

PERMIT REQUIREMENTS FOR DEVELOPMENT OF ENERGY
AND OTHER SELECTED NATURAL RESOURCES FOR THE
STATE OF NEVADA

PREPARED FOR
FOUR CORNERS REGIONAL COMMISSION
AND THE
U.S. GEOLOGICAL SURVEY

BY CAMP DRESSER AND MCKEE, INC.

Statements of opinion and/or recommendations are those of the authors and do not necessarily reflect the official opinion of the Four Corners Regional Commission, any of its members States, or the U.S. Geological Survey.

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and Natural Resources
201 South Fall Street or
Room 214
Carson City, Nevada 89701

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760 National Center
Reston, Virginia 22092

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STATE PERMIT REQUIREMENTS FOR DEVELOPMENT OF
ENERGY AND OTHER SELECTED NATURAL RESOURCES

STATE PERMIT GUIDES WILL BE AVAILABLE BY JANUARY 1982
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Montana	81-1267	Wyoming	81-1287

Publication dates for all permit guides are from August to
December 1981

SECTION 1.0

INTRODUCTION

INTRODUCTION

This guidebook is one of a series prepared for every State. The purpose of the guidebook is to summarize environmental and land-use permits issued by the State for the development of energy and other natural resources. The guidebook is intended not only for private developers and interest groups, but also for regulatory officials of Federal, State, and local government as well.

All State agencies having jurisdiction over the permits, licenses, and approvals described in this guidebook helped to prepare it, and they reviewed the final draft of each summary for accuracy and completeness. Users of this guidebook should be aware, however, that changes in the laws, rules and regulations, or regulatory personnel since the guidebook was published may cause significant changes in permit requirements.

The guidebook should not be construed as a legal document or a final authority on permits for the State of Nevada, it is not intended to be a comprehensive reference to the specific requirements of each permit, but to provide concise, easy-to-use information on the State regulations that govern the development of such resources. Before attempting to obtain a permit or begin any activity that might require a permit, you should contact the appropriate State agency for further details.

The guidebook is divided into seven sections. Sections 1.0, 2.0, and 7.0 discuss introductory information, consolidated permit programs for the State of Nevada, and local regulatory policies, respectively. The remaining sections discuss permits that apply to Resource Extraction, Land Use Regulation, Environmental Quality Management, and Social/Ecological Preservation. Each section is divided into chapters; each chapter summarizes one permit, license, or approval. Permits administered by a single agency are generally grouped together in each section.

Each permit is discussed in the standard format shown on pages 2 and 3:

STANDARD FORMAT FOR PERMIT SUMMARIES

CHAPTER 0.0

TITLE OF ACTIVITY ADDRESSED BY PERMIT, LICENSE OR APPROVAL

INTRODUCTION

Description of administering agency and its role

A. NAME OF PERMIT OR APPROVAL:

Complete name of permit or approval with notation indicating mandate by state (S) or federal (F) government

B. STATUTORY AUTHORITY:

Title of state statutes authorizing permit and the legal citations of each with notation indicating pending changes (P) to the statute(s)

C. TITLE OF REGULATION:

Title of state regulation(s) which apply to permit with notation indicating pending changes (P) to the regulation(s)

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

Summary of major steps involved in the permit/approval process

1. Applicability

Includes all types of activities which require the permit

2. General Requirements

Conditions which must be met by the project sponsor before a permit can be acquired; excluding Submissions or Operations Requirements

3. Submission Requirements

Types of information which the project sponsor must include in the application for the permit

CHAPTER 0.0 (concluded)

4. Procedures for Obtaining Permit or Approval

Includes information on items such as submittal procedures, completeness and technical review, public notice, comment and hearing periods, preliminary and final decisions, inspections, and processing times

5. Operations Requirements

Conditions which are established by the regulatory agency following permit approval and which must be met by the project sponsor in order to continue operations

6. Fees

Costs incurred for obtaining and maintaining the permit

7. Appeal Process

Process whereby decisions concerning permit approval/denial that are made by a regulatory agency can be appealed

E. ADMINISTERING AGENCY:

Name of the administering agency and its director, address, and telephone number

Name of the counterpart federal agency and its director, address, and telephone number

SECTION 2.0

STATE POLICY AND PROCEDURES
FOR CONSOLIDATED PERMIT PROGRAM

CHAPTER 2.1

STATE CLEARINGHOUSE OR ONE-STOP PERMIT AGENCY

No state clearinghouse or one-stop permit agency exists for a consolidated permit program in the State of Nevada at this time.

SECTION 3.0
RESOURCE EXTRACTION

CHAPTER 3.1

NOTIFICATION: OPENING AND CLOSING OF MINING OPERATIONS

INTRODUCTION

The Nevada State Inspector of Mines (NSIM), within the Nevada Industrial Commission, must be notified of any mine start-up or shut-down, under the authority of Nevada Revised Statutes, Chapter 512. The Inspector of Mines inspects mines for the purpose of safety and health of the workers, investigates accidents in mines, and develops and conducts programs for the education and training of mine operators and workers in accident prevention.

A. NAME OF PERMIT OR APPROVAL:

- Notification: Opening and Closing of Mining Operations (S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes (NRS), 512.160

C. TITLE OF REGULATION:

- Inspector of Mines

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- All mining operations as listed in NRS, 512.006, "Mine" defined

2. General Requirements

- Permit or approval is not needed, but the NSIM must be notified of mine start-up or shut-down

3. Submission Requirements

- Name and location of mine
- Name and address of operator
- Name of the person in charge of the operation
- Statement of whether the operation will be continuous or intermittent
- Upon closing, statement of whether the closing is temporary or permanent

CHAPTER 3.1 (continued)

4. Procedures for Obtaining Permit or Approval

- Applicant submits Notification (Form M0-12) to NSIM

5. Operations Requirements

- Applicant must comply with State of Nevada Health and Safety Standards for open pit and underground mines, and sand, gravel, and crushed stone operations

6. Fees

- None

7. Appeal Process

- None

E. ADMINISTERING AGENCY:

State Agency:

- State Inspector of Mines
Nevada Industrial Commission
515 East Musser Street
Carson City, Nevada 89714
(702) 885-5243

Federal Agency:

- U. S. Department of Labor
Mine Safety and Health Administration (MSHA)

CHAPTER 3.2

PERMIT TO DRILL OIL AND GAS WELLS

INTRODUCTION

The Nevada Division of Mineral Resources (NDMR), within the Department of Conservation and Natural Resources, has responsibility for issuing permits to drill oil and gas wells, under the authority of Nevada Revised Statutes, Chapter 522. The purpose of this permit is to prevent drilling at improper locations, which could cause unfavorable situations for all persons involved.

