



**DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS**

**NOTICE OF PUBLIC WORKSHOP TO SOLICIT COMMENTS ON PROPOSED
PERMANENT REGULATIONS REGARDING NAC 618
December 2, 2025 at 10:00 a.m.**

(THIS IS NOT A NOTICE OF INTENT TO ACT ON A REGULATION)

The Division of Industrial Relations of the Department of Business and Industry, State of Nevada ("Division") will hold a workshop seeking public comment on proposed permanent regulations amending Chapter 618 of the Nevada Administrative Code ("NAC") on December 2, 2025 at 10:00 a.m. The purpose of the public workshop is to receive comments from all interested parties regarding the contents of the proposed regulations being developed by the Division of Industrial Relations ("Division"). This meeting will be held in person, via Microsoft Teams, and by phone. Microsoft Teams allows for video and teleconferencing.

Microsoft Teams Access

Join the meeting now: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZTI2OTUwNDMtOGI3OC00MjA1LTNmY2ItNjAzMTE2MDZhMzA5%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22ae366e32-a299-4c0d-bfd7-6662ffd91060%22%7d

Meeting ID: 256 221 488 491 31

Meeting password: mr2Co9DY

Join By Phone

+1 775-321-6111, 588684115#

Phone Conference ID: 588 684 115#

Physical Location

Division of Industrial Relations
Workers' Compensation Section, Executive Conference Room
2300 W. Sahara Avenue, Suite 300, Las Vegas, NV 89102

A copy of the notice and supporting materials may be downloaded from the Nevada Occupational Safety and Health Administration website: <http://dir.nv.gov/OSHA/Home>.

Before the Public Workshop, persons may submit written comments to Amber Williams, Esq., Division Counsel for the Division of Industrial Relations, 2300 W. Sahara Ave., #300, Las Vegas, Nevada 89102 or by email to amwilliams@dir.nv.gov.

After the comments have been reviewed and considered, the Division will give notice of intent to act on the regulation and conduct one or more public hearings to solicit written and/or oral comments, data, and views on the proposed regulation.

Persons with disabilities who require special accommodations or assistance at the workshop must notify Samantha O'Brien at the Division of Industrial Relations, by mail to 2300 W. Sahara Avenue #300, Las Vegas, Nevada 89102, or by email to samantha.obrien@dir.nv.gov, or by calling (702) 486-9070 by 5:00 p.m., three (3) working days before the Public Workshop.

This notice has been posted on: the Nevada State Legislature's Notice website at <http://leg.state.nv.us/App/Notice/A/>; Nevada's Public Notice website at <https://notice.nv.gov>; and the Division's website at <http://dir.nv.gov/Meetings/Meetings>, as set forth in NRS Chapters 233B and 241.

A copy of the notice and the proposed permanent regulations to be adopted and/or amended is on file with the Division and has also been posted at the following locations: Division of Industrial Relations, 2300 W. Sahara Ave., Suite 300, Las Vegas, Nevada 89102 and 1886 College Parkway, Suite 110, Carson City, Nevada 89706.

**HEARING AGENDA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS**

Notice:

- (1) Items on the Agenda may be taken out of order.
- (2) The Division may combine two or more Agenda items for consideration.
- (3) The Division may remove an item on the Agenda at any time.

I. Call to Order.

II. Public Comment. The opportunity for public comment is reserved for any matter listed below on the Agenda as well as any matter within the jurisdiction of the Division. No action on such an item may be taken by the Division unless and until the matter has been noticed as an action item. Comment may not be restricted based on viewpoint.

III. Discussion of Proposed Permanent Regulations regarding NAC 618. Proposal of revisions to/amendments of regulations that pertain to Chapter 618 of the Nevada Administrative Code.

IV. Public Comment. The opportunity for public comment is reserved for any matter within the jurisdiction of the Division. No action on such an item may be taken by the Division unless and until the matter has been noticed as an action item. Comment may not be restricted based on viewpoint.

