

**FORM FOR PETITIONING THE STATE ENVIRONMENTAL COMMISSION FOR
ADOPTION, FILING AMENDMENTS OR REPEAL OF COMMISSION REGULATIONS**

1. Nevada Division of Environmental Protection
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2. The Nevada Division of Environmental Protection (NDEP) is a division of the Nevada Department of Conservation and Natural Resources of the State of Nevada. The NDEP is an environmental regulatory agency.
3. Nevada Revised Statutes (NRS) 445B.210 establishes the authority of the State Environmental Commission (SEC) to adopt regulations to prevent, abate and control air pollution. NRS 445B.300 establishes specific authority of the SEC regarding operating permit requirements for sources of air contaminants.

SPECIFIC CHANGES:

The NDEP is proposing to revise the best available retrofit technology (BART) requirements for NO_x for units 1, 2 and 3 at NV Energy's Reid Gardner Generating Station (RGGGS). The proposed amendment will lower the NO_x emission limit for unit 3 from 0.28 lb/10⁶ Btu on a 12-month rolling average to 0.20 lb/10⁶ Btu on a 30-day rolling average. The averaging time for units 1 and 2 will be also change to a 30-day rolling average. The 0.20 lb/10⁶ Btu emission limit will be averaged across all three units. Additionally, the proposed amendment will revise the control technology for all three units to low NO_x burners with overfire air and selective non-catalytic reduction. The proposed regulation requires that all BART control measures must be installed and operating on or before April 30, 2016.

4. **NEED FOR AND PURPOSE:**

The federal *Regional Haze Regulations; Final Rule* (RHR) promulgated in July 1999 (64FR35714) requires states to establish emission reduction strategies for improving visibility in all 156 mandatory Class I national parks and wilderness areas in the

United States. One of the strategies required by the RHR is the application of BART to certain existing sources. Electrical generating units 1, 2 and 3 at NV Energy's RGGGS are subject to the BART requirement. Based on experience gained at the RGGGS's unit 4 since the current BART regulation was adopted, the NDEP has determined that the selected control technology will not perform as well as expected on units 1-3. In order to ensure that the BART emission limits will be achieved, it is necessary to revise the required control technology. In addition, further review of the emissions data from RGGGS supports the conclusion that BART for NO_x at all 3 units is 0.20 lb/Btu, on a 30-day rolling average, averaged across all three units.

5. ECONOMIC EFFECTS:

(a) Regulated Business/Industry. There will be no economic effects of the proposed regulation on the regulated industry. The economic impacts of the selective non-catalytic reduction technology are similar to the original proposal of rotating opposed fire air with Rotamix, in that both types of technology are relatively cost effective and produce similar environmental benefit.

(b) Public. The regulated industry places the costs of environmental compliance into its rate base. This proposed regulation was developed using cost effective technology choices aimed at achieving optimized environmental benefit. Therefore, the impact on the public; i.e. utility rate payers, is expected to be minimal.

(c) Enforcing Agency. There will be no economic effects on the NDEP.

6. The proposed amendment does not overlap or duplicate any regulations of other state or government agencies.

7. The proposed amendment is no more stringent than what is established by federal law.

8. The proposed amendment does not address fees.