A. NAME OF PERMIT OR APPROVAL:

- Permit to Drill Oil and Gas Wells (S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes (NRS), 522. 040 and 522.050 (P)

C. TITLE OF REGULATION:

- Regulations and Rules of Practice and Procedure, adopted pursuant to NRS, 522.040 (3) and NRS, 233B.050 (P)

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Any person desiring to drill a well in search of oil or gas within the boundaries of the State of Nevada

2. General Requirements

- A permit must be obtained prior to drilling of any wells in search of oil and gas

3. Submission Requirements

- Organization chart (Form 1)
- Application for permit to drill oil and gas wells (Form 2)
- Evidence of a federal bond for drilling on a federal lease must be included in the space provided on Application (Form 2)

CHAPTER 3.2 (continued)

- If the well is to be drilled on state or private land, Drilling Bond (Form 3 or 3a) must accompany the application
- Statutory fee
- Location plat prepared by a land surveyor licensed in Nevada

4. Procedures for Obtaining Permit or Approval

- Applicant completes and submits the appropriate forms, location plat, and statutory fee to NDMR
- Application and location of well are reviewed
- Unless the drilling of the well is contrary to laws, rules, regulations, or order of the NDMR, permit is approved and assigned a state permit number
- Total estimated processing time, 1 to 2 weeks
- Expires 24 months after date of issuance

5. Operations Requirements

- Following approval, permittee must comply with the regulations of NDMR and NRS, Chapter 522

6. Fees

- \$50.00 for each Application for Permit to Drill Oil and Gas Wells

7. Appeal Process

- Any interested person desiring a hearing must submit application in triplicate, stating the purpose or subject for which hearing is sought, to NDMR

E. ADMINISTERING AGENCY:

Administrator
Nevada Division of Mineral Resources
201 South Fall Street
Carson City, Nevada 89710
(702) 885-4368

CHAPTER 3.3

CONSTRUCTION PERMIT FOR NEW ELEVATORS, ESCALATORS, DUMBWAITERS, AND MOVING WALKS

INTRODUCTION

The Nevada Department of Occupational Safety and Health (NDOSH) has responsibility for issuance of permits for new elevators, escalators, dumbwaiters, and moving walks, under the authority of the Nevada Occupational Safety and Health Act. The purpose of this permit is to assure compliance with such regulations as adopted by NDOSH to provide safe and healthful employment.

A. NAME OF PERMIT OR APPROVAL:

- Construction Permit for New Elevators, Escalators, Dumbwaiters, and Moving Walks (S)

B. STATUTORY AUTHORITY:

- Nevada Occupational Safety and Health Act
- Nevada Revised Statutes (NRS), 618 (added to NRS by 1973, 1010)

C. TITLE OF REGULATION:

- Occupational Safety and Health

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Assembly, installation, testing, and inspection of elevators, escalators, dumbwaiters, and moving walks

2. General Requirements

- All equipment shall be installed to comply with Nevada State Elevator, Escalator, Dumbwaiter, and Moving Walks Rules and Regulations, and American National Standards Institute (ANSI), A17.1, Elevator Code Provisions. The issuance of construction permits is based entirely on plans and information submitted by the installer
- Failure to obtain construction permit results in doubling fee cost as penalty

CHAPTER 3.3 (continued)

- o If construction begins prior to obtaining this permit, work will be suspended until the permit is obtained by the installer

3. Submission Requirements

- o Plans
- o Blueprints
- o Manufacturer's Data
- o Check for the amount of 0.25 percent of installation cost
- o Letter with contract number requesting construction permit

4. Procedures for Obtaining Permit or Approval

- o Applicant submits two copies of plans, blueprints, manufacturer's data, letter with contract number requesting construction permit, and check to NDOSH
- o One copy of all information is forwarded for review to senior elevator inspector in the area where construction site is located
- o After review, senior inspector furnishes NDOSH with memorandum of acceptability
- o Final approval by NDOSH
- o NDOSH returns permit and one set of plans to contractor

5. Operations Requirements

- o Permit must be posted on first floor entrance to elevator shafting at all times
- o Installation must comply with Nevada State Rules and Regulations, and ANSI, A17.1

6. Fees

- o Advance fee of 0.25 percent of total installation cost
- o Failure to obtain construction permit results in doubling of fee cost and penalty

CHAPTER 3.3 (concluded)

7. Appeal Process

- No appeal process exists. Issuance of construction permit is based entirely on compliance with ANSI, A17.1

E. ADMINISTERING AGENCY:

Mechanical Inspection Coordinator
Nevada Department of Occupational Safety and Health, Mechanical Section
515 East Musser Street
Carson City, Nevada 89714
(702) 855-5249

CHAPTER 3.4

OPERATING PERMIT FOR NEW ELEVATORS, ESCALATORS, DUMBWAITERS, AND MOVING WALKS

INTRODUCTION

The Nevada Department of Occupational Safety and Health (NDOSH) has responsibility for issuance of operating permits for new elevators, escalators, dumbwaiters, and moving walks, under the authority of the Nevada Occupational Safety and Health Act. The purpose of this permit is to assure compliance with such regulations as adopted by NDOSH to provide safe and healthful employment.

A. NAME OF PERMIT OR APPROVAL:

- Operating Permit for New Elevators, Escalators, Dumbwaiters, and Moving Walks (S)

B. STATUTORY AUTHORITY:

- Nevada Occupational Safety and Health Act
- Nevada Revised Statutes (NRS), 618 (added to NRS by 1973, 1010)

C. TITLE OF REGULATION:

- Occupational Safety and Health

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- All elevator equipment

2. General Requirements

- A construction permit must be obtained prior to obtaining the operating permit
- The owner of elevator equipment must obtain a valid operations permit prior to operating
- Operating permit is not issued until there is full compliance with all requirements

CHAPTER 3.4 (continued)

3. Submission Requirements

- Name of owner/user
- Location of installation
- Authorized inspector's inspection report

4. Procedures for Obtaining Permit or Approval

- Applicant submits application for installation to NDOSH
- Applicant arranges by inspection for authorized inspectors report
- Final review and approval (based on inspector's report) by NDOSH

5. Operations Requirements

- All elevator equipment installations within NDOSH jurisdiction must comply with American National Standards Institute (ANSI), A17.1, Elevator Code Provisions

6. Fees

- If inspection is made by authorized inspector other than state inspector, a fee of \$10.00 is required for issuance of permit

7. Appeal Process

- No appeal process exists, issuance of operating permit is based entirely on compliance with ANSI, A17.1

E. ADMINISTERING AGENCY:

Mechanical Inspection Coordinator
Nevada Department of Occupational Safety and Health, Mechanical Section
515 East Musser Street
Carson City, Nevada 89714
(702) 885-5249

CHAPTER 3.5

BOILER OR PRESSURE VESSEL OPERATING PERMIT

INTRODUCTION

The Nevada Department of Occupational Safety and Health (NDOSH) has responsibility for issuance of permits for operation of boilers or pressure vessels, under the authority of Nevada Occupational Safety and Health Act. The purpose of this permit is to assure compliance with such regulations as adopted by NDOSH to provide safe and healthful employment.

