

BRIAN SANDOVAL  
Governor



STATE OF NEVADA  
STATE ENVIRONMENTAL COMMISSION

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COUNSEL  
Rose Marie Reynolds

STAFF  
Valerie King  
Executive Secretary

October 11, 2013

Ms. Brenda Erdoes, Legislative Counsel

c/o Debra. Corp  
Legislative Counsel Bureau (LCB), Legal Division  
401 South Carson Street  
Carson City, Nevada 89701-4747

RE: Filing of Permanent Regulation R042-13: Air Pollution

Dear Ms. Corp:

Enclosed is a permanent regulation referenced above that was adopted by the State Environmental Commission (SEC) on October 9, 2013. Also enclosed is the filing statement required by NRS 233B.066 and the SEC form for filing administrative regulations with the Secretary of State.

The regulation revises NAC 445B.22097, "*Standards of quality for ambient air;*" 445B.308, "*Prerequisites and conditions for issuance of certain operating permits; compliance with applicable state implementation plan;*" and 445B.311, "*Environmental evaluation: Contents; consideration of good engineering practice stack height.*" The regulation amends the ambient air quality standards table in NAC 445B.22097 to update the federal ozone standard and align the Nevada ozone and lead standards with the current federal standards.

The regulation removes an obsolete subsection from NAC 445B.308. Subsection 5 of NAC 445B.308 contained requirements for obtaining an operating permit in a basic ozone nonattainment area for the 1997 ozone national ambient air quality standards (NAAQS). The U.S. Environmental Protection Agency (USEPA) has withdrawn the "basic" category of ozone nonattainment area classifications; thus, subsection 5 of NAC 445B.308 is unnecessary. The revision to NAC 445B.311 reflects the renumbering caused by removing subsection 5 from NAC 445B.308.

Additional support documentation for this regulation is posted on the SEC Website at [http://sec.nv.gov/main/hearing\\_1013.htm](http://sec.nv.gov/main/hearing_1013.htm) and the contact person for this regulation is Ms. Adele Malone at 687-9356.

Sincerely,

A handwritten signature in blue ink that reads "Valerie King".

Valerie King, CPM  
Executive Secretary

Enclosure

**ecc: Colleen Cripps, Ph.D., NDEP Administrator  
Jasmine Mehta, NDEP/Chief  
Adele Malone, NDEP/BAQP  
Rose Marie Reynolds, SEC/DAG**