V. Adjournment.



**DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS**

**Small Business Impact Statement
Proposed Draft Regulations Amending NAC 618
LCB File No. TBD**

EFFECTIVE DATE OF REGULATION:
Upon filing with the Nevada Secretary of State

1. Background

The proposed permanent regulations amend Chapter 618 of the Nevada Administrative Code (NAC) by amending provisions related to the reduction of penalties assessed against employers for OSHA violations, updating addresses, and increasing the amount of construction costs for the definition of “construction project” among other things.

The first amendment is intended to align Nevada OSHA’s penalty reduction provisions with a Federal Program Change that updates parts of Chapter 6 of the Federal Operations Manual (FOM). Under this new guidance, several of OSHA’s penalty reduction factors—quick fix, history, and size—have been adjusted to expand the number of employers potentially eligible for the reductions and to expand the reduction amounts themselves. The second amendment is intended to simplify OSHA’s mailing and contact addresses to reduce the need for future amendments related to address changes. The third amendment is intended to increase the amount of construction costs for the definition of “construction project” to account for inflation.

The Occupational Safety & Health Administration (OSHA) section of the Division of Industrial Relations (DIR) has determined that the proposed amendments should not have a negative financial impact upon a small business. The proposed regulations are also not expected to negatively impact the formation, operation, or expansion of a small business in Nevada.

2. A description of the way comments were solicited from affected small businesses, a summary of their responses, and an explanation of the manner in which other interested persons may obtain a copy of the summary.

ANSWER: To determine whether the proposed regulations are likely to have an impact on small businesses, the DIR considered the purpose and scope of the proposed regulations as set forth above in Answer 1 above.

Prior to conducting the small business impact survey, the DIR received input on the proposed changes with key industry stakeholders. On October 29, 2025, the DIR sent a Small Business Impact Statement Questionnaire to interested parties on the DIR's Safety and Health Consultation and Training (SCATS) section's Listserv, which includes 4,215 recipients. Additionally, on October 29, 2025, the DIR sent the Small Business Impact Statement Questionnaire to the Administrator's list of business stakeholders, which consists of 90 recipients. The Questionnaire inquired from small businesses whether they believed there would be any economic effects, adverse or beneficial, direct or indirect, on their respective businesses from the proposed regulation. The DIR also placed a link to the Questionnaire on the OSHA website for interested parties to complete, should they choose. The deadline to return the questionnaire was November 3, 2025. As of this date, the DIR received four (4) responses, only three (3) of which were from small businesses as defined by NRS 233B.0382, which may be summarized as follows:

- (1) Richard Sparkman, Facility Director, Shelby American, Inc. – Mr. Sparkman indicated that the proposed regulation would not have any economic effect, adverse or beneficial, and would not have any indirect effects, adverse or beneficial, on his business.
- (2) George Allen, Risk Safety Manager, Saddle West Hotel, Casino and RV Resort – Mr. Allen indicated that the proposed regulation would not have any economic effect, adverse or beneficial, and would not have any indirect effects, adverse or beneficial, on his business.
- (3) Christine A. May, President, Bergdahl Associates, Inc. – Ms. May indicated that the proposed regulation would not have any economic effect, adverse or beneficial, and would not have any indirect effects, adverse or beneficial, on her business.

Any other persons interested in obtaining a copy of the summary may mail or email a request to:

Amber Williams, Esq.
Division of Industrial Relations – Division Counsel
2300 W. Sahara Avenue, Ste. 300
Las Vegas, Nevada 89102
Email: amwilliams@dir.nv.gov

Based on the results of the survey, the Division determined that the proposed permanent regulations will have no direct effect on small businesses, either adverse or beneficial, and will also have no indirect effect on small businesses, either adverse or beneficial.

3. The manner in which the analysis was conducted.

ANSWER: See Answer 2 above.

4. The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

- (a) Direct and indirect adverse effects**
- (b) Direct and indirect beneficial effects.**

ANSWER: The Division anticipates no adverse effects, either direct or indirect, on regulated businesses as the result of these regulations. The adverse effects, if any, are difficult to determine at this time. As to the proposed first amendment set forth in Answer 1 above, there may be a direct beneficial effect as the number of employers potentially eligible for penalty reductions and the reduction amounts themselves have been expanded. There will be no direct or indirect cost to regulated or small businesses.