A. NAME OF PERMIT OR APPROVAL:

- Boiler or Pressure Vessel Operating Permit (S)

B. STATUTORY AUTHORITY:

- Nevada Occupational Safety and Health Act
- Nevada Revised Statutes (NRS), 618 (added to NRS by 1973, 1010)

C. TITLE OF REGULATION:

- Occupational Safety and Health

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Operation of a boiler or pressure vessel under the jurisdiction of NDOSH

2. General Requirements

- The owner or user of a boiler or pressure vessel must obtain a valid operations permit prior to operating
- Operating permit is not issued until full compliance with all requirements
- Construction permit is not required for boilers or pressure vessels, but a notification of installation to NDOSH is required

CHAPTER 3.5 (continued)

3. Submission Requirements

- Name of owner/user
- Location of installation
- One copy of the American Society of Mechanical Engineers (ASME) Boiler or Pressure Vessel Data Report
- Authorized inspector's inspection report

4. Procedures for Obtaining Permit or Approval

- Applicant submits application for installation along with ASME data report to NDOSH
- Applicant arranges for inspection for authorized inspector's report
- Final review and approval (based on inspector's report) by NDOSH

5. Operations Requirements

- All boilers or pressure vessel installations within NDOSH jurisdiction must comply with the ASME Boiler and Pressure Vessel Code and the NDOSH Boiler and Pressure Vessel Rules and Regulations

6. Fees

- If inspection is made by an authorized inspector other than a state inspector, a fee of \$10.00 is required for issuance of permit

7. Appeal Process

- No appeal process exists. Issuance of operating permit is based entirely on compliance with ASME Boiler and Pressure Vessel Code and the NDOSH Boiler and Pressure Vessel Rules and Regulations

E. ADMINISTERING AGENCY:

Mechanical Inspection Coordinator
Nevada Department of Occupational Safety and Health
515 East Musser Street
Carson City, Nevada 89714
(702) 885-5249

SECTION 4.0
LAND USE REGULATIONS

CHAPTER 4.1

PERMIT TO ALLOW MULTIPLE USE OF NEVADA STATE PARK LANDS

INTRODUCTION

The Nevada Division of State Parks (NDSP), within the Department of Conservation and Natural Resources, has responsibility for issuance of permits to allow multiple use of Nevada State Park Lands, under the authority of Nevada Revised Statutes, Chapter 407. The purpose of this permit is to prevent non-beneficial use of State Park Lands.

A. NAME OF PERMIT OR APPROVAL:

- Permit to Allow Multiple Use of Nevada State Park Lands (S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes, 407.065

C. TITLE OF REGULATION:

- General Powers of the Administrator for NDSP

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Any person wishing to explore for mineral and/or energy resources on Nevada State Park lands

2. General Requirements

- Permits are not issued except in times of extreme national emergency or need

3. Submission Requirements

- Detailed plan including:
 - Legal description of affected area
 - Description of methods and equipment to be used
 - Description of effects to environment and proposed mitigation measures

CHAPTER 4.1 (continued)

4. Procedures for Obtaining Permit or Approval

- Applicant submits application to Administrator, NDSP
- Review by NDSP staff
- Review by State Park Advisory Commission
- Administrator and/or Director of Department of Conservation and Natural Resources approves or denies application

5. Operations Requirements

- Vary with each application

6. Fees

- None

7. Appeal Process

- None available, the State of Nevada reserves sole rights of acceptance or rejection of applications

E. ADMINISTERING AGENCY:

Administrator
Nevada Division of State Parks
Department of Conservation and Natural Resources
Capitol Complex
Carson City, Nevada 89710
(702) 885-4384

CHAPTER 4.2

LOGGING PERMIT

INTRODUCTION

The Nevada Division of Forestry (NDF), within the Department of Conservation and Natural Resources, has responsibility for issuance of logging permits, under the authority of Nevada Revised Statutes (NRS), Chapter 528. The purpose of this permit is to regulate commercial harvesting of timber on state or private lands within Nevada.

A. NAME OF PERMIT OR APPROVAL:

- Logging Permit (S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes (NRS), 528.042

C. TITLE OF REGULATION:

- Forest Practice

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Commercial harvesting of timber on state or private lands within Nevada

2. General Requirements

- Any timber owner or agent must secure a logging permit from the State Forester/Firewarden prior to engaging in a logging operation

3. Submission Requirements

- Application
- Logging Plan
- Topographic map showing boundaries, roads, structures, and landings
- Volume of timber to be removed
- Time required for removal of timber

CHAPTER 4.2

- Percent merchantable volume to be removed and composition of residual stand
- Revegetation plan
- Slash-disposal/clean-up plans
- Road construction specifications and erosion control measures
- Outline of fire prevention and protection plans
- Description of tools and equipment suitable and available for fire suppression
- Availability of manpower for fire suppression

If variance is requested pursuant to NRS, 528.048, the applicant may also be requested to include:

- Soil characteristics
- Reproduction capability
- Ground and litter cover
- Soil erosion hazards
- Natural drainages
- Percent gradient and aspect of slopes
- Description of method of logging
- Equipment to be used

4. Procedures for Obtaining Permit or Approval

- Applicant submits application to nearest NDF office
- Final review and approval or denial by NDF (permit must be acted upon within 45 days of receiving)
- Denial for any of the following reasons:
 - Applicant is not the real party of interest
 - Material misrepresentation or false statement
 - Failure to comply with forest cutting practices
 - Logging operation as planned will cause undue soil erosion or siltation

CHAPTER 4.2 (concluded)

- Failure to correct a previous violation within 3 years prior to current application
- Inadequate performance bond

