

**State Implementation Plan Revision to Meet the
Nitrogen Dioxide Infrastructure SIP Requirements
of the Clean Air Act Section 110(a)(2).**

Clark County, Nevada

December 2012

Clark County Department of Air Quality
4701 W Russell Road, Suite 200
Las Vegas, NV 89118

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ACRONYMS AND ABBREVIATIONS

Acronyms

AERR	Air Emissions Reporting Requirements
AQR	Clark County Air Quality Regulations
BCC	Clark County Board of County Commissioners
CAA	Clean Air Act
CFR	Code of Federal Regulations
DAQ	Clark County Department of Air Quality
EPA	U.S. Environmental Protection Agency
FR	Federal Register
GHG	Green House Gasses
I-SIP	Infrastructure State Implementation Plan
NAAQS	National Ambient Air Quality Standards
NAC	Nevada Administrative Code
NDEP	Nevada Division of Environmental Protection
NESHAP	National Emission Standards for Hazardous Air Pollutants
NRS	Nevada Revised Statutes
NSPS	New Source Performance Standards
NSR	New Source Review
SNRPC	Southern Nevada Regional Planning Coalition
PSD	Prevention of Significant Deterioration
QA	Quality Assurance
QC	Quality Control
SIP	State Implementation Plan
TAC	Technical Advisory Committee
RTC	Regional Transportation Commission
USC	United States Code

Abbreviations

NO ₂	Nitrogen Dioxide
ppb	Parts per billion
µg/m ³	Micrograms per cubic meter

Introduction and Background

Sections 110(a)(1) and (2) of the federal Clean Air Act (CAA), 42 U.S.C. § 7410(a)(1) and (2) hereafter referred to as the “Infrastructure” State Implementation Plan (I-SIP) requirements, requires states and delegated local agencies to submit an implementation plan to the U. S. Environmental Protection Agency (EPA) demonstrating their ability and authority to implement, maintain, and enforce each National Ambient Air Quality Standard (NAAQS).

Section 110(a)(1) addresses the submittal requirements for I-SIPs which are due to EPA not later than 3 years after promulgation of a new or revised NAAQS. An I-SIP needs to be submitted regardless of whether or not a jurisdiction has any nonattainment areas.

This SIP revision submittal addresses Clark County’s authority to implement, maintain and enforce the 2010 Nitrogen Dioxide (NO₂) NAAQS within the County’s jurisdiction.

Section 110(a)(2) lists the required elements that cover the I-SIP. These elements include: enforceable emission limitations, air quality modeling, enforcement programs, ambient air monitoring programs, and confirmation of adequate personnel, resources and legal authorities. The following elements are addressed in this I-SIP:

- Enforceable Emission Limitations and Other Control Measures (110(a)(2)(A))
- Air Quality Monitoring, Compilation, Data Analysis, and Reporting (110(a)(2)(B))
- Enforcement and Stationary Source Permitting (110(a)(2)(C))
- Interstate Transport (110(a)(2)(D))
- Resources, Conflict of Interest, and Emergency Backstop (110(a)(2)(E))
- Stationary Source Emissions Monitoring and Reporting (110(a)(2)(F))
- Emergency Powers and Contingency Plans (110(a)(2)(G))
- Revision For Revised Air Quality Standards or New Attainment Methods (110(a)(2)(H))
- Consultation and Public Notification (110(a)(2)(J))
- Air Quality Modeling and Reporting (110(a)(2)(K))
- Major Stationary Source Permitting Fees (110(a)(2)(L))
- Consultation with Local Entities (110(a)(2)(M))

In accordance with the EPA guidance memo¹ dated October 17, 2011, two elements identified in Section 110(a)(2) are not governed by the 3-year submission deadline of Section 110(a)(1). The elements pertain to part D, in Title I of the CAA, which addresses plan requirements for nonattainment areas. Therefore, the following Section 110(a)(2) elements are considered by EPA to be outside the scope of infrastructure SIP actions:

- (1) Section 110(a)(2)(C) to the extent it refers to permit programs (known as "nonattainment new source review") under part D; and
- (2) Section 110(a)(2)(I) in its entirety.