- 5. Describe the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.**

ANSWER: Because there will be no adverse impacts on small businesses in general, there are no methods available to reduce the impact the Division could have considered.

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

ANSWER: The proposed regulations present no significant foreseeable or anticipated cost for enforcement of this regulation.

- 7. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

ANSWER: The proposed regulations do not provide for a new fee or increase an existing fee payable to the DIR.

- 8. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.**

ANSWER: The proposed permanent regulations do not overlap or duplicate any regulation of other federal, State or local governmental entities, but do align with provisions of a Federal Program Change updating Chapter 6 of Federal OSHA Instruction CPL 02-00-164, Field Operations Manual (FOM), issued April 14, 2020, directive dated July 2, 2025, available at <https://www.osha.gov/fom/chapter-6>. State Plans, as a part of their State Plan, may, but are not required to, make these same or at least as effective changes in order to remain at least as effective as the Federal program and satisfy the obligation of equivalency required in respect to the FOM as a whole. The proposed regulation does not include any provisions that are more stringent than existing federal, state, or local standards.

- 9. The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses.**

ANSWER: The DIR complied with NRS 233B.0608 by considering the purpose and scope of the proposed amendments as set forth above in Answer 1. The DIR made a concerted effort to determine whether the proposed regulations impose a direct or significant economic burden upon small businesses, or directly restricts the formation, operation, or expansion of a small business as set forth above in Answer 2. Thus, the DIR determined that the regulations will have no adverse effect on small businesses, will not impose any significant economic burden upon small businesses, and will not restrict the formation, operation or expansion of small businesses.

I, Victoria Carreón, Administrator of the Division of Industrial Relations, certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small business, and that the information contained in the statement above was prepared properly and the information contained herein is accurate.

Dated this 13th day of November 2025.



Victoria Carreón, Administrator
Department of Business and Industry
Division of Industrial Relations
Las Vegas: (702) 486-9116
vcarreon@dir.nv.gov

**PROPOSED REGULATION OF THE
DIVISION OF INDUSTRIAL RELATIONS OF THE
DEPARTMENT OF BUSINESS & INDUSTRY
FOR THE AMENDMENT OF CHAPTER 618, NAC
LCB File No. XXX**

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

AUTHORITY: §§

A REGULATION relating to occupational safety and health; providing for _____; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Section 1. Chapter 618 of NAC is hereby amended by adding thereto the provisions set forth as section 2, inclusive, of this regulation.

Sec. 2. R069-20, previously added to NAC by the Division of Industrial Relations, effective 04-11-2022, is hereby amended to read as follows:

NAC 618.XXX 1. Before issuing a citation, the Division may adjust the amount of a proposed penalty as provided in subsection 2 based on:

- (a) The size of the employer;
- (b) The good faith *efforts* of the employer;
- (c) The immediate abatement of a hazard; and
- (d) The employer’s history of previous violations.

2. Except as otherwise provided in this subsection and subsection 4, the adjustments which may be made to a penalty pursuant to subsection 1 are as follows:

(a) A reduction based on the number of employees that are employed by the cited employer, not to exceed a reduction of 70 percent of the penalty for an employer with ~~[10 or fewer employees.]~~ *with 25 or fewer employees, 30 percent of the penalty for an employer with 26 to 100 employees, and 10 percent of the penalty for an employer with 101-250 employees. For violations that are serious willful, the maximum reductions are 80 percent for an employer with*

20 or fewer employees, 50 percent for an employer with 21 to 30 employees, 40 percent for an employer with 31 to 40 employees, 30 percent for an employer with 41 to 50 employees, 20 percent for an employer with 51 to 100 employees, and 10 percent for an employer with 101-250 employees. A penalty may be reduced pursuant to this paragraph for:

- (1) A violation that is classified as serious or within a classification other than serious;
- (2) A violation of a willful nature; or
- (3) Repeated violations.