5. Operations Requirements

- No person may engage in tractor logging on a slope gradient 30 percent or more without obtaining a variance
- Applicant must not log within 300 feet of any stream
- Applicant must comply with state cutting practices
- Applicant must comply with skidding practices

6. Fees

- A performance bond amount is set by the State Forester/Firewarden, based on the contract price or value of timber to be harvested

7. Appeal Process

- Within 10 days after receipt of any denial, an applicant may request a hearing with the State Forester/Firewarden

E. ADMINISTERING AGENCY:

State Forester/Firewarden
Nevada Division of Forestry
201 South Fall Street
Carson City, Nevada 89710
(702) 885-4350

CHAPTER 4.3

HARVESTING PERMIT

INTRODUCTION

The Nevada Division of Forestry (NDF), within the Department of Conservation and Natural Resources, has responsibility for issuance of permits to commercially harvest Christmas trees, yucca, and/or cacti, under the authority of Nevada Revised Statutes, Chapter 527. The purpose of this permit is to prevent uncontrolled harvesting, which could displease landowners or endanger plant species.

A. NAME OF PERMIT OR APPROVAL:

- Harvesting Permit (S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes, 527.070

C. TITLE OF REGULATION:

- Protection of Christmas Trees, Cacti, and Yucca

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Commercial Christmas trees, cacti, and yucca harvesting on state, private, or county lands in Nevada

2. General Requirements

- Commercial collector or harvester must register with NDF 10 days prior to collecting or harvesting
- Applicant must have landowner's written permission to collect
- Tags must be purchased for trees, cacti, or yucca
- Commercial shipping permit required

3. Submission Requirements

- Landowner's permission
- Legal description of land
- Number, by species, to collect

CHAPTER 4.3 (continued)

- License numbers of vehicles involved in shipping
4. Procedures for Obtaining Permit or Approval
- Applicant receives landowner's permission for harvesting
 - Applicant submits registration application to NDF
 - NDF contacts landowner involved with harvest to verify
 - Landowner's permission
 - Land must contain adequate numbers and species requested on registration form
 - Land ownership verified at County Assessor's office
 - Final review and approval by NDF
 - Tags sold for plants by NDF
 - Commercial shipping tags and permits are issued to harvester providing
 - Tags are attached to plant prior to shipping
 - Commercial shipping only within the State of Nevada
5. Operations Requirements
- Applicant must comply with all stipulations in the permit
6. Fees
- Tag fees
 - Christmas tree tags, \$.10 each
 - Cacti and Yucca tags, \$1.00 each
7. Appeal Process
- Within 10 days after receipt of any denial, an applicant may request a hearing with the State Forester/Firewarden

E. ADMINISTERING AGENCY:

Nevada Division of Forestry
State Mail Room Complex
Las Vegas, Nevada 89158
(702) 385-0123

CHAPTER 4.4

LEASE - EASEMENT

INTRODUCTION

The Nevada Division of State Lands (NDSL), within the Department of Conservation and Natural Resources, has responsibility for issuance of leases and/or easements, under the authority of Nevada Revised Statutes, Chapter 322. The purpose of this permit is to regulate construction of bridges, pipelines, and water or sewer lines to protect the environment.

A. NAME OF PERMIT OR APPROVAL:

- Lease - Easement (S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes, 322, Lease of State Lands

C. TITLE OF REGULATION:

- None

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Bridges, pipelines, water, and sewer lines, etc.
- Applicable not only to state lands but also all navigable bodies of water (rivers)

2. General Requirements

- Conditions of approval will vary according to the project and area
- An Environmental Impact Statement is not required in Nevada for state or local projects

3. Submission Requirements

- Method of operation
- Construction plans
- Legal description
- Time frame for use

CHAPTER 4.4 (continued)

4. Procedures for Obtaining Permit or Approval

- Applicant submits application to NDSL
- Application sent to interested agencies for review and comment
- On-site inspection on all proposals by NDSL
- Final review and approval by NDSL

5. Operations Requirements

- Depends on individual project

6. Fees

- Lease fees are negotiated

7. Appeal Process

- Any denial may be appealed to the Director of the Department of Conservation and Natural Resources; this constitutes final administrative review
- Next appeal is to the courts

E. ADMINISTERING AGENCY:

Administrator
Nevada Division of State Lands
201 South Fall Street, Room 120
Carson City, Nevada 89710
(702) 885-4363

CHAPTER 4.5

NEVADA STATE LANDS PERMIT

INTRODUCTION

The Nevada Division of State Lands (NDSL), within the Department of Conservation and Natural Resources, has responsibility for issuance of Nevada State Lands permits, under the authority of Nevada Revised Statutes (NRS), Chapter 445. The purpose of this permit is to regulate pier construction, buoy placement, and dredging for environmental protection.

A. NAME OF PERMIT OR APPROVAL:

- Nevada State Lands Permit (S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes, 445.080, Protection of Lake Tahoe and Its Watershed

C. TITLE OF REGULATION:

- Regulations Governing Pier Construction, Deposit of Fill, Dredging or Alteration of Lake Tahoe Shoreline

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Pier construction, buoy placement, dredging

2. General Requirements

- Conditions of approval will vary according to the project and area
- An Environmental Impact Statement is not required in Nevada for state or local projects

3. Submission Requirements

- Method of operation
- Construction plans
- Legal description
- Time frame for use

CHAPTER 4.5 (continued)

4. Procedures for Obtaining Permit or Approval

- Applicant submits 3 copies of plans to NDSL
- Review period
 - 30 days, general
 - 90 days, if objections raised (includes hearing)
- Technical review by Nevada Department of Wildlife and Nevada Division of Environmental Protection
- On-site inspection on the proposals by NDSL
- Final review and approval by NDSL

5. Operations Requirements

- Depends on individual project

6. Fees

- No fees required for Lake Tahoe and navigable waters

7. Appeal Process

- Any denial may be appealed to the Director of the Department of Conservation and Natural Resources; this constitutes final administrative review
- Next appeal is to the courts

E. ADMINISTERING AGENCY:

State Agency:

- Administrator
Nevada Division of State Lands
201 South Fall Street, Room 120
Carson City, Nevada 89710
(702) 885-4363

CHAPTER 4.5 (concluded)

Bi-State Agency:

- Tahoe Regional Planning Agency

Federal Agency:

- U.S. Department of the Army, Corps of Engineers

CHAPTER 4.6

PERMIT TO CONSTRUCT UTILITY FACILITIES

INTRODUCTION

The Nevada Public Service Commission (NPSC) has responsibility for issuance of permits to construct utility facilities, under the authority of the Utility Environmental Protection Act. The purpose of this permit is to minimize any adverse effects which new facilities might cause upon the environment and upon the quality of life of the people of the state.

