water facility construction loans from the Safe Drinking Water State Revolving Loan program. Some of the facilities receiving funding include: Henderson, Big Bend (Laughlin), Fallon, Virgin Valley, Southern Nevada Water Authority, and Kingsbury GID.

BUREAU OF WATER QUALITY PLANNING

PURPOSE:

The bureau's purpose is to protect Nevada's limited surface waters through the establishment of water quality standards, monitoring, public education, and funding of water quality improvement projects. The bureau develops local, regional, and statewide plans to ensure water quality standards are maintained and impaired surface waters are restored where possible. The Bureau also administers a laboratory certification program to ensure laboratories performing water analysis for the purpose of meeting Safe Drinking Water and/or Clean Water Act prescribe to established methods and procedures.

OBJECTIVE:

Review and update water quality standards and beneficial uses at least once every three years.

ACCOMPLISHMENTS:

In 2002 and 2003, bureau staff updated water quality standards for pH, ammonia, and bacteria statewide.

OBJECTIVE:

Conduct statewide water quality sampling to determine compliance with applicable standards.

ACCOMPLISHMENT:

Water quality monitoring continues to be performed by the Bureau to verify compliance with the standards on all major water systems within Nevada. The public may examine the monitoring results on the Bureau's web page at: <http://www.ndep.nv.gov/bwqp/>

OBJECTIVE:

Prepare water quality assessment reports and impaired surface water listings.

ACCOMPLISHMENT:

The Bureau published an extensive update to the impaired waters list for the State in 2002.

OBJECTIVE:

Develop Total Maximum Daily Loads (TMDLs) to improve surface water quality.

ACCOMPLISHMENT:

TMDL's were developed for the Bryant Creek, E. Fork Owyhee, Muddy and Virgin Rivers.

OBJECTIVE:

Mitigate the adverse effects from nonpoint source pollution through implementation of water quality improvement projects and public education.

ACCOMPLISHMENT:

The Bureau is funding approximately 30 water quality improvement projects statewide and participated in 15 public education events.

OBJECTIVE:

Prepare a final Continuing Planning Process (CPP) document for how water quality standards, permits, and impaired listings are prepared and processed.

ACCOMPLISHMENT:

The CPP has been finalized and is available for prepared on the Bureau's web site at: <http://www.ndep.nv.gov/bwqp/>

KEY LONG TERM OBJECTIVES:

The Bureau is negotiating with USEPA to embark on a thorough review of the State's beneficial uses of water and water quality standards prior to developing TMDLs. Many of the uses and standards were adopted 30 years ago and require evaluation prior to TMDL development. The Bureau is currently working in the Carson watershed and plans to transition into the upper Humboldt in 2005.

BUREAU OF WASTE MANAGEMENT

PURPOSE:

The bureau plans, regulates, and permits activities to ensure environmentally sound management of solid and hazardous waste. The bureau through the division is authorized to implement Subtitle C and D of the federal Resource Conservation and Recovery Act. The bureau also enforces the state's Chemical Accident Prevention Program (CAPP) to protect the public health and safety, and the environment from the hazards of accidental releases of highly hazardous chemicals.

OBJECTIVE:

Reduce generation of solid and hazardous waste in Nevada by encouraging waste reduction, recycling, and product substitution

ACCOMPLISHMENTS:

Nevada currently diverts approximately 16% of the roughly three million tons disposed in landfills each year. The state goal is to divert 25% of the waste stream going to landfills.

Efforts are underway to increase promotion of recycling in the Clark County area particularly, given the lagging recycling rate.

OBJECTIVE:

Prevent uncontrolled release of hazardous waste to the environment through effective permitting controls, compliance monitoring, and enforcement.

ACCOMPLISHMENTS:

There are roughly 3,500 generators of hazardous waste in Nevada, about 50 transporters, and six permitted facilities that treat, store, or dispose of hazardous waste. Of the generators inspected, the bureau has achieved a 95% compliance rate.

Permitted facilities which are inspected quarterly were found to be in substantial compliance in FY 2003.

OBJECTIVE:

Prevent release of pollutants or contaminants from solid waste disposal facilities through effective permitting controls, compliance monitoring, and enforcement.

ACCOMPLISHMENT:

A study of potential ground water impacts from closed landfill sites was completed. Results show that closed, small, rural landfill sites do not represent a significant threat to ground water quality.

OBJECTIVE:

Reduce the risk of catastrophic release of highly hazardous chemicals through technical review of facility risk assessments, monitoring of compliance with hazard abatement plans and reporting requirements, and enforcement.

