



State of Nevada

Dept. of Conservation & Natural Resources

**State Environmental Commission** SEC.nv.gov

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

## Agenda SEC Regulatory Meeting

The State Environmental Commission (SEC) will hold a meeting on Wednesday, December 4, 2019 at 9:00 am in Carson City. The meeting will be held in the Tahoe Conference Room (second floor) of the Richard H. Bryan Building, 901 South Stewart Street. The meeting will also be video-conferenced in Las Vegas at the Nevada Division of Environmental Protection office located at 2030 East Flamingo Road, Suite 230.

**Please Note:** The following items may be taken out of order and/or items may be combined for consideration. Items may also be removed from the agenda or the SEC may delay discussion relating to an item on the agenda at any time. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the SEC may refuse to consider public comment. See NRS 233B.126

### 1) Call to Order, Roll Call, Establish Quorum (Discussion)

### 2) Public Comment:

Members of the public will be invited to speak before the SEC; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to three minutes per person at the discretion of the chairperson.

### 3) Approval of October 2, 2019 Meeting Minutes (For Possible Action)

### AIR PENALTY

#### Western States Gypsum

### 4) NOAV Nos. 2676, 2678, & 2710 (For Possible Action)

Alleged failures to construct or operate a stationary source in accordance with any condition of an operating permit, in violation of Class II Air Quality Operating Permit AP1499-0504.03.

Recommendation: Approve NDEP-recommended penalties for Western States Gypsum in the amounts of \$10,200 for NOAV No. 2676, \$1,500 for NOAV No. 2678, and \$5,560 for NOAV No. 2710, totaling \$17,260.00, or take other action as appropriate.

## **REGULATORY PETITION**

### **5) Permanent Regulatory Petition R043-19: Bureau of Water Quality Planning - Selenium (For Possible Action)**

NDEP is proposing to amend NAC 445A.1236 to align with the most current recommended numeric criterion published by EPA for selenium to protect the aquatic life beneficial use.

**Recommendation:** Approve and adopt permanent regulatory petition R043-19, as proposed, or take other action as appropriate.

### **6) Administrator's Briefing to the Commission: (Discussion)** Administrator Greg Lovato will brief the Commission on Senate Bill 254 related to greenhouse gas emissions reporting.

### **7) Public Comment:** Members of the public will be invited to speak before the SEC; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to three minutes per person at the discretion of the chairperson.

### **8) Adjournment**

**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 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**), the Nevada Division of Minerals, **400 W. King Street, Carson City, NV** and at the Nevada Department of Agriculture (**405 South 21st Street, Sparks, Nevada**).

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:

<https://sec.nv.gov/meetings/sec-regulatory-meeting-december-4-2019>. All of the proposed regulations denoted in this notice, including previous drafts, are or will be posted on the Legislative Counsel Bureau's website.

Members of the public who would like to inspect all supporting materials for this meeting or 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 November 27, 2019.