

SENATE BILL NO. 118—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE LEGISLATIVE COMMISSION’S
SUBCOMMITTEE TO STUDY THE
PROTECTION OF NATURAL TREASURES)

FEBRUARY 20, 2007

Referred to Committee on Transportation and Homeland Security

SUMMARY—Requires the State Environmental Commission to adopt regulations relating to the handling and storage of certain quantities of mercury. (BDR 40-209)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to hazardous materials; requiring the State Environmental Commission to adopt regulations relating to the handling and storage of certain quantities of mercury; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Under existing law, the State Environmental Commission is required to adopt,
2 as part of the Chemical Accident Prevention Program for the State of Nevada
3 (C.A.P.P.), regulations relating to hazardous substances. (NRS 459.3818; NAC
4 459.95225) This bill requires the Commission to adopt specific regulations for the
5 handling and storage of mercury when present in a quantity of 100 tons or more to
6 protect the health, safety and welfare of the residents of this State.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 459.3818 is hereby amended to read as
2 follows:
3 459.3818 1. In addition to the regulations required to be
4 adopted pursuant to NRS 459.380 to 459.3874, inclusive, the State
5 Environmental Commission shall adopt such other regulations as are



1 necessary to carry out the purposes and enforce the provisions of
2 NRS 459.380 to 459.3874, inclusive. The regulations must include,
3 without limitation:

4 (a) Specifications for the applicability of the provisions of NRS
5 459.380 to 459.3874, inclusive, and any regulations adopted
6 pursuant thereto;

7 (b) The establishment of a program for the prevention of
8 accidental releases of chemicals that satisfies the provisions of the
9 chemical process safety standard set forth pursuant to 29 U.S.C.
10 § 655;

11 (c) *Provisions to protect the health, safety and welfare of the*
12 *residents of this State from the effects of the handling and storage*
13 *of mercury when present in a quantity of 100 tons or more;*

14 (d) Provisions necessary to enable the Division to administer
15 and enforce the provisions of NRS 459.380 to 459.3874, inclusive,
16 and any regulations adopted pursuant thereto;

17 ~~(d)~~ (e) Requirements for the registration of a facility with the
18 Division; and

19 ~~(e)~~ (f) Provisions to ensure that the public is involved in the
20 process of evaluating proposed regulatory actions that may affect
21 the public.

22 2. The Division shall:

23 (a) Administer and enforce the provisions of NRS 459.380 to
24 459.3874, inclusive, and any regulations adopted pursuant thereto;
25 and

26 (b) Make every effort to involve advisory councils on hazardous
27 materials, where they exist, the governing bodies of local
28 governments and other interested persons in explaining actions
29 taken pursuant to those sections and the regulations adopted
30 pursuant thereto.

31 3. The State Environmental Commission must apply the
32 provisions of NRS 459.380 to 459.3874, inclusive, to dealers of
33 liquefied petroleum gas who sell, fill, refill, deliver or are permitted
34 to deliver any liquefied petroleum gas in a manner that is consistent
35 with 42 U.S.C. § 7412(r)(4)(B).

36 4. As used in this section, "liquefied petroleum gas" has the
37 meaning ascribed to it in NRS 590.475.

38 **Sec. 2.** This act becomes effective on July 1, 2007.

