

Secretary of State
Filing Data

**For Filing Administrative
Regulations**

For Emergency
Regulations Only

Effective Date

Expiration Date

Governor's Signature

State Environmental Commission

Classification Proposed Adopted By Agency Temporary Emergency Permanent

Temporary Regulation T036-09: With this temporary regulations the State Environmental Commission (SEC) is updating NAC 445B.221, "Adoption by reference and applicability of certain provisions of federal law and regulations." The SEC is adopting into state regulation sections of the federal New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) rules that have been adopted by the U.S. Environmental Protection Agency (EPA) and published in the Federal Register since the NAC was last updated, as well as certain test methods.

This temporary regulation is necessary so that Nevada can request delegation for the implementation of new and revised federal NSPS and NESHAP rules that became effective after March 2008. This update will allow the regulated industry to continue to work with the state as opposed to US EPA. Additionally, adopting the test methods will allow the Nevada Division of Environmental Protection to use methods approved by US EPA and recognized by the scientific community to measure emissions from sources.

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

Notice date: May 13, 2009

Hearing date: June 17, 2009