

Form #1

Petition to Adopt, Amend, or Repeal Commission Regulations

Approved 10-3-1995



NEVADA
**STATE ENVIRONMENTAL
COMMISSION**

1. Name, address, telephone number, and signature:

Name: Nevada Division of Environmental Protection

Address: 901 S. Stewart St., Suite 4001, Carson City, NV 89701

E-mail Address: amholt@ndep.nv.gov

Telephone Number: 775-687-9435

Date of Petition: June 23, 2026

Representative capacity and signature of petitioner, authorized individual, officer or attorney:

2. Specific type of petitioner (individual, partnership, corporation, government agency, or other) and the exact occupation or business, including a description of the occupation or business if necessary:

The Nevada Division of Environmental Protection (Division) is a state government environmental regulatory agency responsible for protecting Nevada's air, land, and water resources. NDEP administers and enforces environmental laws, issues permits, conducts compliance oversight, and manages programs related to pollution control, waste management, remediation, and natural resource protection.

3. Exact and specific nature of changes sought, including delineation of the regulations, statutory provisions of Commission decisions involved. May include a statement of the written term or substance of the proposed regulatory action, or a description of the subjects and issues involved:

The proposed updates to NAC 445A Treatment Works section will add a new grade of wastewater treatment operator for small wastewater systems and include language to clean up and clarify existing regulatory language regarding plan review and wastewater examinations. These changes will allow for the reclassification of small rural wastewater treatment facilities which allows for a new wastewater operator certification that will be more quickly and feasibly attained for the day to day operation of these systems.

4. A statement of the need for and purpose of the proposed regulations:

The proposed regulations are needed to allow small wastewater treatment facilities to more easily obtain a day to day wastewater treatment operator to run the wastewater treatment facilities. Rural areas with small wastewater pond systems struggle to keep up with the requirement to have a day to day Grade 1 certified wastewater operator to run the wastewater treatment facility. This new certification will provide a different exam that is more focused on small systems, experience requirements can be more quickly attained, and sewage treatment related education requirements will be fewer than that of a Grade 1 operator. Currently, there are many facilities that have contract operators, but no day to day operators to address any issues that occur at the wastewater treatment facility. This lack of oversight has lead to violations of Nevada Water Pollution Control law in the past.

5. A statement of the:

(a) Estimated economic effect of the regulation on the business which it is to regulate:

The proposed regulations are expected to have minimal economic impact on regulated businesses. These regulatory updates do not change the need for the wastewater treatment facilities to have a certified wastewater treatment operator, but allows for a new grade of operator that may be easier to obtain and employ in rural communities, so the overall financial effect on businesses is expected to be small.

(1) Both adverse and beneficial effects:

Adverse Effects:

No significant adverse economic effects are expected. The updates do not add new requirements only more options.

Beneficial Effects:

The creation of a small wastewater system operator will allow for a more direct and attainable path for the certification to operate small systems. The ability to procure a day to day wastewater operator will help ensure regulated facilities maintain compliance with Nevada Water Pollution Control Law.

(2) Both immediate and long-term effects:

Immediate Effects:

The updates provide more options for small wastewater facilities to obtain day to day operation of their facility.

Long-Term Effects:

Over time, the updates provide more options for small wastewater facilities to obtain day to day operation of their facility.

(b) Estimated economic effect on the public:

The proposed amendments are not expected to have any adverse economic effect on the public.

(1) Both adverse and beneficial effects:

Adverse Effects:

No adverse economic effects on the public are anticipated. The amendments do not change public fees, services, or access to wastewater or groundwater protections.

Beneficial Effects:

The public may benefit from better oversight of small wastewater treatment systems to ensure protection of human health and the environment.

(2) Both immediate and long-term effects:

Immediate Effects:

No immediate economic effects on the public are expected. The amendments do not change public fees, services, or access to wastewater or groundwater protections.

Long-Term Effects:

Long-term effects on the public are also expected to be neutral.

(c) Estimated cost by the agency for enforcement of the proposed regulation:

The proposed amendments are not expected to create any additional enforcement costs for the agency. The changes propose a new small wastewater system operator certification, and they do not require new staffing, new equipment, or expanded oversight activities. Enforcement will continue under the agency's current permitting and inspection framework with no increase in operational expenses.

6. A description of any regulations for other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:

The proposed regulation does not overlap or duplicate the regulations of any other state or local government agency. The amendments apply specifically to Nevada's wastewater management programs and remain within the Division's existing statutory authority.

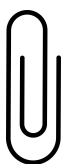
7. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions. The statement must include the specific citation of the federal statute or regulation requiring such adoption:

Not applicable

8. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:

The regulation does not necessarily propose a new fee, but allows a pathway for wastewater treatment operators to take an examination without applying for a restricted certificate or for a full certificate. There will now be an "examination only" fee that did not exist before and a new full application fee that will factor in the operator already paying for the examination fee. The Division does not expect to collect any additional fees with these changes.

Supporting Documents



When submitting this form, attach a second document to your email with your proposed regulatory language. Include other supporting documents as needed.