(b) A reduction based on the employer's demonstration of good faith *efforts* in implementing an effective safety program as described in NRS 618.383, not to exceed a reduction of 25 percent of the penalty for an employer with a fully implemented and effective safety program, as determined by the inspector *or 15 percent if the employer has a documented and effective safety and health management system, with only incidental deficiencies.* A penalty may not be reduced pursuant to this paragraph for:

- (1) *A serious violation of high gravity;*
- (2) A violation of a willful nature; ~~{or}~~
- (3) Repeated violations~~{.}~~;

(4) Failure to abate or correct a violation which was identified during an inspection;

(5) Failure to report a fatality, the inpatient hospitalization of one or more employees, the amputation of a part of an employee's body or an employee's loss of an eye pursuant to the requirements of NRS 618.378; or

(6) Failure or a major deficiency in:

(I) Establishing a written safety program pursuant to the requirements of NRS 618.383; or

(II) Carrying out the requirements of the program.

(c) A reduction based on the immediate correction by the employer of the cited hazard, not to exceed a reduction of 15 percent of the penalty. For the purposes of this paragraph, an immediate correction is one that is made ~~[not later than 24 hours]~~ *at the time of the inspection for apparent violations that can be made immediately, made within 5 days for more complex abatement actions, or made within 15 days if there are extenuating circumstances such as where items are required to be ordered and shipped.* A penalty may not be reduced pursuant to this paragraph for:

- (1) A serious violation of high gravity;
- (2) A violation of a willful nature;

(3) Repeated violations;

(4) Failure to abate or correct a violation which was identified during an inspection;

(5) ~~[Failure to report a fatality, the inpatient hospitalization of one or more employees, the amputation of a part of an employee's body or an employee's loss of an eye pursuant to the requirements of NRS 618.378; or]~~ *Blatant violations that can be easily corrected and that indicate the employer is not taking the basic steps to manage worker safety and health; or*

(6) Violations related to a fatal injury or illness, or an incident resulting in serious injuries.

~~[(6) Failure or a major deficiency in:~~

~~(I) Establishing a written safety program pursuant to the requirements of NRS 618.383;~~
~~or~~

~~(II) Carrying out the requirements of the program.]~~

(d) ~~[An adjustment based on the cited employer's history of previous safety and health inspections within the 5 years immediately preceding the issuance of the citation, as follows:]~~ *A reduction based on the employer's history of previous violations not to exceed 20 percent.*

(1) ~~[A reduction of 10 percent may be applied to the penalty for an employer which has]~~ *A penalty may be reduced pursuant to this paragraph for:*

(I) ~~[Been inspected previously with no citations issued;]~~ *Employers who have been inspected by the Enforcement Section in the previous five years and found to be in compliance or the employer received only other-than-serious violations.*

(II) ~~[Been cited previously for violations which are classified as other than serious.]~~ *Employers who have never been inspected by the Enforcement Section.*

(2) No adjustment may be applied to the penalty for an employer which has been cited for a serious violation not of high gravity.

(3) An increase of ~~[10]~~ **20** percent may be applied to the penalty for an employer which has been cited previously *within the past 5 years* for:

(I) A serious violation of high gravity;

(II) Repeated violations;

(III) A violation of a willful nature; or

(IV) Failure to abate or correct violations that were previously cited.

3. Except as otherwise provided in subsection 4, adjustments made pursuant to subsection 2, if any, must be considered and applied in the order set forth in subsection 2.

4. A penalty may not be reduced to an amount less than the allowable monetary amount of the corresponding civil penalty for the applicable violation of 29 U.S.C. § 666, including any adjustments made to the civil penalty pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Pub. L. 114-74.

5. Each district manager retains the authority to determine the appropriateness of any adjustment to a penalty and may refuse to consider an adjustment to a penalty if the district manager believes that imposing the full amount of the penalty is necessary to achieve the appropriate deterrent effect.

Sec. 3. NAC 618.369 is hereby amended to read as follows:

NAC 618.369 Notification of Nevada Occupational Safety and Health Administration upon denial. (NRS 618.295, 618.880) A certifying authority shall notify in writing the *Enforcement Section* [~~Nevada Occupational Safety and Health Administration, 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102~~], within 5 working days after the certifying authority denies a certificate of operation for a tower crane.

