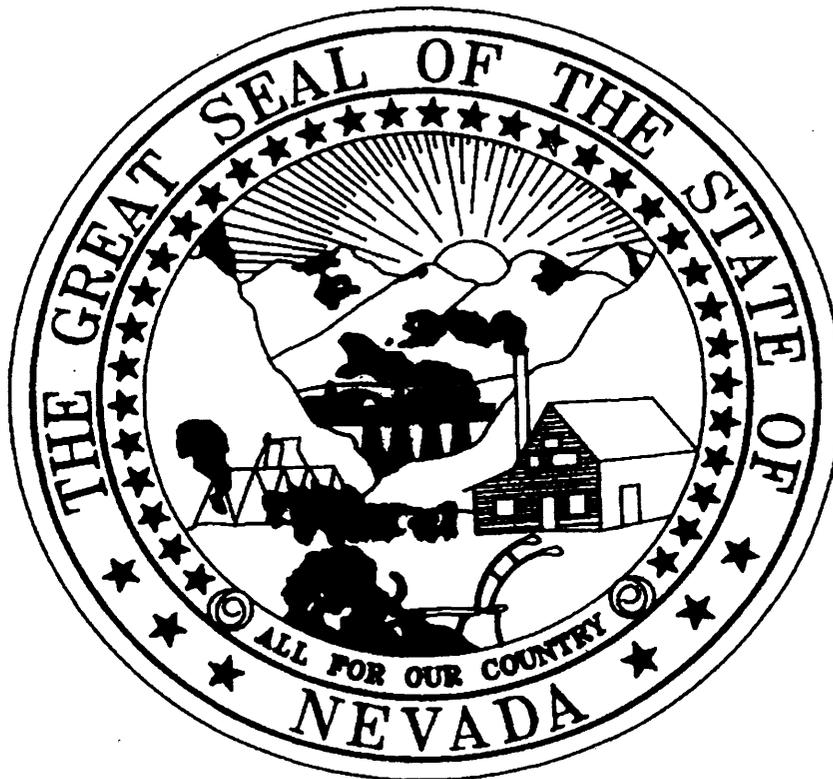


**State of Nevada
Division of Environmental Protection
Bureau of Water Quality Planning
333 West Nye Lane
Carson City, Nevada**



1995
NEVADA REVISED STATUTES

(b) After the 30-day period has expired, if the plant has not been brought into compliance, apply to the district court for an order authorizing the local governing body to assume control of the plant and assess the property for the continued operation and maintenance of the plant as provided in subsection 5 of NRS 445A.540.

2. If the local governing body determines at any time that immediate action is necessary to protect the public health and welfare, it may assume physical control and operation of a package plant for sewage treatment without complying with any of the requirements set forth in subsection 1. The local governing body may not maintain control of the plant pursuant to this subsection for a period greater than 30 days unless it obtains an order from the district court authorizing an extension.

(Added to NRS by 1979, 1914)—(Substituted in revision for NRS 445.2527)

445A.560 Package plant for sewage treatment: Regulation by local governing body. No provision of this chapter prevents:

1. A local governing body or a health district from imposing its own conditions for approval of the operation of any package plant for sewage treatment located within its jurisdiction, which may be more stringent than those authorized by this chapter.

2. A local governing body from requiring the prior approval of proposed package plants for sewage treatment by a local committee created for this purpose.

3. A local governing body from converting connections to package plants for sewage treatment into connections to sewers provided by a public utility or a municipality or other public entity.

(Added to NRS by 1979, 1914)—(Substituted in revision for NRS 445.2529)

445A.565 Protection of surface waters of higher quality; treatment of and control over discharges constituting new or increased sources of pollution.

1. Any surface waters of the state whose quality is higher than the applicable standards of water quality as of the date when those standards become effective must be maintained in their higher quality. No discharges of waste may be made which will result in lowering the quality of these waters unless it has been demonstrated to the commission that the lower quality is justifiable because of economic or social considerations. This subsection does not apply to normal agricultural rotation, improvement or farming practices.

2. Any person who plans to discharge waste from any public or private project or development which would constitute a new or increased source of pollution to waters of the state whose quality is high shall, as part of the initial design of the project or development, provide:

(a) If the discharge will be from a point source, the highest and best degree of waste treatment available under the existing technology, consistent with the best practice in the particular field under the conditions applicable, and reasonably consistent with the economic capability of the project or development.

(b) If the discharge will be from a diffuse source, such measures, methods of operation or practices as are reasonably calculated or designed to prevent, eliminate or reduce water pollution from the source, under the circumstances pertaining to the particular place, in order to achieve control over water pollution which is reasonably consistent with the economic capability of the project or development.

3. This section does not limit a municipal sewage treatment plant in disposing of its solid sludge on land if the sludge is properly spread and incorporated into the soil. (Added to NRS by 1979, 1029)—(Substituted in revision for NRS 445.253)

445A.570 Controls for diffuse sources: Conditions; delegation of administration to county or city.

1. The commission may prescribe controls for diffuse sources as follows:

(a) To any diffuse source existing on July 1, 1979, if the director determines that the source is significantly causing or adding to water pollution in violation of a water quality standard.

(b) To any diffuse source created after July 1, 1979, if controls are necessary to prevent the degradation of any water of high quality in the waters of the state.

2. The department shall delegate, to each county or city which so requests, other than a county to which NRS 244A.571 and 244A.573 apply or a city within such a county, the administration of the department's controls of diffuse sources, if the director finds that the county or city has the necessary money and staff to administer the program effectively. If such a delegation is made both to a county and to a city within it, the city has authority within its corporate limits and the county has authority outside those limits.

(Added to NRS by 1979, 1029)—(Substituted in revision for NRS 445.2533)

NRS CROSS REFERENCES.

Area wide waste management plans, NRS 244A.571, 244A.573.

ADMINISTRATIVE REGULATIONS.

Diffuse Sources, NAC 445A.305 et seq.

445A.575 Unlawful discharge of radiological, chemical or biological warfare agent or high-level radioactive waste. It is unlawful to discharge any radiological, chemical or biological warfare agent or high-level radioactive waste into any waters of the state.

(Added to NRS by 1973, 1713)—(Substituted in revision for NRS 445.254)

445A.580 Continuing planning process. The department shall establish a continuing planning process consistent with all applicable federal requirements which results in plans for all waters of the state and includes:

1. Adequate effluent limitations and schedules of compliance;
2. The incorporation of all elements of any applicable areawide plans for management of waste and plans for basins under NRS 445A.300 to 445A.730, inclusive;
3. Total maximum daily load for pollutants and contaminants;
4. Procedures for revision of the plans;
5. Adequate authority for intergovernmental cooperation;
6. Adequate implementation, including schedules of compliance, for revised or new standards of water quality;
7. Controls over the disposition of all residual waste from any treatment of water;
8. An inventory and ranking, in order of priority, of needs for construction of treatment works; and
9. Controls over the injection of fluids through a well to prevent the degradation of underground water.

(Added to NRS by 1973, 1713; A 1985, 767)—(Substituted in revision for NRS 445.257)