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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138
Carson City, Nevada 89706

TESTIMONY ON SB 58

Allen Biaggi, Administrator, Nevada Division of Environmental Protection

Before Assembly Natural Resources, Agriculture and Mining

May 26, 2003

Thank you Mr. Chairman and committee members, my name is Allen Biaggi and I am the Administrator of the Nevada Division of Environmental Protection.

The purpose of SB 58 is two fold.

Sections 1 through 13 authorize the State Environmental Commission to adopt regulations requiring laboratories, which conduct analyses for determining if a substance is a hazardous waste or for the presence of a hazardous waste and regulated substances contaminating soil or water, to be certified. Certification helps ensure the quality and accuracy of analytical data used for such determinations and assists the Division in assuring that hazardous waste is managed in an appropriate facility and that environmental cleanups are complete.

Secondly, in sections 14, 15 and 16 the Commission is authorized to adopt regulations governing the above ground or over-water petroleum storage tank systems used to supply fuel at a marina. Presently there are no design, construction or maintenance regulatory requirements for above ground tank systems as there are for underground storage tanks. Implementation of such requirements is expected to significantly reduce the potential for releases to surface and ground water from these systems and reduce the costs of environmental cleanup and expenditures from the State Petroleum Fund.

The fiscal note, which will be totally supported by fees assessed on the laboratories with no general fund expenditures, is for the cost of the laboratory certification aspect of the bill. Currently, the Division is unsure of the actual workload impacts of these new provisions. As a result, we believe that it is prudent initially to not move forward with any new staff until the actual workload and revenue amounts can be determined. Based

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upon this trial period we can better gage the needs of the program. Finally, there is not a fiscal impact for the above ground tank component of the bill.

I encourage your support of SB 58 and would be glad to answer any questions.