

**ADOPTED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R145-13

Effective June 23, 2014

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

AUTHORITY: §§1 and 2, NRS 445B.210.

A REGULATION relating to air pollution; revising provisions governing ambient air quality standards and certain environmental evaluations; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the State Environmental Commission to adopt regulations to prevent, abate and control air pollution and to establish standards for air quality. (NRS 445B.210) This regulation revises provisions prescribing the minimum state and federal standards of quality for ambient air and requirements of certain environmental evaluations.

Section 1. NAC 445B.22097 is hereby amended to read as follows:

445B.22097 1. The table contained in this section lists the minimum standards of quality for ambient air.

		NEVADA STANDARDS ^A		NATIONAL STANDARDS ^B		
POLLUTANT	AVERAGING TIME	CONCENTRATION ^C	METHOD ^D	PRIMARY ^{C, E}	SECONDARY ^{C, F}	METHOD ^D
Ozone	8 hours	0.075 ppm	Chemiluminescence	0.075 ppm	Same as primary	Chemiluminescence
Ozone-Lake Tahoe Basin, #90	1 hour	0.10 ppm (195 µg/m ³)	Ultraviolet absorption	--	--	--

Note A: The Director shall use the Nevada standards in considering whether to issue a permit for a stationary source and shall ensure that the stationary source will not cause the Nevada standards to be exceeded in areas where the general public has access. *For the 2006 particulate matter as PM_{2.5} 24-hour and annual standards, the 2010 nitrogen dioxide 1-hour standard and the 2010 sulfur dioxide 1-hour standard, the Director shall use the form of the standards set forth in 40 C.F.R. §§ 50.11, 50.13 and 50.17, as those provisions existed on June 23, 2014, to ensure that the Nevada standard is no more stringent than the National standard in determining whether the stationary source will comply with the Nevada standards in areas where the general public has access.*

Note B: The National standards are used in determinations of attainment or nonattainment. The form of a National standard is the criteria which must be satisfied for each respective concentration level of a standard for the purposes of attainment. The form for each National standard is set forth in 40 C.F.R. Part 50 and may be viewed at <http://www.epa.gov/air/criteria.html>.

Note C: Where applicable and except as otherwise described in Note G, concentration is expressed first in units in which it was adopted. ~~All measurements~~ *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*; “ppb” in this table refers to parts per billion by volume, or nanomoles of regulated air pollutant per mole

2. These standards of quality for ambient air are minimum goals, and it is the intent of the Commission in this section to protect the existing quality of Nevada's air to the extent that it is economically and technically feasible.

Sec. 2. NAC 445B.311 is hereby amended to read as follows:

445B.311 1. An environmental evaluation which is required for a new or modified stationary source pursuant to NAC 445B.308 to 445B.314, inclusive, or as required by the Director must contain a careful and detailed assessment of the environmental aspects of the proposed stationary source and must also contain:

- (a) The name and address of the applicant;
- (b) The name, address and location of the stationary source;
- (c) A description of the proposed stationary source, including the normal hours of operation of the facility and the general types of activities to be performed;
- (d) A map showing the location of the stationary source and the topography of the area, including existing principal streets, roads and highways within 3 miles of the stationary source;
- (e) A site plan showing the location and height of buildings on the site;
- (f) Any additional information or documentation which the Director deems necessary to determine the effect of the stationary source on the quality of the ambient air, including measured data on the quality of the ambient air and meteorological conditions at the proposed site before construction or modification; and
- (g) ~~1A~~ *Except as otherwise provided in subsection 5, a dispersion analysis of each regulated air pollutant.*

(3) Provides notice of and establishes a 30-day period for comment in accordance with the applicable provisions of NAC 445B.3364, 445B.3395, 445B.3447, 445B.3457 or 445B.3477;

(b) A narrative report describing:

(1) If applicable, assumptions and premises used in the analysis, including, without limitation:

(I) Model options chosen;

(II) Urban versus rural selection;

(III) Background concentrations;

(IV) Characterization of emission sources as point, area or volume;

(V) Emission discharge points; and

(VI) Rate of emission from each emission unit; and

(2) The geographic area considered in the analysis, including, without limitation, information concerning:

(I) The nearest significant terrain features;

(II) The receptor grid or grids; and

(III) Restrictions on public access to the stationary source; and

(c) Valid meteorological information pursuant to the provisions of Appendix W of 40 C.F.R. Part 51, as adopted by reference in NAC 445B.221, which:

(1) For sources that are not subject to the permitting requirements of 40 C.F.R. § 52.21, as adopted by reference in NAC 445B.221:

(I) Is site specific, if the information exists pursuant to subsection 1 of this section or subsection 6 of NAC 445B.308, and which covers a period of not less than 1 year;