Sec. 4. NAC 618.384 is hereby amended to read as follows:

NAC 618.384 Notification of Nevada Occupational Safety and Health Administration upon denial. (NRS 618.295, 618.880) A certifying authority shall notify in writing the *Enforcement Section* [~~Nevada Occupational Safety and Health Administration, 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102~~], within 5 working days after the certifying authority denies a certificate of operation for a crane which is used to erect or dismantle a tower crane.

Sec. 5. NAC 618.494 is hereby amended to read as follows:

NAC 618.494 “Construction project” defined. (NRS 618.295)

1. “Construction project” means a project which involves:

- (a) A total construction cost of *\$20,000,000* [~~\$10,000,000~~] or more, not including costs for any related highway construction project;
- (b) A new building or structure which, when completed, will be 50,000 square feet or more; or
- (c) A new building or structure which, when completed, will be more than 60 feet above the ground or more than 48 feet below ground level.

2. For the purposes of this section:

- (a) The height of a building or structure must be determined by measuring from the ground level to the highest structural level of the building or structure, including any parapet wall, mechanical room, stair tower or elevator penthouse structure, but not including any antenna, smokestack, flagpole or similar attachment.

(b) The depth of a building or structure must be determined by measuring from the ground level to the lowest floor level of the building or structure. The lowest level of a building or structure does not include any local depression such as a sump or an elevator pit.

(c) In computing the height of a building or structure, the depth of the building or structure must not be considered, and in computing the depth of a building or structure, the height of the building must not be considered.

Sec. 6. NAC 618.910 is hereby amended to read as follows:

NAC 618.910 Application for initial license; period of validity of license. (NRS 618.295, 618.760, 618.765)

1. A person who wishes to apply for an initial license as a contractor, supervisor, abatement worker or consultant must submit a signed, completed application with all necessary documentation to the Enforcement Section on a form provided by the Enforcement Section, accompanied by a copy of any valid government-issued identification card of the applicant.

2. An application for initial licensing must be delivered to the Enforcement Section~~[-at 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102 or 4600 Kietzke Lane, Suite F-153, Reno, Nevada 89502].~~

3. The Enforcement Section may, within 30 days after the receipt of an application, require further information to determine whether the application should be approved or denied.

4. If the Enforcement Section requests further information from an applicant and does not receive that information within 60 days after the date of the request, the application will be considered abandoned and the request for an initial license will be denied.

5. An applicant must include his or her mailing address on the application and immediately notify the Enforcement Section of any change in that address. Any notification of a change of address received by the Enforcement Section acts as an amendment to the original application. The address stated on the original application or as amended must be the proper mailing address for all filings, postings and communications made by mail between the Enforcement Section and the applicant.

6. A license issued by the Enforcement Section is valid:

(a) Until the expiration date of the certificate for a training course or a refresher training course;

or

(b) For 1 year,

↪ whichever occurs earlier.

Sec. 7. NAC 618.913 is hereby amended to read as follows:

NAC 618.913 Renewal of license: Generally. (NRS 618.295, 618.760, 618.765)

1. A licensee must submit an application for the renewal of his or her license before the license expires.

2. An application for the renewal of a license must be submitted on a form provided by the Enforcement Section and delivered to the Enforcement Section[~~at 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102 or 4600 Kietzke Lane, Suite F-153, Reno, Nevada 89502~~].

3. An application must be accompanied by:

(a) Evidence that the applicant has, within the preceding 12 months, completed a refresher training course approved by the EPA for his or her discipline; and

(b) The applicable fee for renewal.

4. The renewal of a license is not effective until final action on the application is taken by the Enforcement Section.

5. An application for the renewal of a license must include the applicant's mailing address. The applicant shall immediately notify the Enforcement Section of any change in that address. Any notification of a change of address received by the Enforcement Section acts as an immediate amendment to the original application. The address stated on the original application or amended application must be the proper mailing address for all filings, postings and communications made by mail between the Enforcement Section and the licensee.

6. Before the license of a contractor or consultant may be renewed, the contractor or consultant must abate all conditions for which the contractor or consultant has been issued a citation by the Enforcement Section and pay all fines due to the Division.

