

NOTICE OF INTENT TO ACT UPON A REGULATION
NOTICE OF HEARING FOR THE AMENDMENT OF REGULATIONS
FOR WATER WELL AND RELATED DRILLING
NEVADA DIVISION OF WATER RESOURCES

May 1, 2012

For the purpose of receiving public comment from all interested persons, the Nevada Division of Water Resources will hold a public hearing regarding the adoption, amendment or repeal of Regulations for Water Well and Related Drilling as set forth in Chapter 534 of the Nevada Administrative Code.

The hearing will begin promptly at 9:00 a.m. and will include the full opportunity to be heard by presenting oral or written testimony and exhibits to be entered into the record. If necessary, a mid-day break will begin at approximately 12:00 p.m. and the hearing will be continued at 1:30 p.m.

DATE: May 31, 2012
TIME: 9:00 a.m. – adjournment
PLACE: Nevada Legislative Building, Room 3137
401 South Carson Street
Carson City, Nevada

As provided in Nevada Revised Statutes Chapters 233B, 534.020 (2), 534.060 (8), 534.140 (6) and 534.150 (6), the Division of Water Resources is proposing to amend the present Regulations for Water Well and Related Drilling (Nevada Administrative Code § 534.010 through § 534.500).

The following information is provided pursuant to the requirements of NRS 233B.0603:

- 1) The need for and the purpose of the proposed regulation modifications are to clarify existing language and present new language since the rule was last adopted in 2006.
- 2) The proposed changes will provide for clarification on monitoring well requirements, provide additional options for water well plugging materials, and require a minor increase in the bentonite solids content of bentonite grout.
- 3) The potential economic impact on the regulated industry involves a minor increase in cost of materials used in borehole plugging. The immediate and long term economic benefit to the industry involves less expensive options for water well plugging materials, and an improvement in the quality of the product used for borehole plugging. The potential adverse effect to the public, both short and long term, is expected to be minimal. The immediate and long term economic benefit to the public involves less expensive options for water well plugging materials, and an improvement in the quality of the product used for borehole plugging. These proposed changes will offer greater protection of groundwater statewide.

- 4) Based upon the participation at the three workshops held statewide and the written comments received to date, the proposed regulation will not impose a significant economic impact upon a small business.
- 5) The estimated additional cost to the agency for enforcement of the proposed regulation is expected to be minor.
- 6) The proposed regulation does not duplicate or overlap other regulations.
- 7) Federal law does not require the proposed regulation changes.
- 8) The proposed regulation does not duplicate nor is it more stringent than federal law.
- 9) No new fee is established by the proposed regulation.

Interested persons wishing to comment on the proposed regulation may do so by appearing at the above-scheduled hearing or by submitting written comments to the Division of Water Resources, 901 South Stewart Street, Suite 2002, Carson City, Nevada 89701 by 5:00 p.m. on May 30, 2012. The deadline for submitting written comments may be extended at the time of hearing. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Division of Water Resources may proceed immediately to act upon any written submissions.

A copy of this notice and the proposed regulation can be reviewed at the Nevada State Library and Archives, 100 Stewart Street, Carson City, or the Division of Water Resources Offices in Carson City (901 South Stewart Street, Suite 2002), Elko (1250 Lamoille Hwy, Bldg. 10, Ste. 1047) and Las Vegas (400 Shadow Lane, Suite 201). The proposed regulation may also be reviewed on our web page at <http://water.nv.gov>. In all counties in which an office of the agency is not maintained, the proposed regulation may be reviewed and copied at the main public library, during business hours.

This notice and the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and may be viewed on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary. This does not apply to a public body subject to the Open Meeting Law.

The Division of Water Resources, if requested to do so by an interested person, either before adoption of the regulation or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption or will incorporate therein its reason for overruling the considerations against its adoption.