



State of Nevada

Dept. of Conservation & Natural Resources

**State Environmental Commission** SEC.nv.gov

901 South Stewart Street, Suite 4001, Carson City, Nevada 89701

## Notice of Public Meeting SEC Meeting - May 3, 2017

The State Environmental Commission (SEC) will hold a meeting on Wednesday, May 3, 2017 at 10:00 am in Carson City. The meeting location is in the Bryan Building located at 901 South Stewart Street, 2<sup>nd</sup> Floor, Tahoe Conference Room.

### Agenda

Please Note: The following items may be taken out of order and/or items may be combined for consideration. Items may also be removed from the agenda or the SEC may delay discussion relating to an item on the agenda at any time. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the SEC may refuse to consider public comment. See NRS 233B.126

#### 1) Call to Order, Roll Call, Establish Quorum (Discussion)

#### 2) Public Comment: (Discussion)

Members of the public will be invited to speak before the SEC; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to ten minutes per person at the discretion of the chairperson and may not be limited based upon viewpoint.

#### 3) Approval of November 16, 2016 Meeting Minutes (For Possible Action)

#### AIR PENALTIES

#### 4) Rawhide Mining, LLC, NOAV (Notice of Alleged Violation) No. 2577 (For Possible Action)

**Recommendation:** Approve the recommended penalty of \$6,480.00 for Rawhide Mining, LLC for failure to pass a source test, in violation of Permit AP1041-2892, as specified in NOAV No. 2577, or take other action as appropriate.

**5) L. Mackedon and Sons, Inc., NOAV No. 2587 (For Possible Action)**

**Recommendation:** Approve the recommended penalty of \$4,000.00 for L. Mackedon and Sons, Inc. for failure to apply for and obtain an Air Quality Operating Permit, as specified in NOAV No. 2587, or take other action as appropriate.

**6) Tahoe Western Asphalt, LLC, NOAV No. 2601 (For Possible Action)**

**Recommendation:** Approve the recommended penalty of \$1,500.00 for Tahoe Western Asphalt, LLC for failure to comply with Visible Emissions Observation for Opacity, as specified in NOAV No. 2601, or take other action as appropriate.

**TEMPORARY REGULATORY PETITIONS**

**7) Temporary Regulatory Petition T2017-01: Bureaus of Air Quality Planning & Air Pollution Control (For Possible Action)**

**Recommendation:** Adopt Temporary Regulatory Petition T2017-01, as proposed by the Nevada Division of Environmental Protection (NDEP), or take other action as appropriate.

The NDEP proposed amendment pertains to NAC Chapter 445B. The NDEP proposes to revise the air quality public notice rule provisions by removing the requirement to provide public notice of a draft air permit, and other program actions, through publication in a newspaper. The amendment proposes to instead provide for electronic noticing (e-notice) and website access (e-access) for those actions.

**8) Temporary Regulatory Petition T2017-02: Bureaus of Air Quality Planning & Air Pollution Control (For Possible Action)**

**Recommendation:** Adopt Temporary Regulatory Petition T2017-02, as proposed by NDEP, or take other action as appropriate.

The proposed amendment pertains to NAC Chapter 445B. The NDEP proposes to provide an exemption, under specific conditions, from requirements that specific vehicles registered in Nevada that were originally equipped with pollution control devices have those devices correctly installed and in good operating condition.

This effort will align the regulations so that Nevada will be able to apply for beneficiary status in the matter of the Volkswagen 2.0L Partial Consent Decree Environmental Mitigation Trust Agreement and receive approximately \$25 million.

Over the next two years, the Volkswagen Group will address the emissions from at least 85% of the vehicles subject to the exemption.

#### **9) Administrator's Briefing to the Commission: (Discussion)**

NDEP Administrator, Greg Lovato, will brief the SEC on management changes, the State legislative session, flood response, the Anaconda Site and status of USEPA priorities and grant funding.

#### **10) Public Comment (Discussion)**

Members of the public will be invited to speak before the SEC; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to ten minutes per person at the discretion of the chairperson.

#### **11) Adjournment**

##### **Additional Information:**

As required by the provisions of chapters 233B and 241 of Nevada Revised Statutes, this Notice and Agenda was posted no later than three working days prior to the hearing at the following locations:

- Nevada State Library & Archives, 100 N. Stewart St., Carson City, NV;
- Dept. of Conservation & Natural Resources, 901 South Stewart Street, Carson City, NV;
- Nevada Division of Minerals, 400 W. King Street, Carson City, NV;
- Nevada Dept. of Agriculture, 405 South 21<sup>st</sup> Street, Sparks, NV; and
- Nevada Division of Environmental Protection, 2030 E. Flamingo Rd, Las Vegas, NV.

This Notice and Agenda and the text of the proposed regulation, including previous drafts, are or will be posted on the on the Legislative Counsel Bureau's website at: <http://www.leg.state.nv.us/Register/> .

This agenda and supporting material for the above referenced meeting are posted on the State Environmental Commission's website at:

[http://sec.nv.gov/main/hearing\\_0517.htm](http://sec.nv.gov/main/hearing_0517.htm) . The Notice and Agenda are also available for download at the State's official website, [www.notice.nv.gov](http://www.notice.nv.gov) . Supporting material is also available at the office of the State Environmental Commission, 901 South Stewart St., Suite 4001, Carson City, NV. Anyone desiring supporting material or additional information is invited to contact Valerie King at (775) 687-9374.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, the Nevada State Environmental Commission, in care of Valerie King, Executive Secretary, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249, facsimile (775) 687-5856, or by calling (775) 687-9374, no later than 5:00 p.m. on April 26, 2017.