



Notice of Regulatory Hearing Adoption of Regulations and Other Matters Before the State Environmental Commission

The State Environmental Commission (SEC) will hold a meeting on Wednesday October 9, 2013 at 10:00 am in Carson City. The meeting location in Carson City is the Bryan Building located at 901 South Stewart Street (2nd floor, Tahoe Room). The purpose of the meeting is to receive comments from all interested persons regarding the information listed on this agenda.

Nevada Division of Environmental Protection: (For Possible Action)

R041-13: Air Quality, Adoption by Reference of Certain Federal Regulations:

The Nevada Division of Environmental Protection (NDEP) is proposing to amend NAC 445B.221, Adoption by reference and applicability of certain provisions of federal law and regulations, to adopt applicable federal rules promulgated since the State regulation was last updated as of January 1, 2012. The update includes rulemakings under 40 CFR Part 52.21, "Prevention of significant deterioration of air quality" (PSD), related to the regulation of greenhouse gases, Part 60, "Standards of performance for new stationary sources" (NSPS), and Part 63, "National emission standards for hazardous air pollutants for source categories" (NESHAP).

This regulation will not have an immediate or long-term adverse economic impact on the public or the business community. There will be no additional costs to NDEP for enforcement of the proposed regulation and the regulation does not overlap, duplicate or conflict with any regulations of other government agencies. The regulation does not address fees and it is essential to the functions and operations of NDEP. (SEC #P2013-01)

R042-13: Standards of Quality for Ambient Air, Prerequisites & Conditions for Operating Permits; and Compliance with Applicable State

Implementation Plan: The Nevada Division of Environmental Protection (NDEP) is proposing to amend NAC 445B.22097, "Standards of quality for ambient air," and NAC 445B.308, "Prerequisites and conditions for issuance of certain operating permits; compliance with applicable state implementation plan." The agency is proposing to revise the Nevada side of the ambient air quality standards table in NAC 445B.22097 to further align it with the federal standards currently in effect. The proposed regulation also revises the 2008 lead and ozone standards in the Nevada side of the ambient air quality standards table. Additionally, it adds an explanatory note regarding implementation of the federal fine particles standard in Nevada.

NDEP is proposing this action in response to a rulemaking by the USEPA, which identified deficiencies in Nevada's state implementation plan (SIP) with respect to Nevada's minor sources permitting program. USEPA determined that Nevada's permitting regulations did not adequately address the 2006 fine particulate or the 2008 lead NAAQS. The NDEP identified a similar deficiency with respect to the 2008 ozone NAAQS. If adopted, these amendments will be submitted to the U.S. Environmental Protection Agency as part of a SIP revision. Finally, the proposed regulation removes an obsolete subsection from NAC 445B.308 in accordance with Governor Sandoval's directive to agencies to streamline regulations, use clear and concise language, and remove unnecessary requirements.

This regulation will not have an immediate or long-term adverse economic impact on the public or the business community. There will be no additional costs to NDEP for enforcement of the proposed regulation and the regulation does not overlap, duplicate or conflict with any regulations of other government agencies. The regulation does not address fees and it is essential to the functions and operations of NDEP. (SEC #P2013-02)

Additional Information: Persons wishing to comment on the proposed actions of the State Environmental Commission (SEC) may appear at the scheduled public hearing or may address their comments, data, views, or arguments in written form to: State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. The SEC must receive written submissions at least five days before the scheduled public hearing.

If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the SEC may proceed immediately to act upon any written submissions.

Members of the public can inspect copies of the regulations to be adopted at the State Library and Archives in Carson City (100 Stewart Street), and at the offices of the Division of Environmental Protection in Carson City and Las Vegas. The Carson City office is located at 901 South Stewart Street, Suite 4001 and the Las Vegas office is located at 2030 E. Flamingo Rd. Suite 230.

As required by the provisions of chapters 233B and 241 of Nevada Revised Statutes, the public notice for this hearing was posted at the following locations: the Bryan Building (901 South Stewart Street, Carson City, Nevada); the offices of the Division of Environmental Protection in Las Vegas (2030 E. Flamingo Rd. Suite 230), at the State Library and Archives building in Carson City (100 Stewart Street) and at the Nevada Division of Minerals, 400 W. King Street, Carson City, NV.

In addition, copies of this notice have been deposited electronically at major library branches in each county in Nevada. This notice and the text of the proposed regulations are also available on the State Environmental Commission's website at: http://www.sec.nv.gov/main/hearing_1013.htm. The

proposed regulation denoted in this notice, including previous drafts, is or will be posted on the Legislative Counsel Bureau's website at:

<http://www.leg.state.nv.us/register/> .

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 Valerie King, Executive Secretary, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249, facsimile (775) 687-5856, or by calling (775) 687-9374, no later than 5:00 p.m. on October 3, 2013.