¹ Guidance on Infrastructure State Implementation Plan (SIP) Elements Required Under Section 110(a)(1) and 110(a)(2) for the 2008 Lead (Pb) National Ambient Air Quality Standards (NAAQS), October 17, 2011

CAA 110(a)(2)(A)-(M) Requirements for the Clark County Infrastructure State Implementation Plan for NO₂

Element (A)	<p><u>Emission limits and other control measures:</u> Requires State Implementation Plans (SIP) to include enforceable emission limits and other control measures, means, or techniques, and schedules for compliance.</p>
<p>The Clark County Board of County Commissioners (BCC), in accordance with NRS Chapter 445B, has adopted the Clark County Air Quality Regulations (AQR) and has delegated enforcement authority to the Department of Air Quality (DAQ). Emission sources within Clark County are required to comply with all existing rules and regulations through federally enforceable state implementation plan regulations².</p> <p>Clark County has a SIP Approved PSD program and most of the AQRs are SIP approved. Several AQR updates have been adopted by the BCC and submitted to EPA for incorporation in the SIP (submittal dates in parentheses). A complete index of all AQRs (SIP approved and local-only) is included in Attachment B.</p> <p>The following is a list of rules that have been revised and submitted for incorporation into the SIP:</p> <ul style="list-style-type: none"> • Section 0 - Definitions (revised as part of the Section 12.1 rulemaking and the Section 12.2 et al rulemaking); • Section 12.0 - Applicability, General Requirements, Transition Procedures (adopted 11-09, submitted 02-10); • Section 12.1 - Permit Requirements for Minor Sources (adopted 11-09, submitted 02-10); • Section 12.2 - Permit Requirements for Major Sources in Attainment Areas (PSD) (adopted 05-10, submitted 8-10); • Section 12.3 - Permit Requirements for Major Sources in Nonattainment Areas (adopted 05-10, submitted 8-10); • Section 12.4 - Authority to Construct Application and Permit Requirements for Part 70 Sources (adopted 05-10, submitted 8-10); • Section 12.11 - General Permits for Minor Stationary Sources (adopted 11-09, submitted 02-10); • Section 25 - Affirmative Defense For Excess Emissions Due to Malfunctions, etc. (adopted 05-10, submitted 08-10). <p>Several AQRs such as Section 12.9 – Annual Emissions Inventory Requirement, and Section 12.10 – Continuous Monitoring Requirements for Stationary Sources, are local-only rules.</p> <p>Section 0 and Section 12.2 were revised in November, 2010 specifically for the purpose of meeting the Greenhouse Gas (GHG) Tailoring Rule requirements, submitted as a SIP revision on January 4, 2011.</p>	

² Although not a SIP rule, DAQ administers the Part 70 (Title V) permit requirements through the implementation of Section 12.5 – Part 70 Operating Permit Requirements.

Section 9 - Civil Penalties and Section 10 - Compliance Schedules are part of the DAQ enforcement programs. Clark County also enforces Hazardous Air Pollutants (Section 13) rules and New Source Performance Standards (Section 14).

Clark County will continue to implement the permitting and enforcement programs and enforce control measures with respect to the requirements in the CAA.

<p>Element (B)</p>	<p><u>Ambient air quality monitoring/data system:</u> Requires SIPs to provide for establishment and operation of ambient air quality monitors, collection and analysis of ambient air quality data, and to make these data available to EPA upon request.</p>
<p>Clark County operates an extensive air quality monitoring network, including two NO₂ monitors, in accordance with 40 CFR § 58. One near-road monitor will become operational in the near future. Additionally, the 40 CFR § 58, App D, Section 4.3.4 requirement will also be fulfilled in the near future. The quality control (QC) flow rate verifications and quality assurance (QA) flow rate audits meet EPA guidelines for all monitors in the network. An Annual Network Plan Report is completed and submitted to EPA as required in 40 CFR § 58.10 (Attachment A). Monitoring data is submitted to EPA via the Air Quality System; monitoring data is also available on DAQ's website in near-real time.</p>	

