

Criteria, groundwater, NAC 445A.119, 445A.0868, and 445A.424

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

Form #1

1. Nevada Division of Environmental Protection
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Date:

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2. The Nevada Division of Environmental Protection (NDEP) is a division of the Department of Conservation and Natural Resources of the State of Nevada. The NDEP is an environmental regulatory agency.
3. Nevada Revised Statutes (NRS) 445A.425, Powers and duty of Commission, establishes the authority of the State Environmental Commission to adopt regulations carrying out the provisions of NRS 445A.300 to 445A.730, Water Pollution Control, inclusive, including standards of water quality and amounts of waste that may be discharged into waters of the State.

SPECIFIC CHANGES:

The NDEP is proposing the adoption of the current federal Safe Drinking Water Act (SDWA) standards as State groundwater criteria. This will allow the NDEP to continue to protect groundwaters of the State as potential sources of drinking water. The proposed regulation will provide the NDEP with reasonable permitting flexibility.

The proposed regulation will clarify that all groundwater is considered potential drinking water unless specifically exempted, if the receiving groundwater exceeds the criteria further degradation is not allowed, a zone of saturation that cannot produce usable water is not

subject to the criteria, and the concentration of any constituent not regulated by the criteria may be limited if the constituent may be discharged in sufficient volume and concentration to cause an adverse impact on human health or the environment. The proposed regulation will also provide a consistent definition of groundwater.

4. **NEED FOR AND PURPOSE**

The NDEP has been protecting groundwaters of the State as potential sources of drinking water using the federal SDWA standards and the NAC 445A.144 Standards for toxic materials applicable to designated waters. The proposed regulation will adopt the current SDWA values as State groundwater criteria. This will establish a consistent suite of parameters and criteria to be used to evaluate degradation and potential degradation of groundwaters of the State. The proposed regulation will also clarify the discharge requirements for groundwaters that have background concentrations above the proposed criteria.

5. (a) Regulated Business/Industry. The proposed regulation will have no significant economic effect on the regulated business/industry.
(b) Public. The proposed regulation will have no economic effect on the public.
(c) Enforcing Agency. The proposed regulation will have no economic effect on the NDEP.

6. The proposed regulation does not overlap nor duplicate any regulations of other State or governmental agencies.

7. The NDEP has regulatory authority over groundwaters of the State. The proposed regulation will adopt the current SDWA water quality standards as the criteria to which potential groundwater sources of drinking water are protected.

8. The proposed regulation does not include a new fee nor increase an existing fee.

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