



State of Nevada

Dept. of Conservation & Natural Resources

State Environmental Commission

901 South Stewart Street, Suite 4001 -- Carson City, Nevada 89701-5249



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 Tuesday, June 18, 2024, at 9:00 am. The meeting will be held in the Bonnie B. Bryan Room, on the first floor of the Bryan Building, at 901 South Stewart Street. There is also the option to participate virtually using the link below.

Join the meeting https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzZiY2NhMjYtZDUzOC00MDM0LTlmOGYtYTE2YjNjNjg1NGIx%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22f7cf1a57-aa9a-4aa8-ab6b-9414ab15f56e%22%7d

Meeting ID: 216 208 803 342

Passcode: BTnjK5

Click to call from Mobile (audio only)

+1 775-321-6111,,447710946#

Call in by Phone (audio only)

United States: +1 775-321-6111

Meeting extension: 447 740 946#

The meeting will also be streamed to the Red Rock Conference room at the Las Vegas Nevada Division of Environmental Protection (NDEP) offices, located at 375 East Warm Springs Road. The purpose of this meeting is to receive comments from all interested persons regarding the information listed on this notice and the meeting agenda. The following information is provided pursuant to the requirements of Nevada Revised Statutes (NRS) 233B.0603.

Permanent Regulation R075-24: Bureau of Air Quality Planning - Repealing Provisions Authorizing Affirmative Defense

NDEP is proposing to amend Nevada Administrative Code (NAC) 445B by removing NAC 445B.326, which pertains to an affirmative defense for an action brought for noncompliance with a technology-based emission limitation contained in an air quality operating permit.

The U.S Environmental Protection Agency has adopted federal regulations that remove the affirmative defense provisions from the Title V program regulations because these provisions are inconsistent with the EPA's interpretation of the enforcement structure of the Clean Air Act. The regulations require that states remove affirmative defense provision from their regulations by August 21, 2024, to comply with Clean Air Act requirements.

The proposed changes are not expected to have any economic impact on the public, the regulated community, or the Division.

Permanent Regulation R076-24: Bureau of Air Quality Planning - Repealing Provisions Authorizing Affirmative Defense

NDEP is proposing to revise parts of NAC 445B to reduce confusion between state and federal requirements, streamline regulatory processes, and repeal regulations that no longer serve a purpose for achieving the intents and purposes of NRS 445B.110 to 445B.640, inclusive. These changes are necessary to improve efficiency in administering Nevada's Air Programs and minimize the resources needed to understand the regulatory requirements that may affect businesses and the public.

The proposed changes are expected to have minimal (but positive) potential economic impact on the regulated community. These changes are not expected to have any economic impact on the public or the Division.

Additional Information: Persons wishing to comment on the proposed actions of the SEC may participate in the scheduled public hearing (virtually or by phone) 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 375 East Warm Springs Road, Suite 200.

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 (375 East Warm Springs Road, Suite 200), at the State Library and Archives building in Carson City (100 Stewart Street), the Nevada Division of Minerals, 400 W. King Street, Carson City, NV and the Department of Agriculture, 405 South 21st Street, Sparks, NV.

In addition, copies of this notice have been deposited electronically at major library branches in each county in Nevada as specified below. This notice and the text of the proposed regulations will also be available on the SEC's website at: <https://sec.nv.gov/meetings/sec-regulatory-meeting-june-18-2024>. The proposed regulation denoted in this notice, is, or will be, posted on the Legislative Counsel Bureau's website at <http://www.leg.state.nv.us/register/> and also the Department of Administration's website at <https://notice.nv.gov/>.

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 Sheryl Fontaine, 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 June 11, 2024.

This Notice was provided to or posted at the following Nevada county locations:

Carson City Library
900 North Roop Street
Carson City, Nevada 89701-3101

Lincoln County Library
63 Main Street
Pioche, Nevada 89043

Churchill County Library
553 South Main Street
Fallon, Nevada 89406-3306

Lyon County Library System
20 Nevin Way
Yerington, Nevada 89447-2399

Las Vegas-Clark County Library District
Director of Marketing and Community Relations
7060 W. Windmill
Las Vegas, Nevada 89113

Mineral County Public Library
P.O. Box 1390
Hawthorne, Nevada 89415

Douglas County Public Library
1625 Library Lane
Minden, Nevada 89423-0337

Pershing County Library
1125 Central Avenue
Lovelock, Nevada 89419

Elko County Library
720 Court Street
Elko, Nevada 89801-3397

Storey County Library - Closed
Posted at Clerk's Office
Address below:

Esmeralda County Library
Corner of Crook & 4th Street
P.O. Box 430
Goldfield, Nevada 89013-0430

Storey County Treasurer and Clerk's Office
Drawer D
Virginia City, Nevada 89440

Eureka County Library
10190 Monroe Street
Eureka, Nevada 89316

Humboldt County Library
85 East 5th Street
Winnemucca, Nevada 89445-3095

Battle Mountain Branch Library (Lander County)
625 South Broad Street
Battle Mountain, Nevada 89820

Tonopah Public Library (Nye County)
P.O. Box 449
Tonopah, Nevada 89049

Washoe County Library System
301 South Center Street
Reno, Nevada 89501-2102

White Pine County Library
950 Campton Street
Ely, Nevada 89301