Element (C)	<p><u>Program for enforcement of control measures:</u> Requires SIPs to include a program providing for enforcement of all SIP measures and the regulation of construction of new and modified stationary sources as necessary to assure that the NAAQS are achieved, including a permit program as required in Parts C and D.</p>
<p>AQR Section 4 - Control Officer, authorizes the Control Officer to enforce all AQRs including the following sections:</p> <ul style="list-style-type: none"> • Section 10 - Compliance Schedules; • Section 12.1 - Permit Requirements for Minor Sources; • Section 12.2 - Permit Requirements for Major Sources in Attainment Areas; • Section 12.3 - Permit Requirements for Major Sources in Nonattainment Areas; • Section 12.4 - Authority to Construct Application and Permit Requirements for Part 70 Sources; • Section 12.11 - General Permits for Minor Stationary Sources; • Section 13 - National Emission Standards for Hazardous Air Pollutants; • Section 14 - New Source Performance Standards • Section 25 - Affirmative Defense For Excess Emissions Due to Malfunctions; • Section 26 - Emission of Visible Air Contaminants; • Section 27 - Particulate Matter from Process Weight Rate; • Section 28 - Fuel Burning Equipment. <p>The annual significant level for NO₂ in Section 12.2 is 1.0 µg/m³.</p> <p>Section 12.2 was revised in November 2010 to include provisions for GHG, the SIP revision was submitted January 4, 2011.</p> <p>Other sections from the AQRs are not part of the SIP; therefore they are local-only rules. They have been adopted by the BCC and are enforced by the Control Officer.</p>	

<p>Element (D)</p>	<p><u>Interstate transport provisions:</u> Requires SIPs to contain adequate provisions prohibiting emissions generated within the state from contributing significantly to nonattainment in, or interfering with maintenance by, any other state with respect to the NAAQS, or from interfering with measures required to be included in the SIP of any other state to prevent significant deterioration or to protect visibility.</p>
<p>Additionally, PSD and NSR review provisions in the subsections of Sections 12.2 - Permit Requirements for Major Sources in Attainment Areas, and 12.3 - Permit Requirements for Major Sources in Nonattainment Areas, of the AQR require an assessment of visibility impairment as part of the environmental review.</p> <p>The Maximum Allowable Increases for areas designated as Class I, II or II are defined in Section 12.2.3. The increases in NO₂ are established at 2.5µg/m³, 25µg/m³ and 50µg/m³ respectively.</p>	

<p>Element (E)</p>	<p><u>Adequate resources:</u> Requires SIPs to provide necessary assurances for adequate personnel, funding, and authority under state law to carry out its SIP, to contain requirements addressing potential conflicts of interest, and to provide necessary assurances that the state retains responsibility for ensuring adequate implementation of the SIP where the state relies on a local or regional government for implementation of any SIP provision.</p>
<p>NRS 445B.500 authorizes Clark County to implement and administer air quality management programs within the geographic boundaries of Clark County. These programs are managed through the DAQ, with a current air quality budget of approximately \$28.7 million, and 105 full-time equivalent staff positions. Primary sources of funding are:</p> <ul style="list-style-type: none"> • Permits and technical services fees collected from regulated emission sources; • Federal grants; • Fund distributions and grants from the Nevada Air Pollution Control Account per NRS 445B.830; • RTC transportation tax revenue, as established by NRS 377A.090; • Federal Congestion Mitigation and Air Quality Program (CMAQ) funds. <p>NRS 445B.520 gives the State Environmental Commission³ the authority to supersede the county program.</p> <p>Clark County Code Chapter 2.42 – Ethical Standards - specifies conflict of interest requirements for Clark County public officers and officials, including members of the BCC and the Control Officer. These requirements specifically prohibit all local public officials from participating in governmental decisions in which they have a financial interest.</p> <p>The following provisions of state law address the requirements of CAA Sections 110(a)(2)(E)(ii) and 128:</p> <ul style="list-style-type: none"> • NRS 281A.150 (“‘Public employee’ defined”) • NRS 281A.160 (“‘Public officer’ defined”) • NRS 281A.400 (“General requirements; exceptions”) • NRS 281A.410 (“Limitations on representing or counseling private persons before public agencies; disclosure required by certain public officers.”) • NRS 281A.420 (“Requirements regarding disclosure of conflicts of interest and abstention from voting because of certain types of conflicts; effect of abstention on quorum and voting requirements; exceptions”). 	

