



State of Nevada

Dept. of Conservation & Natural Resources

State Environmental Commission [SEC.nv.gov](http://SEC.nv.gov)

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

## Agenda SEC Meeting June 12, 2013

The State Environmental Commission (SEC) will hold a meeting on Wednesday June 12, 2013 at 10:30 am in Carson City. The meeting location in Carson City is the Bryan Building located at 901 South Stewart Street (2nd floor, Tahoe Room). The purpose of the meeting is to receive comments from all interested persons regarding the information listed on this agenda.

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.) Public Comments: (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.

### 2.) Approval of the Agenda: (For Possible Action)

### 3.) Approval of Minutes: February 13, 2013 (For Possible Action)

### 4.) Penalty Assessments for Air Quality Violations (For Possible Action)

- A. **Harvey's Resort Hotel Casino** – Penalty Assessments NOAV No. 2433 & 2434 for alleged failure to comply with permitted operating limitation requirement concerning annual limit on hours of operation for boiler emission units. The Recommended penalty amount is \$3,600.00
- B. **Harrah's Lake Tahoe Hotel Casino** – Penalty Assessments NOAV No. 2432 for alleged failure to comply with permitted operating limitation requirements concerning daily and annual limit on hours of operation for boiler emission unit. The Recommended penalty amount is \$10,200.00

- C. **Moltan Company** – Penalty Assessments NOAV No. 2409 for alleged failure to comply with a permitted emission limit for emission unit Kiln. The Recommended penalty amount is \$10,000.00
- D. **Western States Gypsum** – Penalty Assessments for Air Quality Violations (NOAV) Nos. 2416, 2417, 2418, and 2419 as per Class II Air Quality Operating Permit AP1499-0504.02 (FIN A0739). The NOAV(s) alleged failure to obtain a valid air quality operating permit for a regulated emission unit. The recommended penalty amount is \$25,200.00.

#### **5.) Variance for Alternative Fueled Vehicles – Regional Transportation Commission of Southern Nevada (RTC): (For Possible Action)**

The Regional Transportation Commission of Southern Nevada (RTC) is requesting a one -year variance from the use of alternative fuel for its diesel fueled vehicles used in fixed route and Paratransit services, as well as a number of flex-fueled vehicles, which are also used for Paratransit services. The request for the variance is allowed under NAC 486A.200. The variance would allow the RTC to use conventional diesel and gasoline instead of bio-diesel and E-85 gasoline for approximately 540 vehicles.

In approving variances, the Commission may consider whether compliance with NRS 486A/NAC 486A would: (1) void or reduce the coverage under a manufacturer's warranty for any vehicle or vehicle component; (2) result in financial hardship to the owner or operator of a fleet; (3) be impractical because of the lack of availability of clean vehicles, alternative fuel or motor vehicles that use alternative fuel; or any other reason which the Commission determines is appropriate.

In making application to the Commission for a variance, the RTC has completed SEC Form #6 (Variance for Alternative Fueled Vehicles). In its application, the RTC cites financial hardship as the principal reason for the requested variance.

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

NDEP Administrator Colleen Cripps will provide a short briefing to the Commission about legislative issues and outcomes, and recent staff changes at NDEP.

#### **7.) Public Comments: (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.

#### **8.) Adjournment:**

**Additional Information:** As required by the provisions of chapters 233B and 241 of Nevada Revised Statutes, this agenda will be 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, Nevada);
- Nevada Division of Minerals, 400 W. King Street, Carson City, NV.
- Nevada Dept. of Wildlife, 1100 Valley Road, Reno NV.
- Nevada Division of Environmental Protection in Las Vegas, 2030 E. Flamingo Rd;

In addition, copies of this agenda have been deposited electronically at major library branches in each county in Nevada.

Persons wishing to comment on the proposed actions of the State Environmental Commission (SEC) may appear at the scheduled public hearing or may address their comments, data, views, or arguments in written form to: State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. The SEC must receive written submissions at least five days before the scheduled public hearing.

If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the SEC may proceed immediately to act upon any written submissions.

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 John B. Walker, Executive Secretary, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249, facsimile (775) 687-5856, or by calling (775) 687-9308, no later than 5:00 p.m. on June 5, 2013.