

(G) FACILITY PERMIT.

"FACILITY PERMIT" MEANS A PERMIT ISSUED BY THE DEPARTMENT TO ESTABLISH, OPERATE, OR MAINTAIN A CONTROLLED HAZARDOUS SUBSTANCE FACILITY.

REVISOR'S NOTE: This subsection is new language added for clarity.

In this subsection, the functions "establish, operate, or maintain" are implied from the prohibition in former Article 43, § 689C on establishing or operating a facility and in former NR § 8-1413.2 to operating or maintaining a facility.

(H) HAULER CERTIFICATE.

"HAULER CERTIFICATE" MEANS A CERTIFICATE ISSUED BY THE DEPARTMENT THAT PERMITS A PERSON TO BE A CONTROLLED HAZARDOUS SUBSTANCE HAULER.

REVISOR'S NOTE: This subsection is new language added for clarity.

(I) HAZARDOUS SUBSTANCE.

THAT: (1) "HAZARDOUS SUBSTANCE" MEANS ANY SUBSTANCE

(I) CONVEYS TOXIC, LETHAL, OR OTHER INJURIOUS EFFECTS OR WHICH CAUSES SUBLETHAL ALTERATIONS TO PLANT, ANIMAL, OR AQUATIC LIFE;

(II) MAY BE INJURIOUS TO HUMAN BEINGS; OR

(III) PERSISTS IN THE ENVIRONMENT.

(2) "HAZARDOUS SUBSTANCE" INCLUDES ANY MATTER IDENTIFIED AS A "HAZARDOUS WASTE" BY THE ENVIRONMENTAL PROTECTION AGENCY.

REVISOR'S NOTE: This section is new language derived without substantive change from former NR § 8-1413.2(a)(5).