

JIM. GIBBONS
Governor



STATE OF NEVADA
STATE ENVIRONMENTAL COMMISSION

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ALLEN BIAGGI
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October 01, 2009

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Ms. Brenda Erdoes, Legislative Counsel

C/o Debra. Corp
Legislative Counsel Bureau (LCB), Legal Division
401 South Carson Street
Carson City, Nevada 89701-4747

MEMBERS

Pete Anderson
State Forester
Division of Forestry

Re: Regulation P2009-04: Class I Air Quality Operating Permit to Construct (OPTC):

Dear Ms. Corp:

Tony Lesperance, Director
Department of
Agriculture

Enclosed for "drafting" by the LCB Legal Division is a proposed permanent regulation that would amend NAC 445B.3363. This regulation established requirements and timelines for air quality permits involving case-by-case determinations for maximum achievable control technologies (MACTs) as required under federal rules governing the National Emissions Standards for Hazardous Air Pollutants. The regulation is needed since the current Class I OPTC regulation does not allow sufficient time for processing case-by-case MACT applications, and it's inconsistent with existing federal rules.

Eugene Gans
Las Vegas, NV

Kenneth Mayer - Director
Department of Wildlife

If you have any questions about this regulation please contact Ms. Adele Malone at 687-9356. More information about the attached regulation is posted on the SEC website at: http://sec.nv.gov/main/hearing_1209.htm

Kathryn Landreth
Reno, NV

Tracy Taylor
State Engineer
Division of Water Resources

Sincerely,

John B Walker

John B. Walker
Executive Secretary

Harry Shull
Las Vegas, NV

Frances Barron
State Board of Health
Las Vegas, NV

Stephanne Zimmerman
Las Vegas, NV

JBW/jbw
Enclosure
ecc: Rose Marie Reynolds, Deputy Attorney General
Colleen Cripps, Deputy Administrator NDEP
Mile Elges, NDEP / BAQP
Greg Remer, NDEP / BPC
Adele Malone, NDEP/BAQP

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