A. NAME OF PERMIT OR APPROVAL:

- Permit to Construct Utility Facilities (S)

B. STATUTORY AUTHORITY:

- Utility Environmental Protection Act (UEPA)
- Nevada Revised Statutes (NRS), 704.820 through 704.900 (1971)

C. TITLE OF REGULATION:

- General Order No. 3: Rules of Practice and Procedure Before the Public Service Commission: Rule 25, Application for UEPA Permit to Construct Utility Facilities

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Construction of certain qualifying "utility facilities" as defined in NRS, 704.860 by "public utilities", or "utilities" as defined in NRS, 704.855

2. General Requirements

- A utility facility construction permit must be obtained prior to starting construction of any qualifying utility facility

3. Submission Requirements

- Cover sheet
- Summary
- Utility facility location
- Purpose and need
- Proposed alternatives

CHAPTER 4.6 (concluded)

- Study summary
- Contributors
- Other required approvals
- Service of application
- Publication of notice of application

4. Procedures for Obtaining Permit or Approval

- Applicant submits original application and 7 copies with \$200 filing fee to NPSC
- NPSC staff investigation and review of application
- 45-day public notice, any protests or comments received
- Hearing held, unless dispensed with if there are no protests
- Final review and decision (approval or denial) by NPSC
- No outside statutory limit for processing time

5. Operations Requirements

- Any compliance requirements are set forth in the order granting the permit application

6. Fees

- \$200 filing fee

7. Appeal Process

- Rehearing and appeal to district court for any party aggrieved by final order on rehearing

E. ADMINISTERING AGENCY:

Secretary
Public Service Commission of Nevada
Kinkead Building, 3rd Floor
505 East King Street
Carson City, Nevada 89710
(702) 885-4180

SECTION 5.0
ENVIRONMENTAL QUALITY MANAGEMENT

CHAPTER 5.1

AIR QUALITY - PERMIT TO CONSTRUCT

INTRODUCTION

The Nevada Division of Environmental Protection (NDEP), Air Quality Section, within the Department of Conservation and Natural Resources, has responsibility for issuance of air quality permits to construct, under the authority of Nevada Revised Statutes, Chapter 445. The purpose of this permit is to ensure that adequate air pollution control equipment is used in industrial processes to minimize air pollution.

A. NAME OF PERMIT OR APPROVAL:

- Air Quality - Permit to Construct (Registration Certificate) (S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes, 445.401 through 445.601 (inclusive)

C. TITLE OF REGULATION:

- Nevada Air Quality Regulations (P)

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Boilers over 4 million Btu
- Incinerators
- Mining Operations
- Asphalt plants
- Cement plants
- Power plants
- Other industrial processes

2. General Requirements

- Adequate pollution control equipment is required
- Ambient air quality monitoring may be required

CHAPTER 5.1 (continued)

- o Registration Certificates are required for new and/or modified sources of air pollution only in those counties where there is no approved local air pollution control agency
- o In counties with approved air pollution control agencies, those agencies should be contacted (Clark and Washoe counties and Carson City)

3. Submission Requirements

- o Capacity
- o Control equipment
- o Description of source
- o Topographical map
- o Air quality impact analysis for large sources

4. Procedures for Obtaining Permit or Approval

- o Applicant submits complete application to NDEP
- o Review by NDEP, 15 days
- o Public notice and comment, 30 days
- o Final review of comments and final action (approval or denial) by NDEP, 30 days
- o Total estimated processing time, 75 days
- o Construction must begin within one year of issuance

5. Operations Requirements

- o The Nevada Air Quality Regulations or Registration Certificate restrictions must not be violated

6. Fees

- o \$10.00

7. Appeal Process

- o Any person may request a public hearing within 2 weeks of public notice of proposed action for issuance of construction certificate, and hearing will be scheduled

CHAPTER 5.1 (concluded)

E. ADMINISTERING AGENCY:

Air Quality Officer
Air Quality Section
Nevada Division of Environmental Protection
201 South Fall Street
Capitol Complex
Carson City, Nevada 89710
(702) 885-4670

CHAPTER 5.2

AIR QUALITY - PERMIT TO OPERATE

INTRODUCTION

The Nevada Division of Environmental Protection (NDEP), Air Quality Section, within the Department of Conservation and Natural Resources, has responsibility for issuance of air quality permits to operate, under the authority of Nevada Revised Statutes, Chapter 445. The purpose of this permit is to control air pollution which may be emitted by industrial processes and which could cause violation of the ambient air quality standards.

A. NAME OF PERMIT OR APPROVAL:

- o Air Quality - Permit to Operate (S)

B. STATUTORY AUTHORITY:

- o Nevada Revised Statutes, 445.401 through 445.601 (inclusive)

C. TITLE OF REGULATION:

- o Nevada Air Quality Regulations (P)

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- o Boilers over 4 million Btu
- o Incinerators
- o Mining operations
- o Asphalt plants
- o Cement plants
- o Power plants
- o Other industrial processes

2. General Requirements

- o Adequate pollution control equipment is required
- o Ambient air quality monitoring may be required
- o Operating permits are required for sources of air pollution control only in those counties where there is no approved local air pollution control agency

CHAPTER 5.2 (continued)

- In counties with approved air pollution control agencies, those agencies should be contacted (Clark and Washoe counties and Carson City)

3. Submission Requirements

- Capacity
- Control equipment
- Description of source
- Topographical map
- Air quality impact analysis for large sources

4. Procedures for Obtaining Permit or Approval

- Inspection by NDEP or testing by source for proof of compliance completed within 180 days of startup
- Final approval by NDEP

5. Operations Requirements

- The Nevada Air Quality Regulations or Operating Permit restrictions must not be violated

6. Fees

- Operating Permit - \$50.00, adequate for 5 years

7. Appeal Process

- None

E. ADMINISTERING AGENCY:

Air Quality Officer
Air Quality Section
Nevada Division of Environmental Protection
201 South Fall Street
Capitol Complex
Carson City, Nevada 89710
(702) 885-4670

CHAPTER 5.3

APPROVAL TO OPERATE A SOLID WASTE SYSTEM

INTRODUCTION

The Nevada Division of Environmental Protection (NDEP), Waste Management Section, within the Department of Conservation and Natural Resources, has responsibility for approval to operate solid waste systems, under the authority of Nevada Revised Statutes, Chapter 444. The purpose of this permit is to prevent improper operation of the system which could cause unsafe health conditions or environmental problems.

