



STATE OF NEVADA
 COMMISSION ON MINERAL RESOURCES
DIVISION OF MINERALS
 400 W. King Street, Suite 106
 Carson City, Nevada 89703
 (775) 684-7040 • Fax (775) 684-7052
<http://minerals.nv.gov/>



BRIAN SANDOVAL
 Governor

Las Vegas Office: 2030 E. Flamingo Rd. #220, Las Vegas, NV 89119
 Phone: (702) 486-4343; Fax: (702) 486-4345

RICHARD PERRY
 Administrator

Notice of Public Hearing

Thursday, November 5, 2015 10:00 A.M. – 11:00 A.M.
 Bishop Manogue High School, 110 Bishop Manogue Dr., Reno, NV 89511

Attached with this notice is the Notice of Intent to Act Upon a Regulation and the Agenda for the Public Hearing for the proposed amendment of Regulations for Geothermal Wells, NAC 534A.

This notice is posted pursuant to the NRS 233B.061, at the following public places:

**LEGISLATIVE COUNSEL BUILDING- CARSON CITY
 STATE LIBRARY AND ARCHIVES
 DIVISION OF MINERALS- CARSON CITY AND LAS VEGAS OFFICES
 CAPITAL BUILDING-CARSON CITY
 BISHOP MANOGUE HIGH SCHOOL
 COUNTY LIBRARIES
 DIVISION OF MINERALS WEBSITE
 DEPARTMENT OF ADMINISTRATION PUBLIC NOTICE WEBSITE**

The public may contact Valerie Kneefel at (775) 684-7043 or Email Vkneefel@minerals.nv.gov to request supporting material for the meeting described herein. The agenda and supporting material is available at www.minerals.nv.gov

NOTICE TO PERSONS WITH DISABILITIES

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Division of Minerals, 400 W. King Street, suite 106, Carson City, NV 89701 or by calling (775) 684-7043.

Dated this 2nd day of October, 2015



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RICHARD PERRY
 Administrator

Posting Date: October 2, 2015

**NOTICE OF PUBLIC HEARING FOR THE AMENDMENT OF REGULATIONS FOR
 GEOTHERMAL WELLS**

Hearing Date: Thursday, November 5, 2015

10:00 A.M. – 11:00 A.M.

Bishop Manogue High School-110 Bishop Manogue Dr. Reno, NV 89511

AGENDA

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. All public comments will be limited to 5 minutes for each person. **ACTION WILL NOT BE TAKEN**

I. PUBLIC HEARING

The Commission on Mineral Resources will consider written and oral comments and may adopt amendments to regulations for Geothermal Wells as set forth in Chapter 534A of the Nevada Administrative Code .

ACTION MAY BE TAKEN

COMMENTS BY THE GENERAL PUBLIC

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NOTICE OF INTENT TO ACT UPON A REGULATION

THE NEVADA DIVISION OF MINERALS OF THE COMMISSION ON MINERAL RESOURCES

NOTICE OF PUBLIC HEARING FOR THE AMENDMENT OF REGULATIONS FOR GEOTHERMAL WELLS

For the purpose of receiving public comment from all interested persons, the Nevada Division of Minerals will hold a public hearing regarding the adoption, amendment or repeal of proposed Regulations for Geothermal Wells as set forth in Chapter 534A of the Nevada Administrative Code

DATE: November 5, 2015
TIME: 10:00 a.m. – 11:00 a.m.

PLACE: Bishop Manogue High School
110 Bishop Manogue Dr.
Reno, NV 89511

As provided in Nevada Revised Statute Chapters 233B, 513.063(5), 522.040(3), 522.090, 522.119(2) and 534A.090, the Commission on Mineral Resources and the Division of Minerals is proposing to amend the present regulation for Geothermal Resources (Nevada Administrative Code § 534A.010 through § 534A.690)

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

- 1) The need for and the purpose of the proposed amendment of regulation is to eliminate outdated language, clarify regulations for abandonment and plugging of wells, eliminate annual filings for geothermal domestic wells, increase the fee for industrial and commercial wells, and introduce a new fee for observation and thermal gradient wells that are not plugged and abandoned. These proposed fee increases are needed to support the cost of the permitting and compliance program by the Division of Minerals. The last fee increase was in 1992 and the current fees collected do not cover the cost of the geothermal permitting and compliance program. The Division of Minerals is required to inspect all geothermal wells in the State at least once every three years, and ensure corrective actions are completed.
- 2) The proposed regulation changes are permanent, and can be found on the Legislative Council Bureau web site at:
 - a. <http://www.leg.state.nv.us/Register/2015Register/R057-15P.pdf>The regulations are also available on the Division of Minerals web site at: <http://minerals.nv.gov/>
Printed copies of the proposed regulations changes can be obtained by contacting the Nevada Division of Minerals by phone at: 775-684-7040 or by email at: ndom@minerals.nv.gov
- 3) The potential economic impact on the regulated industry involves an increase in the annual fee for a geothermal production or geothermal injection well from \$475 to \$600 per year and a proposed fee of \$100 per year for observation and temperature-gradient wells that are not plugged and abandoned. The proposed fee increases are intended to cover the cost of administering the permitting and compliance program at the Division of Minerals. The adverse effect is a higher cost to industry for operating geothermal production wells used to generate power or for commercial space

heating. The beneficial effect to the public is a more robust and competent permitting and regulatory program that is adequately funded. The short and long-term effects of the fee increases are not significant in the cost of drilling or operating a geothermal well. Based on 2014 permitting and production levels, the total increase in fees to the geothermal industry in Nevada would amount to approximately \$42,000 annually. The immediate and long-term effect of the proposed regulations to the public is improved ability by the agency to ensure geothermal wells are drilled according to code, conservation of geothermal resources, public safety, and the protection of groundwater.

- 4) The estimated additional cost to the agency for enforcement of the proposed regulation is not significant.
- 5) The proposed regulation may duplicate or overlap federal regulations only on public lands administered by the U.S. Department of the Interior, Bureau of Land Management.
- 6) Federal law does not require the proposed regulation changes.
- 7) The proposed regulations are not more stringent than current federal law.
- 8) The proposed regulation does increase fees on geothermal energy production.
- 9) The proposed regulations establish a new fee for un-plugged observation and temperature-gradient wells.

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 Minerals, 400 West King Street, Suite 106, Carson City, Nevada 89703 by 5:00 P.M. on or before October 29, 2015.

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 Minerals Offices in Carson City (400 West King St., Suite 106, Carson City, NV 89703), and in Las Vegas (2030 E. Flamingo Rd., Suite 220 Las Vegas, NV 89119). The proposed regulation may also be reviewed on our web page at <http://minerals.nv.us>. 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.

As provided in NRS 233B.064 (2), the Division of Minerals, 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.