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ENVIRONMENTAL PROTECTION

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September 7, 2016

State Environmental Commission
901 South Stewart Street, Suite 4001
Carson City, NV 89701

Pat Skorkowsky, Superintendent

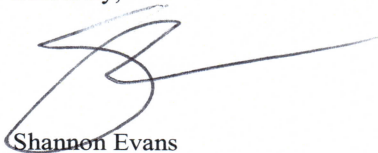
Dear Ms. King:

The Clark County School District (CCSD) is requesting a continuation of the current variance for an additional two-year period from NAC 486A.160 and 486A.180 due to financial hardship. If denied the CCSD would have to return to the practice of importing the Reformulated Gasoline from either Arizona or California, if available. This request for a continued variance, if granted, will only affect the CCSD support fleet and not the school bus fleet, which remains powered by biodiesel fuel. The gasoline powered vehicles make up only 33% (1,017 of 3,090 vehicles) of the entire CCSD on road fleet. Already recognized nationally for its use of biodiesel, the CCSD relentlessly pursues the use of other alternative fuels, including the continued use of Hybrid vehicles as replacements for gasoline-powered sedans and the continued use of six propane school buses added to the fleet. We are also exploring the use of propane in our support fleet vehicles.

The CCSD, as noted in various local and national news outlets continues to experience financial difficulties. The granting of the continuation of the variance on 486A.180 will free up an estimated \$108,000 per year in freight charges alone. This is based on the 2014 estimate. Our current vendor does not supply RFG in the Las Vegas area. Our vendor does state RFG can be obtained from Barstow, CA or Phoenix, AZ at an increased per gallon cost, which can range into the tens of thousands of dollars, in addition to freight costs. The additional cost per vehicle (\$7,588 for the diesel engine option) on a proposed vehicle order of twenty (20) 3/4ton utility trucks could run as high as \$151,000 in additional fees for the diesel engine option. While in comparison to the overall CCSD budget this may appear to be relatively small amounts, but every dollar saved at the fuel pump or in a vehicle purchase is a dollar that can go into the classroom. As student education is the primary duty of the CCSD, we must make every effort to keep those needed dollars with the students.

We believe that it is in the best interest of the CCSD if the variance is for both 486A.160 and 180 are in place concurrently. Therefore, the CCSD is requesting a variance from 486A.160 regarding the purchasing of vehicles in an effort to alleviate any future concerns that vehicles purchased during this period will cause any problems or issues for the CCSD relating to alternative fuel use. Attached is a letter from CCAQM stating the variance should have no significant adverse effect on any current control measures or contingency measures contained in any Clark County SIP. Should the financial fortunes of the CCSD improve significantly, it is the intent of the CCSD to drop the variance and once again follow the statutes of NAC 486A.160 and 486A.180. Please note that the CCSD is and continues to be a leader in alternative fuel use in Nevada as demonstrated by our pioneering use of biodiesel and now propane in school buses. If you have any questions or concerns regarding this request, please contact me at 702-799-6835. Thank you for your consideration.

Sincerely,



Shannon Evans
Director III - Transportation



CLARK COUNTY • DEPARTMENT OF AIR QUALITY
4701 W. Russell Road Suite 200 • Las Vegas, NV 89118-2231
(702) 455-5942 • Fax (702) 383-9994
Marci Henson Director

August 3, 2016

Ms. Shannon Evans, Director III of Transportation
Clark County School District
975 W Welpman Way
Henderson, NV 89044

Re: Petition for Renewal of Variance from Chapter 486A of the Nevada Administrative Code

Dear Ms. Evans:

The following is provided as follow-up regarding your intent to renew your September 2014 request for a variance from the Nevada State Environmental Commission on the mandated usage of alternative fuel for the Clark County fleet vehicles for not more than 36 months.

Chapter 486A.200.3 of the Nevada Administrative Code states that the "Commission shall not issue a variance ... if it determines that such a variance would have a significant adverse effect on a control measure or contingency measure." Control and contingency measures come from state implementation plans (SIPs) approved by the U.S. Environmental Protection Agency, which makes them federally enforceable and thus not eligible for a Commission waiver.

We do not have any such SIP control measures in force, nor do we anticipate new mobile source emissions control measures within your proposed time frame. The Department of Air Quality therefore has determined that your request should have no significant adverse effect on any current control measures or contingency measures contained in any Clark County SIP.

Sincerely,

A handwritten signature in black ink that reads "Marci Henson". The signature is written in a cursive, flowing style.

Marci Henson
Director

cc. Mike Sword, Planning Manager



State of Nevada

Dept. of Conservation & Natural Resources

State Environmental Commission SEC.nv.gov

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

**Nevada State Environmental Commission (SEC)
Procedure to Petition for a Variance to NRS/NAC Chapter 486A
SEC Form #6**

Discussion

Generally, NRS Chapter 486A and NAC Chapter 486A relate to the requirements for the state and political subdivisions to purchase alternative fueled vehicles and use alternative fuels in government fleets. **NRS 486A.150** (amended by the Legislature in 2009 through SB 332), effective July 1, 2009, requires the State Environmental Commission (Commission) to establish a procedure for approving variances to the provisions of NRS 486A. In approving variances, the Commission may consider whether compliance with NRS 486A (or the provisions of NAC 486A) would:

- Void or reduce the coverage under a manufacturer's warranty for any vehicle or vehicle component;
- Result in financial hardship to the owner or operator of a fleet;
- Be impractical because of the lack of availability of clean vehicles, alternative fuel or motor vehicles that use alternative fuel; or
- Any other reason which the Commission determines is appropriate.

