

State Environmental Commission
October 14, 2014

Air Quality Regulations

Exhibit 1
Changes to LCB File No. R054-15, September 9, 2015

EXPLANATION – Matter in green underline is the agency's proposed revision; matter in brackets [omitted material] is material to be omitted.

Sec. 14. 1. *An emission reduction credit shall not provide or allow:*

(a) Authority for or the recognition of a preexisting vested right to emit any regulated air pollutant;

(b) For an exemption from reasonably available control technology, best available control technology and lowest achievable emission rate requirements or any other air pollution control requirement pursuant to NAC 445B.001 to 445B.3689, inclusive, and sections 2 to 23, inclusive, of this regulation, or under any federal, state or local law, rule or regulation;

(c) For dual accounting of emission reductions that have already been included in the emission reduction credit as part of the baseline emissions in the applicable state implementation plan;

(d) For emission reductions already required by law; or

(e) Authority for or the recognition of any right that would be contrary to applicable law.

2. [Only]Except as provided in Appendix S to Part 51 of 40 C.F.R., only emission reduction credits of the same pollutant may be used to offset emissions from a new major stationary source or a major modification.