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Electronic Mail

February 27, 2014

Ms. Brenda Erdoes, Legislative Counsel
C/o Debra. Corp
Legislative Counsel Bureau (LCB), Legal Division
401 South Carson Street
Carson City, Nevada 89701-4747

RE: R145-13 – Re-Drafting, Air Quality

Dear Ms. Corp:

Enclosed for re-drafting by the LCB Legal Division is the above referenced regulatory petition relating to Air Quality. Please note the following changes:

1. The following language added to the end of Note A in section 1:
For the 2006 PM_{2.5} 24-hour and annual standards, and the 2010 NO₂ and SO₂ 1-hour standards, the Director will utilize the form of the standard set forth in 40 C.F.R. § 50.13 (2014), 40 C.F.R. § 50.11 (2014), and 40 C.F.R. § 50.17 (2014), respectively (available at <http://www.epa.gov/air/criteria.html>), to ensure that the Nevada standard is no more stringent than the federal standard in determining whether the stationary source will comply with the Nevada standards in areas where the public has access.
2. The following technical changes to sentence two of Note C in section 1:
[All m] Measurements of air quality that are expressed as mass per unit volume, such as micrograms per cubic meter, must be corrected to a reference temperature of 25 degrees Centigrade and a reference pressure of 760 mm of Hg (1,013.2 millibars), except measurements of particulate matter as PM_{2.5} and lead (Pb), which are calculated in micrograms per cubic meter at local conditions; "ppm" in this table refers to parts per million by volume, or micromoles of regulated air pollutant per mole of gas; "µg/m³" refers to micrograms per cubic meter.
3. Section 2 added to the file, amending paragraph (g) and adding paragraphs (h) and (i) to subsection 2 of NAC 445B.311:
(g) [A] Except as set forth in subsections (h) and (i), a dispersion analysis of each regulated air pollutant.
(h) A dispersion analysis for the 1-hour nitrogen dioxide standard defined in NAC 445B.22097 is not required in an environmental evaluation for:
(1) A new stationary source if the new stationary source emits, or has the potential to emit, less than 40 tons per year of nitrogen

dioxide; or

(2) A proposed modification to an existing stationary source if the proposed modification has the potential to emit less than 40 tons per year of nitrogen dioxide.

(i) A dispersion analysis for the 1-hour sulfur dioxide standard defined in NAC 445B.22097 is not required in an environmental evaluation for:

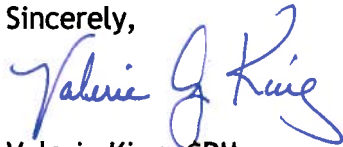
(1) A new stationary source if the new stationary source emits, or has the potential to emit, less than 40 tons per year of sulfur dioxide; or

(2) A proposed modification to an existing stationary source if the proposed modification has the potential to emit less than 40 tons per year of sulfur dioxide.

The State Environmental Commission (SEC) is planning to consider this regulatory petition at its next regulatory hearing on May 2, 2014. Additional information about this proposed regulation is available on the SEC website at: http://sec.nv.gov/main/hearing_0514.htm.

If you have any questions about this regulatory petition please contact Ms. Adele Malone at 687-9356.

Sincerely,



Valerie King, CPM
Executive Secretary

vk

Enclosure

ecc: Colleen Cripps, Administrator NDEP
Jasmine Mehta, NDEP/BAQP
Rob Bamford, NDEP/BAPC
Adele Malone, NDEP/BAQP
Rose Marie Reynolds, SEC/DAG