



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

NOTICE OF PROPOSED ACTION

Web posting date 7/29/09

The Administrator, Division of Environmental Protection (DEP), Carson City, Nevada is issuing the following notice of proposed action under the Nevada Revised Statutes. The Administrator has received a complete application to modify a water pollution control discharge permit (NEV2008508) from the following applicant:

**RED Sparks Legends Development, Inc.
1320 Scheels Dr., Suite C172
Sparks, Nevada 89434**

The applicant is currently permitted to utilize tertiary treated effluent to irrigate the landscape features in Legends at Sparks Marina site. The permittee is supplied with tertiary treated denitrified disinfected effluent from the Truckee Meadows Water Reclamation Facility [NEV2003506] for dust control, soil conditioning, and irrigation via spray and/or drip at the permitted location managed by the permittee. By permit modification process, the permittee has requested an increase in the 30-day average flow use from the existing permitted rate of 0.020 Million Gallons per Day (MGD) to a rate of 0.182 MGD. The Maximum Daily flow value is limited to 0.432 MGD. No other changes to the existing permit limitations are addressed by this modification. The TMWRF reclaim bacteriological water quality supplied to the site meet NAC 445A.276 reuse Category B requirements for human contact with effluent and is denitrified below 10 mg/l Total Nitrogen. All reuse irrigation operations shall be conducted and operated in accordance with conditions in the approved Effluent Management Plan required by the DEP, and by the terms and conditions of the permit.

On the basis of preliminary review of the requirements of the Nevada Revised Statutes (NRS) as amended, and implementing regulations, the Administrator proposes to modify the existing permit to discharge, subject to certain effluent limitations and conditions. The amended permit will expire August 4, 2013.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding permit issuance, or request a hearing pursuant to the Nevada Administrative Code, Water Pollution Control, should submit their comments or request, in writing, within thirty (30) days of the date of newspaper publication notice. However, the Administrator can, by this notice or with discretion, extend the comment period. All materials being submitted must be hand-delivered, e-mailed, faxed, or postmarked no later than 5:00 P.M. PST, or PDT if in effect, on Monday August 31, 2009, the close of noticed comment period, to:

Department of Conservation and Natural Resources
Division of Environmental Protection

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Bureau of Water Pollution Control
ATTN: Permit # NEV2008508
901 S. Stewart St, Suite 4001
Carson City, Nevada 89701-5249

The request must be filed within the comment period as noticed and must indicate the interest of the person filing the request and the reasons why a hearing is warranted. All comments or objections received by 5:00 PM up through the comment period date, as noticed herein or as extended by the Administrator, will be considered in the formulation of final determination regarding the application. If written comments indicate a significant degree of public interest in the proposed permit, the Administrator shall hold a public hearing. A public notice of such hearing will be issued not less than thirty (30) days prior to the hearing date.

If no hearing is held and 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 application, proposed permit, comments received, and other information are on file and may be copied or copies may be obtained by writing to the above address or by calling Sam Stegeman, Bureau of Water Pollution Control at (775) 687-9538, or via e-mail at: sstegema@ndep.nv.gov. The Water Pollution Control office fax number is (775) 687-4684. The fact sheet for this permit can be viewed at the following website: <http://ndep.nv.gov/admin/public.htm>

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

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