

**ADOPTED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R004-09

Effective January 28, 2010

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

AUTHORITY: §§1-3, NRS 445B.210 and 445B.370; §4, NRS 445B.210.

A REGULATION relating to air pollution; requiring certain reports concerning greenhouse gas emissions; and providing other matters properly relating thereto.

Section 1. Chapter 445B of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. 1. *The owner or operator of an affected unit shall submit a report concerning the amount of greenhouse gases emitted by the affected unit, including, without limitation, greenhouse gases emitted as a result of the startup, shutdown or malfunction of the affected unit, to the Director for inclusion in the registry of greenhouse gas emissions described in NRS 445B.370.*

2. The owner or operator of an affected unit shall determine the amount of greenhouse gases emitted by the affected unit in accordance with the “Mandatory Reporter Monitoring Guidelines” established by the Director. A copy of the Guidelines may be obtained from the Director at the Internet address <http://ndep.nv.gov/bagp/technical/ggemissions.html>.

3. When submitting the report required by subsection 1, the owner or operator of an affected unit must submit the following information to the Director:

(a) A description of the system or method used to measure, record and calculate the amount of greenhouse gases emitted by the affected unit;

(b) Information to identify the owner or operator of the affected unit, including the name and address of the facility at which the affected unit is located, the name of the owner or operator of the facility and the name and telephone number of the responsible official for the affected unit;

(c) The name or designation of the affected unit;

(d) A description of the affected unit;

(e) A description of the greenhouse gas emissions producing process of the affected unit;

(f) The North American Industry Classification System code of the affected unit;

(g) The coordinates of the affected unit which have been identified by use of the Universal Transverse Mercator system;

(h) A description of each primary and alternative operating scenario associated with the affected unit;

(i) The location of any records retained by the owner or operator of the affected unit, if the records are kept at a location other than the facility at which the affected unit is located; and

(j) Any other information that the Director determines is necessary.

4. The report submitted pursuant to subsection 1 must be accompanied by a certification by a responsible official of the stationary source that owns or operates the affected unit that, based on information and belief formed after a reasonable inquiry, the information contained in the report and the information submitted pursuant to subsection 3 is true, accurate and complete. The responsible official shall:

(a) Submit supplementary facts or corrected information upon discovery; and

(b) Provide any additional information, in writing, that the Director may request.

5. The owner or operator of each affected unit shall submit the report required by subsection 1:

(a) On or before March 31, 2010, for the reporting period consisting of calendar year 2009; and

(b) On or before March 31 of each subsequent calendar year for the reporting period consisting of the immediately preceding calendar year.

6. For the purposes of this section, the Director will interpret the term “affected unit” as defined in NRS 445B.370 to include, without limitation:

(a) A cogeneration unit;

(b) A combined cycle system; and

(c) A simple cycle combustion turbine.

7. As used in this section:

(a) “Affected unit” has the meaning ascribed to it in NRS 445B.370.

(b) “Cogeneration unit” means a unit for the generation of electric energy and other forms of thermal energy, including, without limitation, for industrial and commercial heating and cooling purposes. The term includes a combined heating and power system.

(c) “Combined cycle system” means an electric power plant which has a combustion turbine generator that is used with a turbine exhaust waste heat boiler and a steam electric generator for the generation of electric energy.

(d) “Greenhouse gas” has the meaning ascribed to it in NRS 445B.137.

(e) “Simple cycle combustion turbine” means a rotary engine driven by gas pressure which is created by the combustion of any fuel, including, without limitation, a combined cycle system without auxiliary firing.

Sec. 3. *The Director shall evaluate each report submitted pursuant to subsection 1 of section 2 of this regulation and verify the information contained in the report and the information submitted pursuant to subsection 3 of section 2 of this regulation:*

- 1. On or before June 30, 2010, for the reporting period consisting of calendar year 2009; and*
- 2. On or before June 30 of each subsequent calendar year for the reporting period consisting of the immediately preceding calendar year.*

Sec. 4. NAC 445B.001 is hereby amended to read as follows:

445B.001 As used in NAC 445B.001 to 445B.3791, inclusive, *and sections 2 and 3 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 445B.002 to 445B.211, inclusive, have the meanings ascribed to them in those sections.