



# STATE OF NEVADA

Department of Conservation & Natural Resources

*Jim Gibbons, Governor*

*Allen Biaggi, Director*

DIVISION OF ENVIRONMENTAL PROTECTION

*Leo M. Drozdoff, P.E., Administrator*

## 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 new regulations to govern 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:

#### Winnemucca

Wednesday, June 4<sup>th</sup>, 2008 - 10:30AM - 12:30PM

Humboldt County Courthouse - Room 201

50 West 5<sup>th</sup> Street

Winnemucca, Nevada 89445

#### Carson City

Thursday, June 5<sup>th</sup>, 2008 - 3:00PM - 5:00PM

Department of Conservation and Natural Resources

Bryan Building - Hearing Room 200

901 South Stewart Street

Carson City, Nevada 89701

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 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 nitrogen restricted 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 a significant 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 **June 10<sup>th</sup>, 2008** 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 fifteen (15) day comment period will be considered in the formulation of final determinations regarding the proposed regulation changes. All comments must be received by **June 10<sup>th</sup>, 2008**. 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 regulations for the Commercial Septic Program are:

1. Available at <http://sec.nv.gov/archives/regdoc/r194-07rp1.pdf>
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](mailto: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

For more information about this regulations see: [http://sec.nv.gov/main/hearing\\_061708.htm](http://sec.nv.gov/main/hearing_061708.htm)