A. NAME OF PERMIT OR APPROVAL:

- Approval to Operate a Solid Waste System (S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes, 444.440 through 444.620, Solid Waste Disposal (P)

C. TITLE OF REGULATION:

- Nevada Regulations Governing Solid Waste Management

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Solid waste management activities except where exempt by statute (i.e. agricultural waste)

2. General Requirements

- An Approval to Operate must be obtained prior to operation of any solid waste system
- Approvals to Operate are required for sources of waste management control only in those counties where there is no approved local waste management agency
- In counties with approved waste management control agencies, those agencies should be contacted (Clark and Washoe counties)
- This approval is primarily for disposal and treatments; other aspects are addressed through local ordinances

CHAPTER 5.3 (continued)

3. Submission Requirements

- Location information
- Design information
- Operation and maintenance information consistent with regulations

4. Procedures for Obtaining Permit or Approval

- Applicant submits information (no form available) to NDEP
- Review by NDEP staff and local government
- Request for additional information, or changes
- On-site inspection
- Final approval to operate by NDEP and local government

5. Operations Requirements

- Applicant must comply with all regulation requirements and pass quarterly inspections by NDEP

6. Fees

- None

7. Appeal Process

- Appeal to the State Environmental Commission

E. ADMINISTERING AGENCY:

Program Director
Waste Management Section
Nevada Division of Environmental Protection
Department of Conservation and Natural Resources
Capitol Complex
201 South Fall Street
Carson City, Nevada 89710
(702) 885-4670

CHAPTER 5.4

HAZARDOUS WASTE MANAGEMENT

Applicant should contact the Nevada Division of Environmental Protection for details concerning hazardous waste management regulations: (702) 885-4670.

CHAPTER 5.5

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

INTRODUCTION

The Nevada Division of Environmental Protection (NDEP), within the Department of Conservation and Natural Resources, has responsibility for issuance of NPDES permits, under the authority of Nevada Revised Statutes, Chapter 445. The purpose of this permit is to regulate discharge into "waters of the U.S." to prevent water pollution and protect the environment.

A. NAME OF PERMIT OR APPROVAL:

- NPDES Permit (S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes (NRS), 445.131 through 445.354, Nevada Water Pollution Control Law

C. TITLE OF REGULATION:

- State of Nevada Water Pollution Control Regulations

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Any activity which will or may result in a discharge of pollutants into the surface waters of the State of Nevada

2. General Requirements

- U.S. Environmental Protection Agency (EPA) has veto power
- For package treatment plants, a letter from the local governing body must be obtained stating the permittee has met the requirements of NRS, 445.2521
- Permit must be obtained prior to initiation of any construction activities

3. Submission Requirements

- Site plan
- Plans and specifications for sewage plant

CHAPTER 5.5 (continued)

- Soils information if applicable
- Floodplain and drainage area
- Drinking water sources in area

4. Procedures for Obtaining Permit or Approval

- Applicant submits application, fee, and supporting information to NDEP
- NDEP checks application for completeness, 30 days
- If complete, NDEP drafts a permit and sends to applicant, and EPA for comments, 30 days
- Public notice, and if necessary, hearing is held, 30-60 days
- Final approval and permit issuance by NDEP

5. Operations Requirements

- Permittee must comply with all conditions of permit
- Self-monitoring is required in the permit, and the permittee must submit quarterly Discharge Monitoring Report Summaries

6. Fees

- \$100.00 for each application fee plus \$25.00 for each additional point of discharge requested in the same application (\$100.00 covers one point of discharge)

7. Appeal Process

- Any person may appeal to the Nevada Environmental Commission if aggrieved by the issuance, denial, renewal, suspension, or revocation of a permit
- The Commission must hold a hearing within 20 days of receipt of the appeal

CHAPTER 5.5 (concluded)

E. ADMINISTERING AGENCY:

State Agency:

- Administrator
Nevada Division of Environmental Protection
Department of Conservation and Natural Resources
201 South Fall Street, Room 221
Carson City, Nevada 89710
(702) 885-4670

Federal Agency:

- U.S. Environmental Protection Agency, Region IX
215 Fremont Street
San Francisco, California
(415) 556-0102

CHAPTER 5.6

NEVADA STATE GROUND WATER PERMIT

INTRODUCTION

The Nevada Division of Environmental Protection (NDEP), within the Department of Conservation and Natural Resources, has responsibility for issuance of Nevada State ground water permits, under the authority of Nevada Revised Statutes, Chapter 445. The purpose of this permit is to prevent pollution of ground water and to protect the environment.

A. NAME OF PERMIT OR APPROVAL:

- o Nevada State Ground Water Permit (S)

B. STATUTORY AUTHORITY:

- o Nevada Revised Statutes (NRS), 445.131 through 445.354, Nevada Water Pollution Control Law

C. TITLE OF REGULATION:

- o State of Nevada Water Pollution Control Regulations

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- o Any activity which will or may result in a discharge of pollutants into subsurface water of the State of Nevada

2. General Requirements

- o Permit must be obtained prior to initiation of any construction activities
- o For package treatment plants, a letter from the local government body must be obtained stating the permittee has met the requirements of NRS, 445.2521

3. Submission Requirements

- o Site plan
- o Plans and specifications for sewage plant
- o Soils information, if applicable
- o Flood-plain and drainage area

CHAPTER 5.6 (continued)

- Drinking water sources in area

4. Procedures for Obtaining Permit or Approval

- Applicant submits application, fee, and supporting information to NDEP
- NDEP checks all applications for completeness, 30 days
- If complete, NDEP drafts a permit and sends to applicant for comments, 30 days
- Public notice and if necessary hearing is held, 30-60 days
- Final approval and permit issuance by NDEP

5. Operations Requirements

- Permittee must comply with all conditions of permit
- Self monitoring is required in the permit, and the permittee must submit quarterly Discharge Monitoring Report Summaries

6. Fees

- \$100.00 application fee plus \$25.00 for each additional point of discharge requested in the same application (\$100.00 covers one point of discharge)

7. Appeal Process

- Any person may appeal to the Nevada Environmental Commission if aggrieved by the issuance or revocation of a permit
- The Commission must hold a hearing within 30 days

E. ADMINISTERING AGENCY:

State Agency:

- Administrator
Nevada Division of Environmental Protection
Department of Conservation and Natural Resources
201 South Fall Street, Room 221
Carson City, Nevada 89710
(702) 885-4670

Federal Agency:

- U.S. Environmental Protection Agency, Region IX
215 Fremont Street
San Francisco, California
(415) 556-0102

CHAPTER 5.7

PERMIT TO APPROPRIATE PUBLIC WATERS

INTRODUCTION

The Nevada Division of Water Resources (NDWR), within the Department of Conservation and Natural Resources, has responsibility for permits to appropriate Nevada public waters, under the authority of Nevada Revised Statutes, Chapters 533 and 534. The purpose of this permit is to prevent possible interference with prior water rights and/or improper use of non-available waters.