Sec. 8. NAC 618.919 is hereby amended to read as follows:

NAC 618.919 Contractors: Permission to act as limited contractor. (NRS 618.295, 618.760, 618.765)

1. A person who has complied with all of the requirements to be a contractor, except the requirements relating to experience, may apply to the Enforcement Section for permission to be a limited contractor.

2. An application made pursuant to subsection 1 must be made in writing and delivered to the *Chief of the* Enforcement Section[~~at 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102 or 4600 Kietzke Lane, Suite F-153, Reno, Nevada 89502~~].

3. Permission to act as a limited contractor:

(a) Authorizes the limited contractor to perform a progression of projects for the abatement of asbestos, from simple inexpensive projects to difficult and complex projects;

(b) Is effective upon notification by the Enforcement Section; and

(c) Is limited to those situations where a project for the abatement of asbestos is supervised by a licensed supervisor who is experienced in the type of project performed.

Sec. 9. NAC 618.923 is hereby amended to read as follows:

NAC 618.923 Supervisors: Permission to act as probationary supervisor. (NRS 618.295, 618.760, 618.765)

1. A person who has complied with all the requirements to be a supervisor, except for the requirements relating to experience, may apply to the Enforcement Section for permission to be a probationary supervisor.

2. An application made pursuant to subsection 1 must be made in writing and delivered to the *Chief of the* Enforcement Section~~[-at 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102].~~

3. A person may act as a probationary supervisor for not more than 4 consecutive months.

4. Permission to act as a probationary supervisor is effective upon notification by the Enforcement Section and is limited to those situations where a project for the abatement of asbestos must have other licensed supervisors present to assist the probationary supervisory in organizing the work site and overseeing the project.

Sec. 10. NAC 618.934 is hereby amended to read as follows:

NAC 618.934 Inspectors: Permission to act as inspector trainee. (NRS 618.295, 618.760, 618.765)

1. A person who has complied with all of the requirements to be an inspector, except for the requirements relating to experience, may apply to the Enforcement Section for permission to be an inspector trainee.

2. An application made pursuant to subsection 1 must be made in writing and delivered to the *Chief of the* Enforcement Section~~[-at 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102].~~

3. Permission to act as an inspector trainee is effective upon notification by the Enforcement Section and is limited to those situations in which all services provided as an inspector trainee will be rendered under the direct supervision of a licensed inspector or management planner.

Sec. 11. NAC 618.944 is hereby amended to read as follows:

NAC 618.944 Monitors: Permission to act as monitor trainee. (NRS 618.295, 618.760, 618.765)

1. A person who has complied with all of the requirements to be a monitor, except the requirement relating to experience, may apply to the Enforcement Section for permission to be a monitor trainee.

2. An application made pursuant to subsection 1 must be made in writing and delivered to the *Chief of the* Enforcement Section~~[-at 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102].~~

3. Permission to act as a monitor trainee is effective upon notification by the Enforcement Section and is limited to those situations in which all services provided as a monitor trainee will be rendered under the direct supervision of a licensed monitor.

Sec. 12. NAC 618.952 is hereby amended to read as follows:

NAC 618.952 Declaratory order regarding nature of activity: Petition; issuance; appeal.
(NRS 618.295, 618.760, 618.765)

1. A person may request the Enforcement Section to determine whether an activity is an activity for the abatement of asbestos and subject to the requirements of [NAC 618.850](#) to [618.986](#), inclusive, by requesting the Enforcement Section to issue a declaratory order.

2. Any request for a declaratory order must be submitted in the form of a written petition and submitted to the *Chief of the* Enforcement Section~~[-at 3360 West Sahara Avenue, Suite 250, Las Vegas, Nevada 89102].~~ The petition must describe:

(a) The material containing asbestos;

(b) The proposed activity;

(c) The site at which the activity will be conducted;

(d) The nature of the work to be done; and

(e) The results of any tests conducted on samples of material to be disturbed or encapsulated.

3. The Enforcement Section will issue a declaratory order in writing not later than 15 days after receiving a written petition. The order must be signed by the Chief.

4. A declaratory order may be appealed to the Administrator within 15 days after it is issued. An order not appealed within that time is final.