

JIM. GIBBONS
Governor



STATE OF NEVADA
STATE ENVIRONMENTAL COMMISSION

901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249
Telephone (775) 687-9308
Fax (775) 687-5856
www.sec.nv.gov

Leo Drozdoff, P.E.
Acting Director



CHAIRMAN:
Lew Dodgion
Carson City, NV

June 21, 2010

VICE CHAIRMAN:
Alan Coyner
Administrator
Division of Minerals
Commission on Mineral
Resources

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 R040-10: Repeal of Nevada Clean Air Mercury Rule Program

Dear Ms. Corp:

Tony Lesperance
Director, Department of
Agriculture

Attached is a permanent regulation referenced above that was adopted by the State Environmental Commission (SEC) on June 17th 2010. Also attached is the filing statement required by NRS 233B.066 and the SEC form for filing administrative regulations with the Secretary of State.

Eugene Gans
Las Vegas, NV

The Nevada Division of Environmental Protection (NDEP) is proposing to repeal the Nevada Clean Air Mercury Rule Program by removing NAC 445B.3711 to 445B.3791, inclusive, and all references to the program throughout Chapter 445B of the Nevada Administrative Code (NAC). This program was established in 2006 in response to a federal requirement for states to control mercury emissions from coal-fired electric generating units at power plants. In February 2008, the US Court of Appeals for the District of Columbia struck down the federal Clean Air Mercury Rule (CAMR) in "State of New Jersey, et al v USEPA, et al". Thus, the federal requirement for the Nevada CAMR program no longer exists

Kenneth Mayer - Director
Department of Wildlife

Kathryn Landreth
Reno, NV

Jason King
State Engineer
Division of Water Resources

More information about this regulation such as workshop notices and related background information is available on the SEC website at:

http://www.sec.nv.gov/main/hearing_0610.htm

Harry Shull
Las Vegas, NV

The contact person for this regulation is Ms. Adele Malone at 687-9356. If you have any questions about these documents please contact me at 687-9308.

Frances Barron
State Board of Health
Las Vegas, NV

Sincerely,

JOHN B WALKER

Stephanne Zimmerman
Las Vegas, NV

John B. Walker
Executive Secretary

COUNSEL
Rose Marie Reynolds

JBW
Enclosure
ecc: Rose Marie Reynolds, Deputy Attorney General
Colleen Cripps, Acting Administrator
Mike Elges, NDEP/BAPC
Greg Remer, NDEP/BAQP

STAFF
[John B. Walker](#)
Executive Secretary

[Kathy Rebert](#)
Recording Secretary