

**PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R057-07

August 15, 2007

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

AUTHORITY: §1, NRS 445B.210.

A REGULATION relating to air pollution; revising certain provisions that adopt by reference certain federal regulations; and providing other matters properly relating thereto.

Section 1. NAC 445B.221 is hereby amended to read as follows:

445B.221 1. Title 40 C.F.R. §§ 51.100(s) and 51.100(nn) and Appendix S of 40 C.F.R.

Part 51 are hereby adopted by reference as they existed on July 1, ~~[2005.]~~ *2007.*

2. Title 40 C.F.R. § 51.165 is hereby adopted by reference as it existed on July 1, 2002.

3. Appendix W of 40 C.F.R. Part 51 is hereby adopted by reference as it existed on July 1,

~~[2005, and the amendments to Appendix W of 40 C.F.R. Part 51 as set forth in Volume 70 of the Federal Register at pages 68218 et seq., November 9, 2005, are hereby adopted by reference.]~~

2007.

4. Title 40 C.F.R. § 52.21 is hereby adopted by reference as it existed on July 1, ~~[2003.]~~

2007.

5. The following subparts of 40 C.F.R. Part 60 are hereby adopted by reference:

(a) Subpart A, except §§ 60.4, 60.8(b)(2), 60.8(b)(3) and 60.11(e), as it existed on July 1,

~~[2006;]~~ *2007;*

(b) Section 60.21 of Subpart B, as it existed on July 1, 2006;

(c) Subparts C, Cb, Cc, Cd, Ce, D, Da, Db, Dc, E, Ea, Eb, Ec, F, G, H, I, J, K, Ka, Kb, L, M, N, Na, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AAa, BB, CC, DD, EE, GG, HH, KK, LL, MM, NN, PP, QQ, RR, SS, TT, UU, VV, WW, XX, BBB, DDD, FFF, GGG, HHH, III, JJJ, KKK, LLL, NNN, OOO, PPP, QQQ, RRR, SSS, TTT, UUU, VVV, WWW, AAAA, CCCC, DDDD, EEEE ~~[and]~~, FFFF, **IIII and KKKK** as they existed on July 1, ~~[2006;]~~ **2007; and**

(d) Subpart HHHH, except §§ 60.4105(b)(2), 60.4106, 60.4120 to 60.4142, inclusive, 60.4153(a) and (b) and 60.4176, as set forth in Volume 70 of the Federal Register at pages 28606 et seq., May 18, 2005, and the amendments to Subpart HHHH as set forth in Volume 71 of the Federal Register at pages 33388 et seq., June 9, 2006. ~~[; and~~

~~—(e) Subpart KKKK as set forth in Volume 71 of the Federal Register at pages 38482 et seq., July 6, 2006.]~~

6. ~~[Appendix]~~ **Appendices B and F** of 40 C.F.R. Part 60 ~~[is]~~ **are** hereby adopted by reference as ~~[it]~~ **they** existed on July 1, ~~[2006;]~~ **2007**.

7. Subparts A, C, D, E, F, H, I, J, K, L, N, O, P, Q, R, T, V, W, Y, BB and FF of 40 C.F.R. Part 61 are hereby adopted by reference as they existed on July 1, ~~[2006;]~~ **2007**.

8. Subparts A, B, C, F, G, H, I, J, L, M, N, O, Q, R, S, T, U, W, X, Y, AA, BB, CC, DD, EE, GG, HH, II, JJ, KK, LL, MM, OO, PP, QQ, RR, SS, TT, UU, VV, WW, XX, YY, CCC, DDD, EEE, GGG, HHH, III, JJJ, LLL, MMM, NNN, OOO, PPP, QQQ, RRR, TTT, UUU, VVV, XXX, AAAA, CCCC, DDDD, EEEE, FFFF, GGGG, HHHH, **IIII**, JJJJ, KKKK, MMMM, NNNN, OOOO, **PPPP**, QQQQ, RRRR, SSSS, TTTT, UUUU, VVVV, WWWW, XXXX, YYYY, ZZZZ, AAAAA, BBBB, CCCC, DDDD, EEEE, FFFF, **GGGG**, **HHHH**, JJJJ, KKKK, LLLL, MMMM, NNNN, PPPP, QQQQ ~~[and]~~, SSSS,

~~DDDDDD, EEEEE, FFFFF and GGGGG~~ of 40 C.F.R. Part 63 are hereby adopted by reference as they existed on July 1, ~~[2006.]~~ **2007**.

9. Title 40 C.F.R. Part 72 is hereby adopted by reference as it existed on July 1, ~~[2006.]~~ **2007**. If the provisions of 40 C.F.R. Part 72 conflict with or are not included in NAC 445B.001 to 445B.3791, inclusive, the provisions of 40 C.F.R. Part 72 apply.

10. Title 40 C.F.R. Part 76 is hereby adopted by reference as it existed on July 1, ~~[2006.]~~ **2007**. If the provisions of 40 C.F.R. Part 76 conflict with or are not included in NAC 445B.001 to 445B.3791, inclusive, the provisions of 40 C.F.R. Part 76 apply.

11. Title 42 of the United States Code, section 7412(b), List of Hazardous Air Pollutants, is hereby adopted by reference as it existed on October 1, 1993.

12. The *Standard Industrial Classification Manual*, 1987 edition, published by the United States Office of Management and Budget, is hereby adopted by reference. A copy of the manual may be obtained, *free of charge*, from the United States Department of Labor at the Internet address ~~[.]~~ <http://www.dol.gov>.

13. A copy of the publications which contain the provisions adopted by reference in subsections 1 to ~~10,~~ **11**, inclusive, may be obtained from the:

(a) ~~Superintendent of Documents, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954.~~

~~The price is:~~

(1) For the volume containing §§ 51.100(s) and 51.100(nn) and Appendices S and W of Part 51	\$45
(2) For the volume containing § 51.165	10
(3) For the volume containing § 52.21	61
(4) For Part 60 (Sections 60.1 to end)	58

(5) For Part 60 (Appendices)	57
(6) For Part 61	43
(7) For Part 63 (Sections 63.1 to 63.599)	58
(8) For Part 63 (Sections 63.600 to 63.1199)	50
(9) For Part 63 (Sections 63.1200 to 63.1439)	50
(10) For Part 63 (Sections 63.1440 to 63.6175)	32
(11) For Part 63 (Sections 63.6580 to 63.8830)	32
(12) For Part 63 (Sections 63.8980 to end)	35
(13) For the volume containing Parts 72 and 76	62

~~(b)~~ Division of State Library and Archives of the Department of Cultural Affairs for 10 cents per page.

~~(e)~~ (b) Government Printing Office, free of charge, at the Internet address

<http://www.gpoaccess.gov/nara/index.html>.

14. For the purposes of the provisions of 40 C.F.R. Parts 60, 61 and 63, adopted by reference pursuant to this section, the Director may not approve alternate or equivalent test methods or alternative standards or work practices.

15. Except as otherwise provided in subsections 9 and 10, the provisions adopted by reference in this section supersede the requirements of NAC 445B.001 to 445B.3791, inclusive, for all stationary sources subject to the provisions adopted by reference only if those requirements adopted by reference are more stringent.

16. For the purposes of this section, “administrator” as used in the provisions of 40 C.F.R. Parts 60, 61 and 63, adopted pursuant to this section, means the Director.