



NOTICE OF PROPOSED ACTION

Web posting 11/22/10

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following notice of proposed action under the Nevada Revised Statutes. The Administrator has received a complete application for a new water pollution control discharge permit, #NEV2011501, from the following applicant:

**James Hardie Building Products, Inc.
820 Sparks Drive
Cleburne, TX 76033**

James Hardie Building Products, Inc. (Hardie) manufactures flooring and siding construction materials at 3000 Waltham Way, in McCarran, in Storey County, Nevada. The manufacturing process recirculates a portion of the daily fresh water supply, resulting in a discharge of 0.220 million gallons per day (MGD) to the Tahoe Reno Industrial (TRI) Center GID wastewater treatment facility (WWTF). Hardie is proposing an alternative discharge location, an on-site, 1.8 million gallon zero discharge impoundment. The 0.220 MGD discharge would either be routed to the on-site storage impoundment for evaporation, on-site dust control, manufacturing reuse, or transfer to the nearby TRI WWTF, depending on various factors and wastewater management options. The permit is for the discharge of process and non-process water to the on-site zero-discharge impoundment, with appropriate restrictions and conditions. The proposed discharge permit is for a period of five years.

On the basis of preliminary review of the requirements of the Nevada Revised Statutes (NRS) and implementing regulations, the Administrator proposes to issue a groundwater discharge permit, subject to certain discharge limitations and special conditions.

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 or by Fax, within thirty (30) days of the date of newspaper publication, by **5:00 P.M. on December 27, 2010**, either in person or by mail to:

**Nevada Division of Environmental Protection
Bureau of Water Pollution Control
901 S. Stewart St., Ste. 4001
Carson City, NV 89701**

Comments and/or hearing requests received via facsimile or e-mail before **5:00 P.M. on December 27, 2010** will also be accepted. All requests for hearings must indicate the interest of the person filing the request and the reason(s) why a hearing is warranted. All comments or objections received within the thirty (30) day comment period will be considered in the formulation of final determinations regarding the application. If written comments indicate a significant degree of public interest in the proposed permit, the Administrator shall hold a public hearing. The public notice of such hearings will be issued not less than thirty (30) days prior to the public hearing date.

The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted. All comments or objections received within thirty days will be considered in the formulation of final determinations 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 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 Jeryl Gardner of the Bureau of Water Pollution Control at (775) 687-9423, or at jgardner@ndep.nv.gov, or FAX (775) 687-4684. Copies of the Fact Sheet and Public Notice may be viewed or printed from the NDEP website at <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.

P:\BWPC\BWPC Permits\NV and NEV\NEV2011501 James Hardie\NEV2011501 James Hardie -Zero Discharge Impoundment PN F 1110.docx