³ State Environmental Commission is defined in NRS 445B.200

Element (F)	<p><u>Stationary source monitoring system:</u> Requires SIPs to establish a system to monitor emissions from stationary sources, to submit periodic emissions reports, to correlate the emissions reports with the corresponding SIP emission limits and standards, and to make emissions reports available to the public.</p>
<p>The following AQR Sections provide the authority for the installation and maintenance of sampling and testing facilities to measure emissions of air contaminants, and for data collection:</p> <ul style="list-style-type: none"> • Section 12.1 - Permit Requirements for Minor Sources; • Section 12.2 - Permit Requirements for Major Sources in Attainment Areas; • Section 12.3 - Permit Requirements for Major Sources in Nonattainment Areas; • Section 12.4 - Authority to Construct Application and Permit Requirements for Part 70 Sources; • Section 12.9 - Annual Emissions Inventory Requirement; • Section 12.10 - Continuous Monitoring Requirements for Stationary Sources; • Section 12.11 - General Permits for Minor Stationary Sources; • Section 25 - Affirmative Defense For Excess Emissions Due to Malfunctions. <p>Sections 12.9 and 12.10 have not been submitted as SIP rules; they are local-only rules</p> <p>Emissions data is submitted according to the Air Emissions Reporting Requirements (AERR). Emissions data is available to the public, except when the data is deemed confidential in accordance with AQR Section 12.6 and NRS 445B.570.</p>	

Element (G)	<p><u>Emergency episodes:</u> Requires SIPs to provide for authority to address activities causing imminent and substantial endangerment to public health and to provide for adequate contingency plans to implement such authority.</p>
<p>In accordance with NRS 445B.500(1)(d), Clark County has the authority to provide by rules and regulations for alert, warning, and emergency standards and abatement procedures relative to air pollution episodes or emergencies constituting, or likely to constitute, an imminent and substantial danger to people’s health pursuant to NRS 445B.560.</p> <p>Clark County has adopted AQR Section 70 - Emergency Procedures of the AQRs, which addresses emergency procedures.</p> <p>AQR Section 6 - Injunctive Relief, allows Clark County to apply to a court of competent jurisdiction to enforce compliance with—or restrain violations of—any provision of the AQRs.</p>	

Element (H)	<p><u>Future SIP revisions:</u> Requires SIPs to provide for SIP revisions in response to changes in the NAAQS, or availability of improved methods for attaining the NAAQS, and in response to an EPA finding that the SIP is substantially inadequate.</p>
<p>Clark County must provide a method for revision of SIPs when air quality standards are revised, new attainment methods become available, or EPA informs states that current SIPs are inadequate for attaining standards or complying with additional CAA requirements.</p> <p>AQR Section 2 - Procedures for Adoption and Revision of Regulations and for Inclusion of those Regulations in the State Implementation Plan of the Clark County AQR set forth the general procedural requirements for adoption of regulations and other materials to be incorporated in the SIP. These procedures apply to submission of:</p> <ul style="list-style-type: none"> (a) Any revision to the SIP described by 40 C.F.R. § 51.104(a); (b) Any individual compliance schedule under 40 C.F.R. § 51.260; (c) Any other SIP revision submitted to NDEP pursuant to 40 C.F.R. § 51.104(d). 	

Element (J) CAA § 121	<u>Consultation with government officials, public notification, PSD and visibility protection:</u> Requires states to provide a process for consultation with local governments and Federal Land Managers carrying out NAAQS implementation requirements pursuant to section 121 relating to consultation.
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Clark County will continue including local governments and managers of affected federal lands in its consultation process as part of carrying out CAA requirements. AQR Section 2 – Procedures for adoption and revision of regulations and for inclusion of those regulations in the State Implementation Plan outlines the procedures for adoption and revision of regulations. The procedures include provisions for notice to the public and governmental entities as well as public hearings before seeking to amend the SIP applicable to Clark County.

Element (J) CAA § 127	Requires States to notify the public if NAAQS are exceeded in an area and to enhance public awareness of measures that can be taken to prevent exceedances.
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AQR Section 70 - Emergency Procedures authorizes the Control Officer to declare an episode, an alert or an emergency if the operation of sources of air contaminants are causing or may cause imminent danger to human health.

Additionally, near-real time ambient air monitoring data for NO₂ is posted on DAQ’s website.

