

Secretary of State
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State Environmental Commission

Classification [] Proposed [] Adopted By Agency [] Temporary [XX] Emergency [] Permanent []

T011-10: 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 temporary 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 temporary 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: November 05, 2010

Hearing date: December 07, 2010