Any agency requesting a variance from the requirements of the alternative fuels program must submit the following information to the State Environmental Commission for their review. **The petition for variance must be received at least 30 days prior to the Commission hearing in order to be heard as an action item.** The Division of Environmental Protection will review the request for completeness, request additional information, as necessary, and make a recommendation to the Commission on each variance request.

Name: Shannon Evans, Director III, CCSD Transportation

Address: 975 W. Welpman Way, Henderson, NV 89044

E-mail Address: sevans2@interact.ccsd.net

Telephone Number: 702-799-1348 ext 5004

Signature of petitioner and representative capacity if applicable:



Procedure for Variance to Requirements of NRS/NAC 486A

Provide a response to Sections A-C, as applicable.

A. **For requests being made due to voiding a manufacture's warranty, the request must include the following.**

- The length of time requested for the variance.

- The specific vehicle(s) for which the variance is being requested, including the year, make, model and VIN for each vehicle and the portion of the warranty that would be affected.

- Documentation from the vehicle or engine manufacturer or the manufacturer's dealer that complying with the alternative fuel requirements of NRS/NAC 486A will void the vehicle's warranty.

- A discussion of any alternatives considered (i.e. the purchase of other alternative fuel vehicles or the use of other compliant fuels) that would mitigate the need for the variance.

B. **For requests being made due to financial hardship, the request must include the following:**

- The length of time requested for the variance.

CCSD is requesting an extension of our variance for an additional two (2) year period.

- The portion of the fleet to which the request applies:

- If the request applies to acquisitions of new alternative fuel vehicles (exemption from NAC 486A.160), the request should state which alternative fuel vehicles purchases are affected and the type of vehicle(s) proposed to be purchased in its place.

CCSD continues to replace gasoline powered sedans with hybrid vehicles when possible. However, we are requesting the extension of the variance for the replacement of trucks and service vehicles to be purchased with gasoline engines due to the additional cost of the diesel engine (\$7,588 for a 3/4 ton pickup truck).

- If the request applies to the use of an alternative fuel, state specific fuel(s) to which the request applies (exemption from NAC 486A.180).

Reformulated Gasoline (RFG)

- A description of the nature and extent of the financial hardship being experienced by the agency and the financial impact that would be experienced by the agency as a result of compliance with the alternative fuels program. Also indicate what has changed to bring about this financial hardship (e.g. loss of revenue, change in market prices for alternative fuels, etc.)

As noted in several national news outlets, the CCSD continues to experience financial difficulties. Every dollar saved at the fuel pump or in vehicle purchase can go directly back into the classroom.

- The budgetary savings that the fleet expects to realize if the variance is granted. Savings should be broken down by fuel expenditure savings, vehicle acquisition savings, maintenance savings, or any other savings expected.

Fuel savings: Freight charges for RFG from Barstow, CA or Phoenix, AZ: \$108,000 (Note: This is the estimate from 2014. Our current vendor does not currently supply RFG to the Las Vegas Area. Our vendor states it could be obtained RFG at a higher per gallon cost plus freight. In addition, deliveries would have to be scheduled three (3) days in advance, and supplies may be limited.)

Equipment savings: \$7,588 per 3/4 ton Pickup Truck for the diesel engine option.

- Documentation showing that the applicable local air pollution control agency agrees that granting of the variance would not cause a significant adverse impact to a State Implementation Plan (SIP) control strategy.

CCSD has contacted the Clark County Department of Air Quality. The attached letter documents their statement that granting the variance "should have no significant adverse effect on any current control measures or contingency measures contained in the Clark County SIP."

- A discussion of any alternatives considered that would mitigate the need for the variance.

Revisions to NAC 486A currently under consideration may eliminate the need for the variance.

- A description of how and to what degree financial conditions would have to change before the variance would no longer be needed and the expected time frame for such changes to occur.

Should the financial fortunes of the CCDS improve significantly, it is the intent of the CCSD to drop the variance and once again follow the statutes of NAC 486A.160 and 486A.180,

C. For requests being made **due to unavailability of alternative fuel vehicles or fuels**, the request must include the following:

- An explanation of the circumstances surrounding the unavailability of the alternative fuel vehicles or alternative fuels. This explanation should include the types of vehicles and fuels being sought; the agency's unsuccessful attempts to acquire the alternative vehicles or alternative fuels; or, if applicable, the economic impracticality of providing a facility to dispense alternative fuel.

- Documentation showing that the applicable local air pollution control agency agrees that granting of the variance would not cause a significant adverse impact to a State Implementation Plan (SIP) control strategy.

- Discuss any alternatives considered that would mitigate the need for the variance.

- Describe the logistical conditions for the acquisition of alternative fuel vehicles and use of alternative fuels that would have to exist before the exemption would no longer be needed and the expected time frame for such changes to occur.

Agencies requesting a variance from the provisions of NAC 486A must submit a written request to the State Environmental Commission at the following address:

**State Environmental Commission
901 South Stewart Street, Suite 4001
Carson City, NV 89701**