



JOE LOMBARDO
Governor

STATE OF NEVADA
COMMISSION ON MINERAL RESOURCES
DIVISION OF MINERALS
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ROBERT GHIGLIERI
Administrator

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Amendment of Regulations under the Commission on Mineral Resources, as proposed in LCB File No. R051-25

The Commission on Mineral Resources will hold a public hearing at 1:00 p.m., on the 13th day of November of 2025, at the following locations:

Physical Location: **Ormat**
6884 Sierra Center Pkwy
Reno, NV 89511

Virtual Meeting Access: **Virtual**
The meeting may be viewed electronically through an internet connection by accessing the following Zoom link:

<https://us02web.zoom.us/j/88079163618?pwd=uMNZAEkBX1tJ5b5uQRYDPZUOzuPJc9.1>

Zoom Meeting ID: 880 7916 3618 **Passcode:** NDOM

Dial by your location: 1 253 205 0468 US 1 253 215 8782 US (Tacoma) 1 346 248 7799 US (Houston)	Meeting ID: 880 7916 3618 Passcode: 848710 Or find your local number: https://us02web.zoom.us/j/88079163618?pwd=uMNZAEkBX1tJ5b5uQRYDPZUOzuPJc9.1
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The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations that pertain to chapter 519A 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.

To minimize the financial burden to apply for bonding through the Nevada Reclamation Performance Bond Pool.

2. For a temporary regulation, the terms or the substance of the proposed regulation to be adopted, amended or repealed, or a description of the subjects and issues involved.

This regulation is not a temporary regulation; it is a permanent regulation.

3. For a proposed regulation, a statement explaining how to obtain the approved or revised text of the proposed regulation.

A copy of this notice and the regulation to be amended will be on file at the State Library, Archives and Public Records, 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 Additional copies of the notice and the regulation to be adopted, amended, and/or repealed will be made available at the Nevada Division of Minerals, 400 W. King St. #106, Carson City, NV 89703, and our website minerals.nv.gov, for inspection and copying by members of the public during business hours.

4. The estimated economic effect of the regulation on the business which it is to regulate and on the public.

There are no estimated immediate or long-term adverse economic effects on regulated small businesses. The estimated immediate and long-term beneficial effect is a reduced financial cost to apply to the Bond Pool due to the lesser requirement of a financial statement “compilation” instead of a “review”.

There are no estimated immediate or long-term adverse or beneficial economic effects on the public.

5. The methods used by the agency in determining the impact on a small business.

The agency solicited comments on the potential effects of the regulation by emailed survey to bond pool participants, mining companies, and interested parties; and through public comment during a public workshop held on 8/26/25 at the Nevada State Legislature Building, 401 South Carson Street, Carson City, NV 89701.

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

There is no estimated additional cost to the agency for enforcement of the proposed regulation.

7. 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 does not overlap or duplicate any known federal, state or local government agency regulations.

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

The proposed regulation is not required pursuant to federal law.

9. 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 is not more stringent than any known federal regulation that regulates the same activity.

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

The proposed regulation does not establish a new fee or increase an existing fee.

11. For a temporary regulation, each address at which the text of the regulation may be inspected and copied.

This regulation is not a temporary regulation; it is a permanent regulation.

Persons wishing to comment upon the proposed action of the Commission on Mineral Resources may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to Nevada Division of Minerals, 400 W. King St. #106, Carson City, NV 89703, or by email at ndom@minerals.nv.gov. Written submissions must be received by the Division of Minerals on or before 7:00 AM on the date of the public hearing. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Division of Minerals may proceed immediately to act upon any written submissions. A copy of this notice and the regulation to be adopted, amended, and/or repealed will be on file at the State Library, Archives and Public Records, 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 adopted, amended, and/or repealed will be available at the Nevada Division of Minerals, 400 W. King St. #106, Carson City, NV 89703, and our website minerals.nv.gov, for inspection and copying by members of the public during business hours. 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 at no charge upon request. Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall 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. This notice of hearing has been posted at the following locations:

- Nevada Division of Minerals, 400 W. King St. #106, Carson City, NV 89703
- Nevada Division of Minerals, 375 E. Warm Springs Rd. #205, Las Vegas, NV 89119
- Capitol Building, 101 North Carson Street, Carson City, NV 89701
- On the Internet at: <http://minerals.nv.gov> and <https://notice.nv.gov>

**PROPOSED REGULATION OF THE COMMISSION ON
MINERAL RESOURCES**

LCB File No. R051-25

October 6, 2025

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: § 1, NRS 513.063 and 519A.290.

A REGULATION relating to mining reclamation; revising requirements of an application to participate in a program for the pooling of reclamation performance bonds; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Division of Minerals of the Commission on Mineral Resources to adopt regulations governing the development and administration of a program providing for the pooling of reclamation performance bonds. (NRS 519A.290) Existing regulations require that a person who submits an application to participate in the bond pool include a statement and documentation showing the structure of the business organization and the financial status of the applicant at the time of application, including certain information relating to the organizational structure, assets, liabilities and net worth of the business organization and evidence that the financial statements of the applicant have been reviewed by a certified public accountant and are a fair representation of the financial status of the applicant. Existing regulations authorize the Administrator of the Division to waive the requirement to provide such evidence under certain circumstances. (NAC 519A.570) This regulation: (1) requires the applicant to provide evidence that the financial statements of the applicant have been compiled by a certified public accountant, rather than reviewed by a certified public accountant; and (2) removes the authority of the Administrator to waive the requirement to provide such evidence. This regulation also requires that the documentation submitted by the applicant include a signed and notarized affidavit stating that the information submitted by the applicant relating to the assets, liabilities and net worth of the business organization is true.

Section 1. NAC 519A.570 is hereby amended to read as follows:

519A.570 1. The Division will administer the bond pool.

2. A person who wishes to participate in the bond pool must complete an application on a form provided by the Division and submit any relevant information or supporting documents requested by the Division.

3. Except as otherwise provided in subsection ~~5,~~ **4**, an application to participate in the bond pool must include a statement by the applicant and documentation that:

(a) Indicates whether the applicant has ever forfeited a bond or surety held for the reclamation of mined land and, if so, the location of the operation for which the bond or surety was forfeited and the circumstances of the forfeiture.

(b) Lists the location, scale and any other pertinent details of the previous mining or exploration activities of the applicant that required reclamation performance bonding during the preceding 10 years.

(c) Shows the structure of the business organization and the financial status of the applicant at the time of application. ~~Except as otherwise provided in subsection 4, the~~ **The** documentation must include:

(1) An organizational chart naming any parent company;

(2) Current and long-term assets;

(3) Current and long-term liabilities;

(4) The net worth of the business organization; ~~and~~

(5) Evidence that the financial statements have been ~~reviewed~~ **compiled** by a certified public accountant and are a fair representation of the financial status of the applicant ~~;~~

~~—4.—The Administrator may waive the requirements of subparagraph (5) of paragraph (c) of subsection 3 for an applicant who:~~

~~—(a) Applies for bond coverage of \$10,000 or less; and~~

~~—(b) Submits to the Administrator a~~ ; *and*

(6) A signed and notarized affidavit stating under penalty of perjury that the information provided by the applicant pursuant to subparagraphs (2), (3) and (4) of paragraph (c) ~~of subsection 3~~ is true.

~~{5.}~~ 4. An applicant is not required to comply with the provisions of subsection 3 when applying for a bond for a notice-level project.