



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

Colleen Cripps, Ph.D., Administrator

PUBLIC NOTICE of PROPOSED ACTION

Web posting 2/15/11

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following notice of proposed action under the Nevada Revised Statutes (NRS). The Administrator has received an application for a waiver from the Phase II Stormwater Permit Requirements from the applicant:

**Lyon County
27 South Main Street
Yerington, Nevada 89447**

A small portion of Lyon County (252 acres) is currently covered under NDEP's General Permit NVS040000 for discharges from small separate storm sewer systems (MS4). The applicant qualifies for the waiver as it meets the following requirements: (1) the jurisdiction served by the MS4 is less than 1,000 people; (2) the MS4 is not contributing substantially to the pollutant loadings of a physically interconnected and regulated MS4; and (3) if the small MS4 discharges any pollutants identified as a cause of impairment of any water body to which it discharges, stormwater controls are not needed based on wasteload allocations that are part of an EPA-approved or established "total maximum daily load" that addresses the pollutant(s) of concern.

On the basis of preliminary review of the requirements of the NRS as amended, and implementing regulations, the Administrator proposes to approve the waiver.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding approval of this waiver, 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 publication in this newspaper by **March 21, 2011**, either in person or by mail or FAX (775) 687-4684 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

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 applications. If written comments indicate a significant degree of public interest in the proposed permits, 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, fact sheet, comments received, and other information are on file and may be copied or copies may be obtained by writing to the above address, by calling Steve McGoff, Bureau of Water Pollution Control, at (775)

687-9429, or by email at: smcgoff@ndep.nv.gov, or the Fact Sheet and Public Notice can be viewed at the NDEP 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.