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State Environmental Commission

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R006-11: Air Pollution Control New Public Notice Provisions For Class II Air Permits: The Nevada Division of Environmental Protection (NDEP) has amended one section in the air permitting provisions of NAC 445B, which deals with Class II permit applications. This regulation addresses public noticing requirements and the timeline for agency action on applications.

Specifically, the regulation requires the Director (NDEP) to act on all Class II permit applications within 60 days after the official date of submittal thus streamlining the public notice timeline for Class II applications. It requires all new Class II air permit applications and all applications for a modification (to an existing Class II source) that exceeds a certain threshold be made available for public notice. These regulatory changes respond to U.S. EPA comments on the approvability of the NDEP's public notice provisions into Nevada's applicable State Implementation Plan. The regulation is necessary to align state regulations with the federal Clean Air Act and U.S. EPA rule requirements.

Authority citation other than 233B: §§1-14, NRS 445B.210

Notice date: September 02, 2011

Hearing date: October 05, 2011