



STATE OF NEVADA

Department of Conservation & Natural Resources

Jim Gibbons, Governor

Allen Biaggi, Director

DIVISION OF ENVIRONMENTAL PROTECTION

Leo M. Drozdoff, P.E., Administrator

To all Nevada Certified Tank Handlers

As many of you are aware, The Energy Policy Act of 2005 mandates that states receiving federal funds must require via state regulation:

- Either secondary containment and under dispenser containment for new and replaced underground storage tank systems or evidence of financial responsibility and installer certification. The deadline for states to implement these requirements is **February 8, 2007**.

At this time, the Nevada Division of Environmental Protection (NDEP) is evaluating the regulatory changes needed to enforce Energy Policy Act of 2005 requirements in Nevada. The United States Environmental Protection Agency (EPA) is allowing latitude in implementation dates as long as states are making a good faith effort to comply. NDEP has not yet adopted regulations requiring either secondary containment and under dispenser containment or evidence of financial responsibility.

Accordingly, **these new requirements do not apply in Nevada at this time**. NDEP will provide email updates, webpage updates and workshops to the regulated community as further information becomes available.

If you would like to review the secondary containment requirements and the rest of the Energy Policy Act requirements that may be implemented in the future, please visit the EPA's Office of Underground Storage Tanks (OUST) web site at:

http://www.epa.gov/oust/fedlaws/epact_05.htm

or contact Art Gravenstein at 775-687-9376 or agravens@ndep.nv.gov.