

ASSEMBLY BILL NO. 269—ASSEMBLYMEN WOODBURY; PAUL
ANDERSON, ELLISON, FIORE, HAMBRICK, HARDY, KIRNER,
LIVERMORE AND WHEELER

MARCH 15, 2013

JOINT SPONSOR: SENATOR HARDY

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Requires the State Environmental Commission to
adopt regulations relating to certain disposal sites for
solid waste. (BDR 40-773)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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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 solid waste; requiring the State Environmental
Commission to adopt regulations relating to certain
disposal sites for solid waste; and providing other matters
properly relating thereto.

Legislative Counsel's Digest:

- 1 Under existing law, the State Environmental Commission is required to adopt
- 2 regulations concerning solid waste management systems, including regulations
- 3 establishing the standards for issuing a permit to operate a solid waste disposal site.
- 4 (NRS 444.560) Pursuant to that requirement, the Commission has adopted
- 5 regulations concerning the issuance of permits for Class I, Class II and Class III
- 6 disposal sites. (NAC 444.5705-444.5715) This bill requires the Commission to
- 7 adopt further regulations concerning Class I, Class II and Class III disposal sites,
- 8 including increasing the limit for solid waste accepted by a Class II disposal site
- 9 from less than 20 tons to less than 100 tons per day on an annual average.



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

1 **Section 1.** NRS 444.560 is hereby amended to read as follows:
2 444.560 1. The State Environmental Commission shall adopt
3 regulations concerning solid waste management systems, or any part
4 thereof, including regulations establishing standards for the
5 issuance, renewal, modification, suspension, revocation and denial
6 of, and for the imposition of terms and conditions for, a permit to
7 construct or operate a disposal site.

8 2. *The regulations adopted pursuant to subsection 1 must*
9 *include provisions relating to the operation of Class I, Class II and*
10 *Class III sites. Except as otherwise provided in subsection 3, the*
11 *State Environmental Commission shall not adopt regulations*
12 *pursuant to this section that apply to any disposal site other than a*
13 *Class I, Class II or Class III site.*

14 3. The State Environmental Commission may establish a
15 schedule of fees for the disposal of solid waste in areas subject to
16 the jurisdiction of the State Department of Conservation and Natural
17 Resources in accordance with NRS 444.495 or for the issuance of
18 permits or other approvals by the Department for the operation of
19 solid waste management facilities. The Department may use the
20 money collected under the schedule to defray the cost of managing
21 and regulating solid waste.

22 ~~13-1~~ 4. Notice of the intention to adopt and the adoption of any
23 regulation or schedule of fees must be given to the clerk of the
24 governing board of all municipalities in this State.

25 ~~14-1~~ 5. Within a reasonable time, as fixed by the State
26 Environmental Commission, after the adoption of any regulation, no
27 governing board of a municipality or person may operate or permit
28 an operation in violation of the regulation.

29 6. *As used in this section:*

30 (a) *"Class I site" means a disposal site which:*

31 (1) *Is comprised of at least one municipal solid waste*
32 *landfill unit including all contiguous land and structures, other*
33 *appurtenances and improvements on the land used for the*
34 *disposal of solid waste; and*

35 (2) *Is not a Class II or Class III site.*

36 (b) *"Class II site" means a disposal site:*

37 (1) *Which is comprised of at least one municipal solid*
38 *waste landfill unit;*

39 (2) *Which accepts less than 100 tons of solid waste per day*
40 *on an annual average;*

41 (3) *For which there is no evidence of contamination of*
42 *groundwater originating from the site;*



1 (4) Which serves a community that has no other practicable
2 alternatives for waste management; and

3 (5) Which is located in an area which annually receives not
4 more than 25 inches of precipitation.

5 ↪ The term includes all contiguous land and structures, other
6 appurtenances and improvements on the land used for the
7 disposal of solid waste.

8 (c) “Class III site” means a disposal site which accepts only
9 industrial solid waste.

10 **Sec. 2.** This act becomes effective on July 1, 2013.