Element (J)	Requires States to meet applicable requirements of part C related to prevention of significant deterioration and visibility protection.
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Title I, Part C of the CAA requires states to provide measures relating to PSD and visibility protection. The following AQRs contain provisions for PSD areas and visibility protection, as well as provisions for public participation:

- Section 12.1 - Permit Requirements for Minor Sources;
- Section 12.2 - Permit Requirements for Major Sources in Attainment Areas;
- Section 12.3 - Permit Requirements for Major Sources in Nonattainment Areas;
- Section 12.4 - Authority to Construct Application Permit Requirements for Part 70 Sources
- Section 12.11 - General Permits for Minor Stationary Sources;
- Section 25 - Affirmative Defense For Excess Emissions Due to Malfunctions

Element (K)	<p><u>Air quality modeling/data:</u> Requires SIPs to provide for the performance of air quality modeling for predicting effects on air quality of emissions of any NAAQS pollutant and the submission of such data to EPA upon request.</p>
<p>Clark County’s air quality modeling work complies with EPA’s final guidance on the use of models in attainment demonstrations for the NAAQS. Clark County uses the latest methods and techniques and documents modeling information and computer model performance evaluations.</p> <p>Clark County will continue to use air quality models in accordance with approved EPA and DAQ modeling guidance and protocols and continue to submit data and modeling results to EPA as requested.</p> <p>AQR Section 12.2 - Permit Requirements for Major Sources in Attainment Areas and AQR Section 12.4 - Authority to Construct Application and Permit Requirements for Part 70 Sources, provide provisions to require air quality modeling.</p>	

Element (L)	<p><u>Permitting fees:</u> Requires SIPs to require each major stationary source to pay permitting fees to cover the cost of reviewing, acting upon, implementing and enforcing a permit until such fee requirement is superseded by EPA approval of a fee program under Title V of the CAA.</p>
<p>Permit and technical service fees are authorized under AQR Section 18 - Permit and Technical Service Fees. Section 18 includes fees for sources subject to the Title V (Part 70) permit requirements.</p> <p>Clark County will continue to implement and update major stationary source permit fee regulations to comply with the requirements of CAA Sections 501-507.</p>	

<p>Element (M)</p>	<p><u>Consultation/participation by affected local entities:</u> Requires SIPs to provide for consultation and participation in SIP development by local political subdivisions affected by the SIP.</p>
<p>Clark County consults with key stakeholder committees on policy decisions and technical issues. The Air Quality Technical Advisory Committee (TAC) consists of private sector stakeholders as well as local government representatives, and provides input on technical and policy decisions. The TAC has an opportunity to provide input on concerns, challenges, and progress in the development and implementation of air quality programs in Clark County, but also discusses and recommends solutions to conflicts, challenges, or policy issues.</p> <p>Additionally, NRS 445B.503 requires Clark County to consult with the Southern Nevada Regional Planning Coalition (SNRPC) and the Regional Transportation Commission (RTC) before adopting or amending a plan, policy, or program, and conduct hearings to solicit public comment.</p>	

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ATTACHMENT A

Letter from Matthew Lakin (EPA Region IX) to Mike Sword (DAQ) Regarding the
“2011 Annual Monitoring Network Plan” (November 2011)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

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CC-DAQM

2011 NOV -4 P 1:39

Mr. Mike Sword, Engineering Manager
Clark County Department of Air Quality and Environmental Management
500 S Grand Central Parkway, 1st Floor
P.O. Box 555210
Las Vegas, NV 89155-5210

Dear Mr. Sword:

Thank you for your timely submittal of the 2011 Annual Monitoring Network Plan for the Clark County Department of Air Quality and Environmental Management (DAQEM). EPA has reviewed the submitted document and found that it is complete, informative, very detailed and meets the requirements set forth under 40 CFR Part 58.10. We also appreciate your addressing in full our comments to last year's 2010 Network Plan. While this letter serves as an official approval of the annual network plan, it does not constitute approval of future nor previous network modifications that are identified in the plan. EPA will continue to work with DAQEM to review system changes as they proceed on a case-by-case basis and will respond separately to requests already submitted.

If you have any questions regarding this letter or the enclosed comments, please feel free to contact me at (415) 972-3851 or Elfego Felix at (415) 947-4141.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Lakin".

Matthew Lakin, Manager
Air Quality Analysis Office
Air Division

Enclosure

cc: Yousaf Hameed, Monitoring Supervisor, DAQEM

Comments on 2011 Network Plan for Clark County DAQEM

Please update next year's network plan to reflect the following comments:

