

**Notice of Regulatory Hearing  
Adoption of Regulations and Other Matters Before the  
Nevada Board to Review Claims**

The Board to Review Claims (Board) will hold a meeting on Thursday, December 14, 2017 at 11:00 am in Carson City. The meeting will be held in the Nevada Legislative Building, Room 2134, located at 401 South Carson Street. The meeting will also be video-conferenced in Las Vegas at the Grant Sawyer Building, Room 4401, located at 555 East Washington Avenue. The purpose of the meeting is to receive comments from all interested persons regarding the information listed on this notice and the meeting agenda. The following information is provided pursuant to the requirements of NRS 233B.0603.

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**R032-17: Petroleum Fund Program**

To comply with the new federal EPA underground storage tank (UST) regulations published on July 15, 2015, the Nevada UST program recently amended regulations NAC 459.9921 through NAC 459.999, inclusive. The amendments will require all UST owners/operators who are currently subject to the 2005 Energy Policy Act and the new UST regulations to implement regularly scheduled leak detection tests on spill buckets and containment sumps beginning October 2018. The testing is anticipated to detect a large number of non-compliant UST systems that will require spill bucket and containment sump upgrades. The upgrades are costly due to the expense of the equipment as well as the labor and mobilization costs charged by the certified specialists who must travel to each facility and install the equipment.

Senate Bill No. 251, passed into law in 2017, requires the Board to Review Claims to adopt regulations needed to administer a grant program that will minimize the economic burden of compliance with the new UST regulations for owners/operators who have a financial need. In addition, it requires a technical assistance program to be implemented to facilitate long-term compliance.

This regulation will not have an immediate or long-term adverse economic impact on regulated business/industry or the public; rather, it will have a positive economic impact. There will be no additional costs to the State for enforcement of the proposed regulation, although it may cost approximately \$3,500.00 to modify the database to automate the grant process. The regulation does not overlap, duplicate or conflict with any regulations of other government agencies. The proposed regulation does not include provisions which are more stringent than a federal regulation. The proposed regulation does not address fees and it is essential to the functions and operations of NDEP.

**Additional Information:** Persons wishing to comment on the proposed actions of the Board may appear at the scheduled public hearing or may address their comments, data, views, or arguments in written form to: Megan Slayden, Nevada Division of Environmental Protection, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. NDEP must receive written submissions at least five days before the scheduled public hearing.

If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board may proceed immediately to act upon any written submissions.

Members of the public can inspect copies of the regulations to be adopted at the State Library and Archives in Carson City (100 Stewart Street), and at the offices of the Division of Environmental Protection in Carson City and Las Vegas. The Carson City office is located at 901 South Stewart Street, Suite 4001 and the Las Vegas office is located at 2030 E. Flamingo Rd. Suite 230.

As required by the provisions of chapters 233B and 241 of Nevada Revised Statutes, the public notice for this hearing was posted at the following locations: the Bryan Building (901 South Stewart Street, Carson City, Nevada); the offices of the Division of Environmental Protection in Las Vegas (2030 E. Flamingo Rd. Suite 230), at the State Library and Archives building in Carson City (100 Stewart Street), the Nevada Division of Minerals, 400 W. King Street, Carson City, NV and the Department of Agriculture, 405 South 21<sup>st</sup> Street, Sparks, NV.

In addition, copies of this notice have been deposited electronically at major library branches in each county in Nevada as specified below. This notice and the text of the proposed regulation is also available on the Petroleum Fund Program website at: <https://ndep.nv.gov/environmental-cleanup/petroleum-fund/regulatory-petition> . The proposed regulation denoted in this notice, is, or will be, posted on the Legislative Counsel Bureau's website at <http://www.leg.state.nv.us/register/> and also the Department of Administration's website at <https://notice.nv.gov/> .

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, Victoria Joncas, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249, facsimile (775) 687-5856, or by calling (775) 687-9369, no later than 4:00 p.m. on December 6, 2017.

This Notice was provided to or posted at the following Nevada county locations:

Carson City Library  
900 North Roop Street  
Carson City, Nevada 89701-3101

Lincoln County Library  
63 Main Street  
Pioche, Nevada 89043

Churchill County Library  
553 South Main Street  
Fallon, Nevada 89406-3306

Lyon County Library System  
20 Nevin Way  
Yerington, Nevada 89447-2399

Las Vegas-Clark County Library District  
Director of Marketing and Community Relations  
7060 W. Windmill  
Las Vegas, Nevada 89113

Mineral County Public Library  
P.O. Box 1390  
Hawthorne, Nevada 89415

Douglas County Public Library  
1625 Library Lane  
Minden, Nevada 89423-0337

Pershing County Library  
1125 Central Avenue  
Lovelock, Nevada 89419

Elko County Library  
720 Court Street  
Elko, Nevada 89801-3397

Storey County Library - Closed  
Posted at Clerk's Office  
Address below:

Esmeralda County Library  
Corner of Crook & 4th Street  
P.O. Box 430  
Goldfield, Nevada 89013-0430

Storey County Treasurer and Clerk's Office  
Drawer D  
Virginia City, Nevada 89440

Eureka County Library  
10190 Monroe Street  
Eureka, Nevada 89316

Tonopah Public Library (Nye County)  
P.O. Box 449  
Tonopah, Nevada 89049

Humboldt County Library  
85 East 5th Street  
Winnemucca, Nevada 89445-3095

Washoe County Library System  
301 South Center Street  
Reno, Nevada 89501-2102

Battle Mountain Branch Library (Lander County)  
625 South Broad Street  
Battle Mountain, Nevada 89820

White Pine County Library  
950 Campton Street  
Ely, Nevada 89301