

NEVADA STATE ENVIRONMENTAL COMMISSION
A G E N D A
June 19, 2003

The Nevada State Environmental Commission will conduct a public hearing commencing at **9:30 a.m. on Thursday, June 19, 2003, at the Nevada Division of Wildlife, 1000 Valley Road, Conference Room A in Reno, Nevada.**

This agenda has been posted at the Clark County Public Library and Grant Sawyer Office Building in Las Vegas, Washoe County Library and the Division of Wildlife in Reno, Division of Environmental Protection and State Library Division in Carson City. The Public Notice for this hearing was published on May 21, 2003, May 27, 2003 and June 3, 2003 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. Approval of minutes from the November 19, 2002 hearing. * ACTION

II. Memorializing of Commissioner Iverson

III. Certificate of Appreciation to David Cowperthwaite

IV. National Water Quality Student Award Acknowledgement and Commendation * ACTION

V. Regulatory Petitions * ACTION

1) Petition 2003-03 is proposed temporary amendments to NAC 445B.001 to 445B.3497, the air pollution control regulations. The regulation amends NAC 445B.281 to increase and standardize the fines in the schedule for minor violations, including fugitive dust, open burning, incinerator burning, odors, excess emissions, testing and sampling reporting, monitoring system reporting and change of location. First offense is increased to \$250, second offense to \$500 and third offense to \$750, except for fugitive dust emissions where the fine is proposed be \$1,000 for the third offense.

2) Petition 2003-04 is proposed temporary amendments to NAC 445B.001 to 445B.3497, the air pollution control regulations. The proposed regulation amendments include only minor clarifications, technical corrections and the removal of regulations that are no longer applicable. These are necessary to update and correct the NAC. They will also bring Nevada's program more into alignment with the Applicable State Implementation Plan.

3) Petition 2003-05 is proposed temporary amendments to NAC 445B.001 to 445B.3497, the air pollution control regulations. On December 31, 2002, the U.S. Environmental Protection Agency adopted revisions to the federal New Source Review (NSR) and Prevention of Significant Deterioration (PSD) rule. The federal revisions include changes to applicability determinations, plant-wide applicability limits (PALs), clean unit exemptions, and pollution control projects. The changes being proposed by the agency adopt by reference those revisions and create a separate set of regulations for PSD sources necessary to ensure consistency with the federal program and allow NDEP to implement the new federal provisions. Specifically, the agency is proposing: 1) Application requirements for each of the new provisions; 2) Application processing timelines for each of the new provisions; 3) Permit content requirements; 4) A fee structure that is expected to cover costs for each of the new provisions; and 5) Technical corrections to separate PSD source requirements from the application and permit requirements for other sources. These regulation changes are necessary to regain full delegation of these federal programs.

VI. Non Regulatory Petitions * ACTION

The Nevada Environmental Commission pursuant to NAC 444.8476 received a request on January 16, 2003 from Day & Zimmerman Hawthorne Corporation, the operations contractor for the Hawthorne Army Depot, for **renewal**

ordnance demilitarization system. The variance application concerns the proximity of groundwater beneath the proposed plasma ordnance demilitarization system. NAC 444.847 through 444.8482 provides for the Environmental Commission to act upon variance requests. The renewal variance application has been reviewed by the Nevada Division of Environmental Protection. NAC 444.8478 provides for a thirty-day public notice and comment period.

VII. Settlement Agreements on Air Quality Violations * ACTION

- A. Canam Minerals, Inc; Notice of Alleged Violation # 1716, 1717 & 1718
- B. Getchell Gold Corp; Notice of Alleged Violation #1733
- C. Gopher Construction; Notice of Alleged Violation # 1725 to 1731
- D. Jaynes Corporation; Notice of Alleged Violation #1735
- E. Julian Aragon-Perez; Notice of Alleged Violation #1734
- F. Nevada Drilling Fluid, Inc; Notice of Alleged Violation # 1700
- G. Onyx Construction, Inc; Notice of Alleged Violation # 1722
- H. Ribeiro Corporation; Notice of Alleged Violation #1745; \$ 1,020.00 – Carson City
- I. Sierra Pacific Power Co.; Notice of Alleged Violation # 1650, 1651 & 1652
- J. Vogue Linen and Uniform Rental; Notice of Alleged Violation # 1738, 1739, 1740, 1741, 1742, and 1743 - \$ 3,120.00

VIII. Presentation on mining reclamation fees

IX. Status of Division of Environmental Protection's Programs and Policies

X. General Commission or Public Comment

Copies of the proposed regulations may be obtained by calling the Executive Secretary, at (775) 687-9309. The public notice and the text of the proposed regulations are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653. The proposed regulations are on the Internet at <http://www.leg.state.nv.us>. In addition the State Environmental Commission maintains an Internet site at <http://www.sec.nv.gov/>.

Persons with disabilities who require special accommodations or assistance at the meeting are requested to notify the Executive Secretary in writing at the Nevada State Environmental Commission, 333 West Nye Lane, Room 138, Carson City, Nevada, 89706-0851 or by calling (775) 687-9310, by 5:00 p.m. June 13, 2003.

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