



**Public Workshop - Notice to Solicit Comments on Proposed  
Underground Storage Tank and Certification Program Regulations**

The Nevada Division of Environmental Protection (NDEP) will hold a Public Workshop on proposed Underground Storage Tank (UST) and Certification Program revisions to Nevada Administrative Code (NAC). The purpose of this Public Workshop is to inform the public and regulated community about proposed regulatory changes and solicit comments from interested persons. The following Public Workshop will be video conferenced from Carson City and is scheduled to discuss the general subjects described below as outlined in the attached agenda.

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| <p><b>September 12, 2016</b><br/><b>11:00 AM to 12:00 PM</b></p>   |   |
| <p><b><u>Public Workshop Location</u></b><br/>Nevada State Legislative Building<br/>401 S. Carson St. Ste 2134<br/>Carson City, NV 89701</p> | <p><b><u>Video Conference Location</u></b><br/>Grant Sawyer Building<br/>555 E. Washington Ave. Ste 4412E<br/>Las Vegas, NV 89101</p> |

The State of Nevada is authorized by the United States Environmental Protection Agency (EPA) to enforce federal UST regulations. In the July 15, 2015 Federal Register - EPA published the 2015 UST regulation and the 2015 state program approval regulation. The revisions strengthen the 1988 federal UST regulations by increasing emphasis on properly operating and maintaining UST equipment. The revisions are designed to help prevent and detect UST releases, which are a leading source of groundwater contamination. The revisions will also help ensure all USTs in the United States, including those in Indian country, meet the same minimum standards. This is the first major revision to the federal UST regulations since 1988.

**UST Compliance Program NAC Revision:** The 2015 UST regulation changes certain portions of the 1988 UST technical regulation in 40 CFR Part 280. The changes establish federal requirements that are similar to key portions of the Energy Policy Act of 2005. In addition, EPA added new operation and maintenance requirements and addressed UST systems deferred in the 1988 UST regulation. The changes include but are not limited to:

- Adding secondary containment requirements for new and replaced tanks and piping
- Adding periodic operation and maintenance requirements for UST systems
- Adding requirements to ensure UST system compatibility before storing certain biofuel blends
- Removing past deferrals for emergency generator tanks, airport hydrant systems, and field-constructed tanks
- Updating codes of practice
- Making editorial and technical corrections

**Certification Program NAC Revision:** The NDEP Bureau of Corrective Actions Certification Program proposes to revise current regulations to include certification of a provider of an approved UST training program for Class A and Class B operators. The proposed revisions are necessary to establish eligibility requirements for State of Nevada providers of an approved UST training program in the Certification Program and to develop an approved provider list. Additional changes include, but are not limited to:

- Other requirements for providers of an approved UST training program
- Establishing a provider of an approved UST training program application requirement with fee
- Establishing a provider of an approved UST training program renewal application requirement with fee
- Establishing standards of practice for providers of an approved UST training program
- Removal of the specialist in the management of hazardous waste from the certification program

NDEP plans to adopt the UST federal regulation revisions by reference into state regulation. Chapter 459 of the NAC will be amended to include these revisions, delivery prohibition changes, and other housekeeping items as necessary.

The proposed regulations will be available on the NDEP website at: <http://ndep.nv.gov/admin/public.htm> under "Corrective Actions" and on the day of the Public Workshop. A copy of materials relating to the proposed regulations may also be obtained by contacting Kim Valdez with NDEP, 901 Street Stewart Street, Suite 4001, Carson City, NV 89701; (775) 687-9370; or e-mail [kvaldez@ndep.nv.gov](mailto:kvaldez@ndep.nv.gov). Members of the public who are disabled and require special accommodations at the Public Workshop are requested to notify Kim Valdez via e-mail at [kvaldez@ndep.nv.gov](mailto:kvaldez@ndep.nv.gov) no later than three working days prior to the Public Workshop. This notice has been posted on the NDEP website, at the NDEP offices in Carson City and Las Vegas, at the State Library in Carson City, at County libraries throughout Nevada, on the State Environmental Commission website, the Department of Administration website, and the Legislative Counsel Bureau website.



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**Agenda**

- Welcome and opening remarks, Jonathan McRae.
- Public comment. (for discussion)  
Members of the public will be invited to speak; however no action will be taken by NDEP at the Public Workshop.
- Solicitation of comments (for discussion) regarding UST Program NAC revision.
- Solicitation of comments (for discussion) regarding Certification Program NAC revision.
- Public comment. (for discussion)  
Members of the public will be invited to speak; however no action will be taken by NDEP at the Public Workshop.
- Adjourn.

Public comment may be limited to five minutes per person at the discretion of NDEP. NDEP reserves the right to dispense with repetitive comments on a given topic. The agenda is also posted on the NDEP website at <http://ndep.nv.gov/admin/public.htm> under "Corrective Actions."

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