

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Amendment
of Regulations of the
Nevada Department of Agriculture

The Nevada Department of Agriculture will hold a public hearing 1:30 p.m., on February 29, 2012, at

**Nevada Department of Agriculture
405 South 21st Street
Sparks, NV 89431
Phone: (775) 353-3601**

**Videoconferenced to: Nevada Department of Agriculture
2300 McLeod
Las Vegas, NV 89104
Phone: (702) 668-4590**

The purpose of the hearing is to receive comments from all interested persons regarding the Amendment of regulations that pertain to chapter 590 of the Nevada Administrative Code.

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

1. The need for and the purpose of the proposed regulation or amendment.

The purpose is to solicit public comments from interested persons on the following proposed regulation:

LCB File No. R106-10: A REGULATION relating to motor vehicle fuel; adopting by reference certain standards concerning motor vehicle fuel published by ASTM International; and providing other matters properly relating thereto.

2. If the proposed regulation is a permanent regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation prepared by the Legislative Counsel pursuant to NRS 233B.063.

The original LCB file can be found and downloaded from the following link:

<http://leg.state.nv.us/register/2010Register/R106-10P.pdf>

For details and additional updates and changes as suggested during the workshop process, contact:

**Bill Striejewski
Nevada Department of Agriculture
2150 Frazer Avenue
Sparks, NV 89431
(775) 688-1166 x231
wstriejewski@agri.nv.gov**

3. A statement identifying the methods used by the agency in determining the impact on a small business prepared pursuant to subsection 3 of NRS 233B.0608.

No methods were used to determine the impact on small business, for the following reason: the changes made in LCB File No. R106-10 were purely editorial in nature, correcting referenced ASTM specifications, and updating prices for purchasing those specifications.

4. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:

(a) Both adverse and beneficial effects; and

Due to the editorial nature of the changes, there should be no economic effect on businesses or the public, either adverse or beneficial.

(b) Both immediate and long-term effects.

Due to the editorial nature of the changes, there should be no economic effect on businesses or the public, either immediate or long-term.

5. The estimated cost to the agency for enforcement of the proposed regulation.

There will be no cost to the Nevada Department of Agriculture for enforcement of the proposed regulation.

6. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The proposed regulation will not overlap or duplicate any regulations set by federal, state or local governmental agencies.

7. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The proposed regulation is not required by federal law.

8. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The proposed regulation does not include any provisions more stringent than a federal regulation that regulates the same activity.

9. Whether the proposed regulation establishes a new fee or increases an existing fee.

The proposed regulation does not establish any new fees or increases in existing fees.

Persons wishing to comment upon the proposed action of the Nevada Department of Agriculture may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to:

**Nevada Department of Agriculture
2150 Frazer Avenue
Sparks, NV 89431
ATTN: William S. Striejewske
(775) 688-1166 x231
wstriejewske@agri.nv.gov**

Written submissions must be received by the Nevada Department of Agriculture on or before February 29, 2012. If no person who is directly affected by the proposed action appears to request time to make an

oral presentation, the Nevada Department of Agriculture may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at the following Nevada Department of Agriculture offices between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday:

Nevada Department of Agriculture
405 South 21st Street
Sparks, NV 89431

Nevada Department of Agriculture
2300 McLeod
Las Vegas, NV 89104

Nevada Department of Agriculture
4780 E. Idaho Street
Elko, NV 89445

Nevada Department of Agriculture
2150 Frazer Street
Sparks, NV 89431

and in all counties in which an office of the agency is not maintained, at the main public library (shown below), for inspection and copying by members of the public during business hours.

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| Churchill County Library 553 South Maine Street Fallon, NV 89406 | Clark County District Library 833 Las Vegas Boulevard North Las Vegas, NV 89101 | Elko County Library 720 Court Street Elko, NV 89801 |
| Esmeralda County Library Corner of Crook & 4 th Streets Goldfield, NV 89013 | Eureka Branch Library P.O. Box 293 10190 Monroe Street Eureka, NV 89316-0293 | Humboldt County Library 85 East 5 th Street Winnemucca, NV 89445 |
| Lincoln County Library 63 Main Street Pioche, NV 89043 | Lyon County Library 20 Nevin Way Yerington, NV 89447 | Mineral County Library 110 1 st Street Hawthorne, NV 89415 |
| Nevada Farm Bureau Federation 2165 Green Vista Drive, Suite 205 Sparks, NV 89431 | Tonopah Public Library 167 Central Street Tonopah, NV 89049 | Pershing County Library 1125 Central Avenue Lovelock, NV 89419 |
| Storey County Public Library 95 South R Street Virginia City, NV 89440 | Washoe County Library 301 South Center Street Reno, NV 89501 | White Pine County Library 950 Campton Street Ely, NV 89301 |
| Lander County Library 625 South Broad Street Battle Mountain, NV 89820 | Carson City Library 900 N. Roop Street Carson City, NV 89702 | Douglas County Library 1625 Library Lane Minden, NV 89423 |
| State Library 100 North Stewart Street Carson City, NV 89701-4285 | Smith Valley Library 22 Day Lane Smith, NV 89430 | Las Vegas Review Journal Ed Vogel/Capital Bureau 102 N. Curry Street Carson City, NV 89703 |

This notice and the text of 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 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.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.