



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

*Jim Gibbons, Governor*

*Allen Biaggi, Director*

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

## **PUBLIC NOTICE OF PROPOSED ACTION**

Web posting 2/4/10

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 an application to modify water pollution control discharge permit # NEV87034 from the following applicant:

Nevada Department of Corrections  
P.O. Box 7011  
Carson City, NV 89702

The Permittee operates a wastewater treatment facility (WWTF) located at the Ely Maximum State Prison 10 miles NNW of Ely, NV in White Pine County. The WWTF consists of a head works, fixed-film bioreactor, lined settling ponds and rapid infiltration basins. The Permittee has requested a modification of the permit conditions to increase the allowable flow rate limit from 300,000 to 450,000 gallons per day. The flow rate averaged 380,000 gallons per day in 2009 and consisted of domestic and cooling unit wastewater sources. The flow limit increase does not represent an expansion in inmate housing and instead accounts for the wastewater discharged into the collection system from the operation of commercial-scale evaporative (swamp) coolers and air conditioning units. The WWTF is designed to serve a current inmate population of 1,100 plus staff. The permit conditions require quarterly monitoring and reporting to verify compliance with the permit requirements. The Division has made the tentative determination to issue the proposed permit conditions for the duration of the permit's term, which is set to expire at midnight, December 7, 2013. This permit was originally issued on December 8, 2008 for a five (5) year term.

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, hand-delivered, e-mailed, faxed or postmarked no later than 5:00 P.M. PST on Friday, March 12, 2010, either in person or by mail to:

Department of Conservation and Natural Resources  
Division of Environmental Protection  
Bureau of Water Pollution Control  
901 S. Stewart St, Suite 4001  
Carson City, Nevada 89701-5249  
(Attn: Permit Application # NEV87034)

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 the thirty (30) day 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

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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 Mark A. Kaminski, P.E., Bureau of Water Pollution Control at (775) 687-9424, or via e-mail at: [mkaminsk@ndep.nv.gov](mailto:mkaminsk@ndep.nv.gov). The 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>

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