



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 12, 2018 at 9:30 am in Carson City. The meeting location is at the Laxalt Building, second floor, located at 401 North Carson Street. The meeting will also be video-conferenced in Las Vegas at the Grant Sawyer Building, Room 5100, located at 555 East Washington Avenue.

**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: (Discussion)

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 June 27, 2018 Meeting Minutes (For Possible Action)

## AIR PENALTIES

### 4) Cemex Construction Materials Pacific, LLC (For Possible Action)

NOAV No. 2660 - Alleged failure 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 AP1442-0175.03.

**Recommendation:** Approve NDEP-recommended penalty amount of \$8,400.00 for NOAV No. 2660, issued to Cemex Construction Materials Pacific, LLC, or take other action as appropriate.

### **5) Joy Engineering (For Possible Action)**

NOAV No. 2643 - Alleged failure 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 AP1442-2259.03.

**Recommendation:** Approve NDEP-recommended penalty amount of \$2,900.00 for NOAV No. 2643, issued to Joy Engineering, or take other action as appropriate.

### **6) Gopher Construction, Inc. (For Possible Action)**

NOAV No. 2661 - Alleged failure 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 AP1442-1396.02.

**Recommendation:** Approve NDEP-recommended penalty amount of \$8,000.00 for NOAV No. 2661, issued to Gopher Construction, Inc., or take other action as appropriate.

## **REGULATORY PETITIONS**

### **7) Permanent Regulation R186-18 - Multiple NDEP Bureaus (For Possible Action)**

The proposed amendments pertain to Nevada Administrative Code (NAC) Chapters 444, 445A & 519A. NDEP is proposing to revise the public notice rule provisions for regulations associated with solid waste, hazardous materials, mining activities, water pollution control, and its state revolving fund program that finances water projects. The proposed amendment removes the requirement to public notice specific NDEP actions using a one-day publication in a newspaper. Instead, NDEP proposes to provide public notice on an internet website designed to provide general public notice unless a federal law exists that requires otherwise. The website will allow continuous access to the public notice as opposed to a single-day newspaper publication.

**Recommendation:** Approve and adopt permanent regulatory petition R186-18, as proposed, or take other action as appropriate.

### **8) Administrator's Briefing to the Commission: (Discussion) NDEP Administrator, Greg Lovato, will brief the Commission on NDEP preparations that are in progress for the upcoming legislative session.**

### **9) Public Comment (Discussion) 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.

## 10) Adjournment

### **Additional Information:**

As required by the provisions of chapters 233B and 241 of Nevada Revised Statutes, this Notice and Agenda was posted no later than three working days prior to the hearing at the following locations:

- Nevada State Library & Archives, 100 N. Stewart St., Carson City, NV;
- Dept. of Conservation & Natural Resources, 901 South Stewart Street, Carson City, NV;
- Nevada Division of Minerals, 400 W. King Street, Carson City, NV;
- Nevada Dept. of Agriculture, 405 South 21<sup>st</sup> Street, Sparks, NV; and
- Nevada Division of Environmental Protection, 2030 E. Flamingo Rd, Las Vegas, NV.

This Notice and Agenda and the text of the proposed regulation, including previous drafts, are or will be posted on the on the Legislative Counsel Bureau's website at: <http://www.leg.state.nv.us/Register/> .

This agenda and supporting material for the above referenced meeting are posted on the State Environmental Commission's website at: [http://sec.nv.gov/main/hearing\\_1218.htm](http://sec.nv.gov/main/hearing_1218.htm). The Notice and Agenda are available for download at the State's official website, [www.notice.nv.gov](http://www.notice.nv.gov). Supporting material is also available at the office of the State Environmental Commission, 901 South Stewart St., Suite 4001, Carson City, NV. Anyone desiring supporting material or additional information is invited to contact Valerie King at (775) 687-9374.

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 December 7, 2018.