A. NAME OF PERMIT OR APPROVAL:

- Permit to Appropriate Public Waters (S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes, 533 and 534

C. TITLE OF REGULATION:

- Regulations concerning preparation of maps under applications to appropriate water and proofs of appropriation
- Submission of application and procedure for obtaining permit are identified in statute

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- All use of water, both surface and underground, except wells used for one single family dwelling where use does not exceed 1,800 gallons per day

2. General Requirements

- A permit must be obtained prior to use of any surface or underground water except wells used for one single family dwelling where use does not exceed 1,800 gallons per day

CHAPTER 5.7 (continued)

3. Submission Requirements

- Name and address of applicant
- Source
- Purpose
- Point of diversion
- Place of use
- Manner of use
- Amount of use (flow rate and annual consumption)
- Period of use
- Map prepared by licensed Water Right Surveyor

4. Procedures for Obtaining Permit or Approval

- Applicant submits application, accompanied by map, to NDWR
- Application reviewed by NDWR staff for completeness
- Notice published in appropriate newspapers, once a week for 5 consecutive weeks
- Application held for protest 30 days after last publication
- If not protested, ready for action
- If protested possible informal field investigation and hearing
- Review by NDWR (for water availability and interference, with prior rights)
- Final action by NDWR
- Estimated processing time varies according to extent of proposal

CHAPTER 5.7 (concluded)

5. Operations Requirements

- Proof of completion and proof of beneficial use

6. Fees

- After 1 July 1981
 - Application fee: \$100
 - Permit fee (all uses but stockwater): \$100/cubic foot/second (cfs)
 - Permit fee (stockwater): \$50/cfs
- Dam permit fee: \$100 plus cost of inspection
- Proof fees: \$10
- Claim of vested right for surface water (claims prior to 1905): \$50

7. Appeal Process

- If permit is cancelled under the provisions of NRS 532.390, 533.395, or 533.140, the holder may file a written petition within 60 days, to the State Engineer for review at a public hearing
- Any person aggrieved by an order or decision may appeal to District Court within 30 days of rendition of order or decision

E. ADMINISTERING AGENCY:

State Engineer
Nevada Division of Water Resources
Department of Conservation and Natural Resources
201 South Fall Street
Carson City, Nevada 89710
(702) 885-4380

CHAPTER 5.8

DAM PERMIT

INTRODUCTION

The Nevada Division of Water Resources (NDWR), within the Department of Conservation and Natural Resources, has responsibility for issuance of dam permits, under the authority of Nevada Revised Statutes, Chapters 533 and 535. If the dams are to be constructed to store freshwater, a permit to store is also required. The purpose of this permit is to protect affected wildlife and prevent faulty construction which could cause hazards to life or property.

A. NAME OF PERMIT OR APPROVAL:

- Dam Permit (S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes, 533.055, 533.030, and 535.010 (P)

C. TITLE OF REGULATION:

- Laws and Regulations Pertaining to Dams

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Impoundments where the structure is 10 feet in height or impounding capacity is 10 acre-feet

2. General Requirements

- If freshwater impoundment, permit to store may also be required

3. Submission Requirements

- Location
- Size
- Height
- Cost

CHAPTER 5.8 (continued)

- Length
 - Storage capacity
 - Foundation investigation
4. Procedures for Obtaining Permit or Approval
- Applicant submits application with 3 sets of plans and specifications to NDWR (one application and one set of plans and specifications are sent to Department of Wildlife)
 - Final review and decision (approval or denial) by State Engineer
5. Operations Requirements
- Structure must not present a hazard to life or property
6. Fees
- Dam Permit: \$100 plus cost of inspection
 - Permit to Store: \$5.00
7. Appeal Process
- No appeal process for construction of dams
 - Statutory procedure for denial of application to store water

E. ADMINISTERING AGENCY:

Nevada Division of Water Resources
Capitol Complex
201 South Fall Street
Carson City, NV 89710
(702) 885-4380

CHAPTER 5.9

LICENSE FOR URANIUM OR THORIUM EXTRACTION PROCESS

INTRODUCTION

The Nevada Division of Health (NDH), within the Bureau of Consumer Health Protection Services, has responsibility for issuance of licenses for uranium or thorium extraction processes, under the authority of Nevada Revised Statutes, Chapter 459. The purpose of this permit is to regulate these extraction processes to prevent environmental hazards.

A. NAME OF PERMIT OR APPROVAL:

- License for Uranium or Thorium Extraction Process (F & S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes, 459

C. TITLE OF REGULATION:

- State of Nevada Regulation for Radiation Control

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Any uranium or thorium extraction processes

2. General Requirements

- Nevada is an agreement state; therefore, regulations for the extraction must be compatible with Nuclear Regulatory Commission (NRC) regulations

3. Submission Requirements

- NRC requirements

CHAPTER 5.9 (continued)

4. Procedures for Obtaining Permit or Approval

- Applicant submits application to NDH
- Application reviewed by NDH
- Final decision (approval or denial) by NDH

5. Operations Requirements

- Quarterly inspection (minimum)

6. Fees

- Currently
 - \$25,000 for license
 - \$25,000 per year for regulation

7. Appeal Process

- Usual administrative procedures act

E. ADMINISTERING AGENCY:

Supervisor, Radiological Health
Nevada State Health Division
Bureau of Consumer Health Protection Services
505 East King Street, Room 103
Carson City, Nevada 89710
(702) 885-4750
Toll-free line, (800) 992-0900

CHAPTER 5.10

PERMIT TO DISPOSE OF RADIOACTIVE WASTE AT STATE-OWNED AREAS

INTRODUCTION

The Nevada Division of Health (NDH), within the Bureau of Consumer Health Protection Services, has responsibility for issuance of permits to dispose of radioactive waste at state-owned areas, under the authority of Nevada Revised Statutes, Chapter 459. The purpose of this permit is to regulate disposal of this waste to prevent environmental hazards.

