

**PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

**NDEP Proposed Minor Amendments
to LCB File No. R061-10
for the June 17, 2010 Adoption Hearing**

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted. Matter in *bold underline italics* and [~~omitted material~~] is material the Agency proposes for amendment subsequent to production of LCB File No. R061-10.

The NDEP received verbal concurrence on the need for these amendments from the Legislative Council Bureau on May 14, 2010.

Sec. 4. NAC 445A.54026 is hereby amended to read as follows:

445A.54026 1. Except as otherwise provided in NRS 445A.920, a public water system proposing to:

- (a) Construct a new facility for treatment or blending of groundwater; or
- (b) Make additions to or modify an existing facility to treat or blend groundwater,

➔ must submit a preliminary engineering report to the Division or to the appropriate district board of health. The report must be reviewed by the Division or the appropriate district board of health before the supplier begins design of a facility to treat or blend groundwater.

2. A preliminary engineering report must:

- (a) Describe the needs of the public water system, identify the purpose of the water project, analyze alternatives and propose a preferred course of action, from an engineering and economic perspective;

- (b) *If the project includes treatment to comply with the requirements of 40 C.F.R. § 141.403, as adopted by reference in NAC 445A.4525, include documentation indicating the manner in which the public water system will achieve a minimum of 99.99 percent or 4-log*

~~removal~~ treatment of viruses pursuant to those requirements;

(c) Identify design alternatives that were considered and associated design parameters; and

~~(c)~~ (d) Identify a recommendation by an engineer for the final design.

Sec. 5. NAC 445A.54042 is hereby amended to read as follows:

445A.54042 Each public water system to which the disinfection requirements of **40 C.F.R. § ~~141.402~~ 141.403**, as adopted by reference in NAC 445A.4525, and NAC 445A.66825 ~~[applies]~~ *apply* shall provide disinfection treatment in accordance with the provisions of NAC 445A.66825 to 445A.6685, inclusive. ~~[, and 40 C.F.R. §§ 141.131, 141.132, 141.133 and 141.135, as adopted by reference in NAC 445A.4525.]~~