

Nevada State Environmental Commission – SEC
Meeting Agenda
June 10, 2005

The State Environmental Commission (SEC) will hold a public hearing at 10:30 a.m. on Friday June 10, 2005, at the Nevada Department of Conservation & Natural Resources, 123 W. Nye Lane, Conference Room 217, Carson City, Nevada.

This agenda has been posted at the Nevada Department of Wildlife building in Reno, the Washoe County Library in Reno, the Clark County Public Library, and the offices of the Division of Environmental Protection in Carson City and Las Vegas. The Public Notice for this hearing was published on May 10, 24 and June 7th in the Las Vegas Review Journal and Reno Gazette Journal newspapers.

The following items will be discussed and acted upon but may be taken in different order to accommodate the interest and time of the persons attending.

- I. Acknowledgement of newly appointed Commissioner**
- II. Approval of minutes from the November 30 hearing * ACTION**
- III. Settlement Agreements on Air Quality Violations *ACTION by Consent Calendar**
 - A. Brown Brothers - Notice of Alleged Air Pollution Control violation No. #1859**
 - B. Reno Sparks Ready Mix - Notice of Alleged Air Pollution Control violation # 1908**
 - C. RMC Nevada - All-lite Aggregates - Notice of Alleged Air Pollution Control violation #1961**
 - D. W.E.S. Construction Company - Notice of Alleged Air Pollution Control violation # 1915**
 - E. Royal Sierra Extrusions, Inc. - Notice of Alleged Air Pollution Control violation # 1919**

IV. Regulatory Petitions * ACTION

Air Pollution Control

Petition 2005-02 - Revised Air Pollution Control Regulations To Meet Federal Planning Requirements. The regulatory changes are necessary to supplement the February 2005 submittal of Nevada's Applicable State Implementation Plan (ASIP) to EPA, allowing EPA to approve the updated ASIP.

The proposed regulation will revise several sections in the permitting provisions of NAC 445B. It will add provisions to ensure good engineering practice regarding stack height and emission limitations, require Prevention of Significant Deterioration review when relocating certain fossil-fueled power generating units, and update and clarify environmental evaluation information requirements. Additionally, the regulation will remove Director's discretion for dealing with the handling of organic solvents and other volatile compounds, add a timeframe for the State's response to requests for technical advise regarding plans for construction or modification of a facility, and increase the time allowed for the State to respond to a request from a source to determine whether an action constitutes construction or modification. Finally, the proposed regulation will modify the requirements for a Class II application for revision of an operating

permit, to include information on actual emission rates. Other changes include correcting certain redundant provisions and making several clarifications, technical corrections and updates.

This regulation will not have an immediate or long-term adverse effect on business or the public. There will be no additional cost to the agency for enforcement of the proposed regulation and the regulation does not overlap or duplicate any regulations of other state, federal, or local agencies. The amended regulation is no more stringent than what is established by federal law.

Mining Reclamation

Petition 2005-01 - Mining Reclamation Permit Modification and Fee Adjustments. This is a temporary regulation proposed by the Bureau of Mining Regulation and Reclamation of the Nevada Division of Environmental Protection. The proposed temporary regulation provides for changes to the NAC 519A mining reclamation regulations. Under the proposed regulation, changes include a revision to the current fee structure for a permit modification and definition of minor modification. The proposed revision also defines a major modification. The revision to the current fee structure will reduce the fees charged for simple changes to the permit that require minimal staff time to review and process. The other proposed revisions set clearer parameters to define minor and major modification.

This regulation will not have an immediate or long-term adverse effect on business or the public. There will be no additional cost to the agency for enforcement of the proposed regulation and the regulation does not overlap or duplicate any regulations of other state, federal, or local agencies. The amended regulation is no more stringent than what is established by federal law. As noted above, a revision to the current fee structure is proposed and would reduce fees charged for simple permit changes.

V. Public Comments

Meeting Information: Copies of the proposed regulations may be obtained by calling the Executive Secretary, John Walker at (775) 687-9308. The public notice and the text of the proposed regulations are also available on the State Environmental Commission website at: <http://www.sec.nv.gov/main/hearing0605.htm>

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, the Nevada State Environmental Commission, in care of John B. Walker, Executive Secretary, 333 West Nye Lane, Room 138, Carson City, Nevada, 89706-0851, facsimile (775) 687-5856, or by calling (775) 687-9308, no later than 5:00 p.m. on June 03, 2005.