A. NAME OF PERMIT OR APPROVAL:

- Permit to Dispose of Radioactive Waste at State-owned Area (S)

B. STATUTORY AUTHORITY:

- Nevada Revised Statutes, 459

C. TITLE OF REGULATION:

- Regulation Governing Use of State-Owned Area for Disposal of Radioactive Waste

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Disposal of radioactive waste at state-owned site

2. General Requirements

- Waste must be packaged in accordance with federal and state regulations, and in compliance with conditions of site operator's license
- Certificate of indemnity is required
- Applicant required to contract with third party for inspection

CHAPTER 5.10 (continued)

- Site operator must be contacted for fiscal arrangements prior to shipment of radioactive waste to the site
- A permit is required for motor carrier transporting radioactive waste into Nevada and driver must report entering the state

3. Submission Requirements

- Name and address of the applicant
- Street address at which radioactive waste is stored
- Name, address, and telephone number of the chief executive of the company or institution
- Name, address, and telephone number of the person responsible for radiation safety
- Indicate whether transport will be by common carrier or private carrier and give name and address
- Indicate whether the radioactive waste shipment will be sent through a broker, if so, give name and address

4. Procedures for Obtaining Permit or Approval

- Applicant submits application to NDH
- Applicant obtains certification of indemnity
- Applicant contracts with third party inspection organization
- Inspection of generator
- After satisfactory inspection, permit is granted by NDH, Radiological Section

5. Operations Requirements

- Up to 4 unannounced inspections at generator's site by third party inspection organization
- Inspection of each load arriving at site by state inspector

CHAPTER 5.10 (concluded)

6. Fees

- Sufficient to defray costs of state inspector at site

7. Appeal Process

- Usual administrative procedure

E. ADMINISTERING AGENCY:

Supervisor, Radiological Health
Nevada State Health Division
Bureau of Consumer Health Protection Services
505 East King Street, Room 103
Carson City, Nevada 89710
(702) 885-4750
Toll-free line, (800) 992-0900

CHAPTER 5.11

NOISE REGULATIONS

No licenses, permits, or approvals exist for state or local regulation of noise in the State of Nevada at this time. Noise is handled as a nuisance and is generally controlled by the local law enforcement authority.

SECTION 6.0
SOCIAL/ECOLOGICAL PRESERVATION

CHAPTER 6.1

SPECIAL PERMIT: MODIFICATION OF HABITAT

INTRODUCTION

The Nevada Department of Wildlife (NDW) has responsibility for issuance of special permits for modification of wildlife habitat, under the authority of the Nevada Administrative Code. The purpose of this permit is to protect all wildlife which may be harmed by alteration of streams and other wildlife habitats.

A. NAME OF PERMIT OR APPROVAL:

- Special Permit: Modification of Habitat (S)

B. STATUTORY AUTHORITY:

- Nevada Administrative Code (NAC), 504.510 through 504.550

C. TITLE OF REGULATION:

- Wildlife Regulations adopted by the Board of Wildlife Commissioners

D. SUMMARY OF PERMIT/APPROVAL PROCESS:

1. Applicability

- Any person wishing to change or alter wildlife habitat, including thermal pollution

2. General Requirements

- A written approval from NDW must be obtained prior to altering any stream or wildlife habitat

3. Submission Requirements

- Detailed plans of construction and specifications or other activities which may affect or alter wildlife habitat

4. Procedures for Obtaining Permit or Approval

- Applicant submits plans and specifications to NDW

CHAPTER 6.1 (continued)

- NDW notifies applicant and makes recommendations which would eliminate or diminish adverse effects to wildlife habitat
- If no notice is given to applicant within 60 days, application deemed approved

5. Operations Requirements

- Applicant must comply with NAC and any stipulations set forth in the permit

6. Fees

- None

7. Appeal Process

- Applicant must alter construction plans to eliminate or diminish adverse effects as recommended

E. ADMINISTERING AGENCY:

Chief
Division of Law Enforcement
Nevada Department of Wildlife
P.O. Box 10678
Reno, Nevada
(702) 784-6214

CHAPTER 6.2

HISTORIC PRESERVATION AND ARCHAEOLOGY

The Nevada Division of Historic Preservation and Archaeology does not grant permits. Agencies that grant permits for land use and development, such as the Bureau of Land Management, require permittees to identify any historic properties subject to impact. If state and local agencies plan projects involving federal money, assistance or permission, they must also be concerned with federal laws governing historic preservation. Almost 90 percent of all land in Nevada is federally owned, and federal involvement in local and state programs is extensive; therefore, most projects that take place in Nevada must consider historic properties under the above mentioned federal laws and regulations. Government agencies may require permittees and contractors to have archaeological surveys made in advance of projects to identify cultural resources significant to the Nation's history and prehistory, and to mitigate any possible impacts that might occur to these sites during the project.

The State Historic Preservation Officer (SHPO) makes certain that agencies comply with federal laws and regulations and reviews archaeological work that result from compliance. The SHPO is responsible for supervision of an environmental review process undertaken by the staff to ensure the consideration of historic properties in planning processes, participation in the compliance activities of federal agencies, and supervision of comments on environmental impact statements and similar documents. In general, the SHPO is involved in every step in the process of compliance with federal statutes and procedures.

Administrator
Nevada Division of Historic Preservation and Archaeology
201 South Fall Street, Room 113
Carson City, Nevada 89710
(702) 885-5138

SECTION 7.0
LOCAL REGULATORY POLICY

CHAPTER 7.1

LOCAL GOVERNMENT LAND USE AND NATURAL RESOURCE CONTROL ENABLING LAWS

Although energy-related resources are regulated primarily at the state level in Nevada, air quality control may be regulated at the county or municipal levels; solid waste management may be regulated at the county level; and zoning and special uses are regulated at the municipal level.

Air quality control is regulated at the state level only in those counties where there is no approved local air pollution control agency. Counties with approved air pollution control agencies are Clark and Washoe. Carson City air quality control is governed locally. Statutory authority for regulation of air quality control is found in Nevada Revised Statutes (NRS), 445.401 through 445.601.

Solid waste management is also regulated at the state level only in those counties where there is no approved solid waste management agency. Counties with approved solid waste management agencies are Clark and Washoe. Statutory authority for regulation of solid waste management is found in NRS, 444.440 through 444.620.

Zoning and special uses (variances from zones or existing land use) are governed locally throughout Nevada. Statutory authority for regulation of zoning is found in NRS, 244, General Provision for County Government, and NRS, 278.