ACCOMPLISHMENTS:

Significant refinement of the CAPP statute occurred in the 2003 legislative session. These refinements will allow the regulated community to focus efforts on the implementation of the accident prevention and emergency response preparedness programs.

Program staff continues to conduct inspections at the 45 registered facilities and are actively involved with local agencies to review applications for new facilities.

STATE ENVIRONMENTAL COMMISSION

PURPOSE:

The commission adopts environmental rules, regulations, and plans authorized by statute to protect the environment and public health and welfare for all Nevadans. The commission also acts as the appeal body to actions of the Nevada Division of Environmental Protection (NDEP).

ORGANIZATIONAL STRUCTURE:

The commission is an 11-member board composed of citizens and agency administrators. Staff within the NDEP provide support to the Commission.

STATUTORY AUTHORITY:	NRS 232.136, 278, 444, 444A, 445A, 445B, 445C, 459, 486A, 519A, 590, and 618
NUMBER OF EMPLOYEES:	0 FTE/2002
TELEPHONE:	775. 687.9308
WEB SITE ADDRESS:	http://sec.nv.gov

OBJECTIVE:

Process regulatory petitions and appeals in a timely and efficient manner.

ACCOMPLISHMENTS:

The State Environmental Commission adopted 10 regulatory petitions and heard 7 appeals during calendar years 2003 and 2004.

The Commission continued to adopt rules refining the air pollution control permitting program. During the biennium the Commission approved regulations that added an opacity limit and reduce the time allowed for exceptions to visible emissions from steam generating units. The regulations further made violations of fugitive dust a major violation after the first offense. The Commission also approved regulations prohibiting open burning of any combustible refuse, waste, garbage, oil, or burning for any salvage operations. While the new regulation allows open burning for the purpose of weed abatement, conservation, disease control, game or forest management, the elimination of hazards, or for open burning of yard, such actions must be approved in advance by the Director of the

Department of Conservation and Natural Resources. The regulation does allow burning for agricultural purposes and management, except where prohibited by local ordinances or regulations.

In the area of hazardous waste, the Commission adopted regulations that allow an equitable assignment of fees for remediation wastes and federally delisted wastes. This action was taken to mitigate the effects of unequal regulatory treatment of some types of "hazardous waste" as currently defined and regulated by other states (namely, California) when compared to Nevada. The new regulation allows Nevada to adjust (i.e., reduce) or amend the current fee structure, as it applies to wastes that are no longer hazardous wastes, such that hazardous waste disposal facilities in Nevada can more evenly compete for wastes in these categories.

In the area of water quality the Commission adopted regulations that change water quality standards for certain Class Waters. Changes were made to existing formats for listing water quality standards in state regulation, including revision to existing pH criteria and total phosphorus criteria for various Class Waters throughout the state. Other revisions include corrections for names and locations of certain water bodies including clarification of the extent of the "reaches" as well as revisions based on the need to clarify the appropriate trout or non trout standards for various water bodies in Nevada. Finally, the Commission updated its own Rules of Practice during the biennium.

KEY LONG TERM OBJECTIVES:

Continue to streamline the Commission review process for managing regulatory petitions proposed by the Nevada Division of Environmental Protection.

STATE BOARD TO REVIEW CLAIMS (PETROLEUM FUND)

PURPOSE:

The State Petroleum Fund is designed to provide financial responsibility for federally regulated underground storage tanks. Coverage is also provided for non-commercial heating oil tanks and enrolled aboveground storage tanks. The fund provides reimbursements for corrective action costs associated with petroleum product releases.

ORGANIZATIONAL STRUCTURE:

The board is composed of seven members. The four technical staff members administer the Fund.

STATUTORY AUTHORITY:	NRS 590.700 to 590.920
NUMBER OF EMPLOYEES:	0 FTE/2004
TELEPHONE:	775.687.4670
WEB SITE ADDRESS:	www.ndep.nv.gov

OBJECTIVE:

Continually review fund procedures to make processing of applications more efficient.

ACCOMPLISHMENTS:

The bureau opened 40 new Petroleum Fund cases in fy04, with reimbursement to over 1,200 cases of approximately \$104.9 million in Petroleum Fund monies.

SIGNIFICANT LEGISLATION OR EXECUTIVE ACTION AFFECTING THE AGENCY:

The bureau passed legislation to regulate the leak detection requirement for aboveground storage tank located at marinas voluntarily enrolled in the Petroleum Fund.

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