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Environmental protection; disposal of solid waste.

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be served with process.⁹ Furthermore, if a claim is directly asserted against the person providing evidence of financial responsibility, that person may assert any right or defense available in any action against that person by the owner or operator, or any right or defense the owner or operator might have asserted in response to a claim against themselves.¹⁰

Under prior law, the generation of hazardous waste was regulated by requiring: (1) record keeping; (2) appropriate containers and labelling; (3) information of the general chemical composition of hazardous waste; (4) use of a manifest system for shipments; and (5) specified reports to the department.¹¹ Chapter 631 deletes these limitations.¹²

EAW

9. *Id.*

10. 1987 NEV. REV. STAT. ch. 631, sec. 2, at ___ (enacting NEV. REV. STAT. § 459.525 4).

11. 1981 Nev. Stat. ch. 457, sec. 14.3, at 882 (enacting NEV. REV. STAT. § 459.495 1-5).

12. 1987 Nev. Stat. ch. 631, sec. 3, at ___ (repealing NEV. REV. STAT. § 459.495 1-5).

Environmental protection; disposal of solid waste.

NEV. REV. STAT. § 444.____ (new); § 444.450 (amended).
AB 785 (Callister); 1987 STAT. Ch 636.

Existing law provides that any person¹ who dumps or causes to be dumped any solid waste² in or upon any public property³ or upon any private property to which the public is admitted⁴ is guilty of a misdemeanor and may also have a civil penalty imposed.⁵ Chapter 636 adds to existing law by restricting the use of disposal sites to residents of the municipality or tourists in the area for noncommercial reasons.⁶ In addition, Chapter 636 requires the Division of Environ-

1. NEV. REV. STAT. § 444.480 (definition of person).

2. *Id.* § 444.490 (definition of solid waste).

3. *Id.* § 444.630 (includes any street, alley, public highway or road in common).

4. *Id.* § 444.630 (admitted by easement, license or otherwise).

5. *Id.* § 193.120(3) (definition of a misdemeanor).

6. 1987 Nev. Stat. ch. 636, sec. 5, at ___ (enacting NEV. REV. STAT. § 444.____).

mental Protection⁷ of the State Department of Conservation and Natural Resources or the District Health Department to offer a reward⁸ for information leading to the arrest and conviction of any person under Chapter 636.⁹

RM

7. NEV. REV. STAT. § 444.570 (duties of State Environmental Commission). *See id.* §§ 444.450, 444.560 (regulations concerning the collection and disposal of solid waste).

8. 1987 Nev. Stat. ch. 636, sec. 3, at ___ (enacting NEV. REV. STAT. § 444.____).

9. 1987 Nev. Stat. ch. 636, sec. 3, at ___ (enacting NEV. REV. STAT. § 444.____).

Environmental Protection; Hazardous materials—routing of shipments

NEV. REV. STAT. § 459.____ (new).

AB 47 (Schofield); 1987 STAT. Ch 650

Under existing law, the Environmental Commission must provide for safety in the packaging, handling, transportation, and disposal¹ of hazardous waste.² Further, existing law provides for the licensing of transporters of hazardous waste in or through Nevada.³ Chapter 650 requires the Department of Transportation (DOT) to develop and enforce a plan for routing shipments of controlled quantities⁴ of radioactive materials⁵ and high-level radioactive waste⁶ through Nevada.⁷

JAB

1. *See* NEV. REV. STAT. § 459.425 (definition of disposal).

2. *See id.* § 459.430 (definition of hazardous waste).

3. *Id.* § 459.500 1.

4. 1987 Nev. Stat. ch. 650, sec. 1, at ___ (enacting NEV. REV. STAT. § 459.____); 49 C.F.R. § 173.403(1) (West 1986) (defining controlled quantity).

5. 1987 Nev. Stat. ch. 650, sec. 1, at ___ (enacting NEV. REV. STAT. § 459.____); 49 C.F.R. § 173.403(4) (West 1986) (defining radioactive material).

6. 1987 Nev. Stat. ch. 650, sec. 1, at ___ (enacting NEV. REV. STAT. § 459.____ 4(b)); 10 C.F.R. § 60.2 (West 1987) (defining high-level radioactive waste).

7. 1987 Nev. Stat. ch. 650, sec. 1, at ___ (enacting NEV. REV. STAT. § 459.____). With respect to intrastate shipments, the DOT must analyze the risks involved in the transportation of controlled quantities of radioactive materials and high-level radioactive waste. Further, the DOT must consult each regional transportation commission and the governing body of the largest city in each county that does not have a commission to determine the safest routes.