

**FORM FOR PETITIONING THE STATE ENVIRONMENTAL COMMISSION FOR
ADOPTION, FILING AMENDMENTS OR REPEAL OF COMMISSION
REGULATIONS.**

Form #1

1. Name, Address, telephone number, date of petition, representative capacity and signature of petitioner, authorized individual, officer or attorney.

Nevada Division of Environmental Protection

901 S. Stewart Street, Suite 4001

Carson City, NV 89701

Date submit to SEC: fall-winter 2014



Adele Basham, Chief of Administrative Services Bureau

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.

Type: Government Agency

Nevada Division of Environmental Protection, Office of Financial Assistance

This office manages the State Revolving Loan Program for drinking water infrastructure improvement projects.

2. 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.

- a. *General updates, language clarification, streamlining, organization and cleanup.*
- b. *Add factors to the priority list ranking (NAC 445A.67569). The additional factors will encourage sustainability by awarding additional points for capacity development, green infrastructure, and energy efficiency improvements. Other additions will better outline project types.*
- c. *Move the Value Engineering section (NAC 445A.67631), the System of User Charges section (NAC 445A.67632), and a Use of Rate Structures for Repayment of Loan section (NAC 445A.67633) from "Requirements for Water Projects" to "Filing, Review and Approval of Applications for Financial Assistance" where it more appropriately fits.*

3. A statement of the need for and purpose of the proposed regulations.

The requested changes are general language clarification and cleanup. The requested additions also encourage system sustainability already included in the annual Intended Use Plan.

5. A statement of the:
- (a) Estimated economic effect of the regulation on the business which it is to regulate;
 - (1) Both adverse and beneficial effects; and
 - (2) Both immediate and long-term effects; and*As the changes are primarily cleanup, there is no immediate or long-term adverse or beneficial effect on business (water systems).*
 - (b) Estimated economic effect on the public;
 - (1) Both adverse and beneficial effects; and
 - (2) Both immediate and long-term effects; and*As the changes are primarily cleanup, there would be no direct cost to the water system users. Under certain circumstances the proposed regulation may enhance sustainability and allow systems to place higher on the priority list.*
 - (c) Estimated cost by the agency for enforcement of the proposed regulation.
As the changes are primarily cleanup, there will be no additional cost to the Agency.
6. A description of any regulations of 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.
There is no overlap or duplication with any other state agency. NDEP administers the federal U.S. Environmental Protection Agency Drinking Water State Revolving Fund.
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.
The regulations provide detail necessary to implement the federal regulations, but are not more stringent.
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.
Not applicable.

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