



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

*Jim Gibbons, Governor*

*Allen Biaggi, Director*

*Leo M. Drozdoff, P.E., Administrator*

## **Notice of Workshop to Solicit Comments on Proposed Revisions to Nevada Administrative Code (NAC) 445B.001-.3791 AIR CONTROLS: AIR POLLUTION**

The Nevada Division of Environmental Protection (NDEP) is proposing to adopt regulations amending NAC 445B.001 to 445B.3791. The following workshop has been scheduled to solicit comments from persons interested in the regulatory amendments (petitions) described below:

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| <b>CARSON CITY</b>                                 |
| <b>October 16, 2007 9:30 AM to 12:00<br/>Noon</b>  |
| <b>Nevada Division of Environmental Protection</b> |
| <b>PEBP Multi-Purpose Room, Floor 1</b>            |
| <b>901 South Carson Street</b>                     |

**I. P2007-06 (R142-07).** The NDEP is proposing to amend NAC 445B.001 to 445B.3497 of the State “Air Pollution” regulations, by:

- Adding regulations which (a) mandate the reporting of greenhouse gases (GHG) emitted by certain generators of electricity for inclusion in a registry of GHG emissions, and (b) require NDEP to issue, at least every 4 years, a statewide inventory of GHGs released in the State.
- Revising the operating permits regulations in response to the U.S. Environmental Protection Agency’s (EPA) review of NDEP’s proposed update to the Nevada State Implementation Plan (ASIP). The revisions are minor, including clarifications; aligning the state definition of “federally enforceable” with the federal definition; and adding public participation requirements for Class II general permits.
- With respect to minor violations,
  - For all regulations except fugitive dust, increasing the fine for the third occurrence of a minor violation of the same regulation; and
  - Increasing the fine for the first violation of the fugitive dust regulation and changing the second and third violations from major to minor violations with fines of \$1,000 and \$2,000, respectively.
- Revising the definition of a “Class III source” to allow a stationary compression ignition internal combustion engine that is subject to 40 CFR 60 Subpart IIII, “Standards of Performance for Stationary Compression Ignition Internal Combustion Engines,” and does not exceed 750 horsepower to qualify as a Class III source.

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**II. P2007-07 (R143-07).** The NDEP is proposing to amend the “Nevada Clean Air Mercury Rule Program,” NAC 445B.3711 to 445B.3791, by:

- Establishing requirements for public participation in the determination of the amount of mercury allowances available for sale or auction by the agency.
- Adding a provision affirming that a mercury allowance does not constitute a property right.
- Making other clarifications and technical corrections.

*A copy of materials relating to the proposed regulations may be obtained on line at <http://sec.nv.gov>, at the workshop or from Adele Malone at NDEP, 901 S. Carson Street, Suite 4001, Carson City, NV 89701; (775) 687-9356; or e-mail to [amalone@ndep.nv.gov](mailto:amalone@ndep.nv.gov). Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify Adele Malone no later than 3 working days before the workshop.*

*This notice has been posted at the Nevada Division of Environmental Protection offices in Carson City and Las Vegas, at the State Library in Carson City and at County libraries throughout Nevada. 9/27/07*