

**PROPOSED REGULATION OF THE  
STATE ENVIRONMENTAL COMMISSION**

**LCB File No. R004-09**

August 17, 2009

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 to the State Department of Conservation and Natural Resources for inclusion in the registry of greenhouse gas emissions described in NRS 445B.370. The report must include, without limitation:*

*(a) The total amount of greenhouse gases emitted by the affected unit during the reporting period, including, without limitation, a description of the system or method used to measure 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 Global Positioning System coordinates of the affected unit which have been identified by using coordinates of the Universal Transverse Mercator system;*
- (h) A description of each primary and alternative operating state associated with the affected unit;*
- (i) The location of any records retained by the owner or operator of the affected unit which may be used to verify the information submitted pursuant to this section, 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.*

*2. The report submitted pursuant to this section 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 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.*

*3. The owner or operator of each affected unit must 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.*

*4. This section does not prohibit a person who does not own or operate an affected unit from voluntarily reporting information concerning greenhouse gas emissions to the State Department of Conservation and Natural Resources for inclusion in the registry of greenhouse gas emissions.*

*5. As used in this section:*

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

*(b) "Greenhouse gas" has the meaning ascribed to it in NRS 445B.137.*

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

*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.