

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Amendment of Regulations of the Nevada Division of Environmental Protection

The Administrator is proposing various changes to the regulations governing the On-site Sewage Disposal Systems (OSDS) - Commercial Septic System Program. The Nevada Division of Environmental Protection will hold public hearings and workshops at the following locations to solicit comments from interested parties:

Pahrump

Wednesday, August 01, 2007 - 4:00PM – 6:00pm
Bob Ruud Community Center
150 North Highway 160
Pahrump, Nevada 89060

Carson City

Tuesday, August 07, 2007 - 4:00PM – 6:00pm
Department of Conservation and Natural Resources – Nevada Division of Environmental Protection
Bureau of Water Pollution Control - Permitting Branch
901 South Stewart Street – Hearing Room 200
Carson City, Nevada 89701

Elko

Thursday, August 09, 2007 - 4:00PM – 6:00pm
Great Basin College
1500 College Parkway
Elko, Nevada 89801

The Commercial Septic System Program is designed to protect underground sources of drinking water by ensuring OSDS systems do not degrade waters of the State. The proposed changes to these regulations are necessary in order to bring them to current wastewater guidelines and standards established by the United States Environmental Protection Agency (USEPA) and the Uniform Plumbing Code (UPC).

Proposed regulation changes primarily focus on the following items:

1. Adoption by reference of USEPA and UPC design guidelines for On-site Sewage Disposal Systems (OSDS).
2. Use of General Permits for regulating OSDS.
3. New OSDS systems will have a maximum size of 15,000 gallons.
4. New septic tank sizing guidelines to reflect current recommendations and trends for OSDS.
5. Establishment of nitrogen management and septic moratorium areas.
6. Establish performance guidelines for nitrogen removal units.
7. Inclusion of new or innovative technology and materials for OSDS.

Permit fees for each category will be the same as before. The proposed regulations will not have an economic impact, either immediate or long term, on the regulated industry and small businesses. The proposed regulation changes have beneficial effects for the regulated industry in that some permits will be regulated under a general permit instead of an individual permit at a cost and time savings. There will be no additional costs to the agency for enforcement of these

amendments. The amended regulations do not include any new provisions, which are more stringent than federal regulations. Furthermore, they do not overlap, duplicate or are in conflict with any regulations of other state or government agencies.

Persons wishing to comment or object to any of the Administrator's proposed regulation changes may do so by attending a workshop and making public comment, or submitting their comment, in writing, by August 17, 2007 either in person or by mail to:

Department of Conservation and Natural Resources
Division of Environmental Protection
Attn Alexi Lanza - Bureau of Water Pollution Control - Permitting Branch
901 South Stewart Street – Suite 4001
Carson City, Nevada 89701

All comments or objections received within the thirty (30) day comment period will be considered in the formulation of final determinations regarding the proposed regulation changes. All comments must be received by August 17, 2007. If the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

The proposed changes to the regulations for the Commercial Septic Program are:

1. Available on the NDEP website at <http://ndep.nv.gov/admin/public.htm>
2. On file and may be copied or copies may be obtained by writing to the above address or by calling **Alexi Lanza** or **Kim Meyers** in the Bureau of Water Pollution Control at **(775) 687-9468** or **(775) 687-9442** respectively.
3. Please submit e-mails comments to: **Alexi Lanza – alanza@ndep.nv.gov**

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

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.

*Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify **Kim Meyers** no later than 5 business days before the workshop you plan to attend.*

The proposed regulations do not apply to residential Individual Sewage Disposal Systems (ISDS). The proposed regulations apply to all other On Site Sewage Disposal Systems (OSDS) – Commercial Septic Systems (i.e. trailer parks, stores, motels).

This Notice of Intent has been posted at the following locations:

Nevada State Library
100 North Stewart Street
Carson City, NV 89701

Division of Environmental Protection
901 South Stewart Street – Suite 4001
Carson City, NV 89701

Division of Environmental Protection
2030 East Flamingo Road Suite 230
Las Vegas, Nevada 89119-0837