1. 40 CFR 58.10(b)(3) requires that the sampling and analysis method(s) for each parameter measured be reported. EPA found that DAQEM's current method for reporting this requirement is either lacking or unclear for multiple sites. In order to clarify and facilitate the reporting of this requirement, please implement the following:
 - Remove this information from the overall site description section (located just beneath the site photographs) and incorporate it into the tables that include monitor specific information.
 - To report appropriate FRM/FEM sampling and analysis method(s), please refer to the tables listed towards the end of the *List of Designated Reference and Equivalent Methods*. A link to the latest *List of Designated Reference and Equivalent Methods* can be found at <http://www.epa.gov/ttn/amtic/criteria.html>. For the sampling method, please report the appropriate instrument name and model found under the table column labeled *method*. For the analysis method, please report the designation number found under the column heading *Designation No.*
 - For non-FRM/non-FEM instruments, please report the full instrument name and model as the sampling method, and describe (or provide a reference to) the analysis method used.
2. 40 CFR 58.10 (b)(8) requires the MSA, CBSA, CSA or other area represented by each monitor be reported. DAQEM's 2011 Network Plan addresses this requirement on page 5 in the section titled "Metropolitan Statistical Area." In order to clarify the content of this section and to better address the requirement, EPA recommends the following be implemented:
 - Include a statement that clarifies that each of the monitors operated by DAQEM are contained within the Las Vegas-Paradise Metropolitan Statistical Area.
 - Remove the statement that reads: "the Cities of Mesquite and Boulder City, do not qualify as Metropolitan Statistical Areas." This statement is inaccurate given that the Metropolitan Statistical Area encompasses all of Clark County. Since each of these cities resides within the boundaries of Clark County, they are each representative of this same MSA.
3. 40 CFR 58.10(b)(12) requires the identification of newly required NO₂ monitors based on the 2010 NAAQS revision to the primary NO₂ standard. Although DAQEM includes a discussion (pp.61) of new upcoming NO₂ monitoring in Clark County, an analysis for the actual number of required sites based on most recent information is not included. Please ensure this analysis is included in next year's plan.

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ATTACHMENT B

DAQ SIP approved and local-only rules

Highlighted Sections are currently in the SIP, have been submitted as revisions to the SIP, or are programs delegated by EPA to Clark County. All other sections are “local only” rules.

Section 0	Definitions
Section 2	Procedures for Adoption and Revision of Regulations and for Inclusion of those Regulations in the State Implementation Plan
Section 4	Control Officer
Section 5	Interference with Control Officer
Section 6	Injunctive Relief
Section 7	Hearing Board and Hearing Officer
Section 8	Persons Liable for Penalties – Punishment: Defense
Section 9	Civil Penalties
Section 10	Compliance Schedules
Section 12.0	Applicability, General Requirements and Transition Procedures
Section 12.1	Permit Requirements For Minor Sources
Section 12.2	Permit Requirements For Major Sources In Attainment Areas (Prevention Of Significant Deterioration)
Section 12.3	Permit Requirements For Major Sources In Nonattainment Areas
Section 12.4	Authority To Construct Application And Permit Requirements For Part 70 Sources
Section 12.5	Part 70 Operating Permit Requirements
Section 12.6	Confidentiality
Section 12.7	Emission Reduction Credits
Section 12.9	Annual Emissions Inventory Requirement
Section 12.10	Continuous Monitoring Requirements for Stationary Sources
Section 12.11	General Permits for Minor Stationary Sources
Section 12.12	Transfer of Permit
Section 12.13	Posting of Permit
Section 13	National Emission Standards for Hazardous Air Pollutants
Section 14	New Source Performance Standards
Section 18	Permit and Technical Service Fees
Section 21	Acid Rain Permits
Section 22	Acid Rain Continuous Emission Monitoring
Section 25	Affirmative Defense for Excess Emissions Due to Malfunctions, Startup, and Shutdown
Section 26	Emission of Visible Air Contaminants
Section 27	Particulate Matter from Process Weight Rate
Section 28	Fuel Burning Equipment
Section 32	Reduction of Animal Matter
Section 33	Chlorine in Chemical Processes
Section 40	Prohibitions of Nuisance Conditions
Section 41	Fugitive Dust
Section 42	Open Burning
Section 43	Odors in the Ambient Air
Section 44	Prohibitions on Planting, Selling, or Offering to Sell Fruitless Mulberry and European Olive Trees
Section 45	Idling of Diesel Powered Motor Vehicles
Section 50	Storage of Petroleum Products

Section 51	Petroleum Product Loading into Tanks, Trucks And Trailers
Section 53	Oxygenated Gasoline Program
Section 70	Emergency Procedures
Section 80	Circumvention
Section 81	Provisions of Regulations Severable
Section 90	Fugitive Dust From Open Areas and Vacant Lots
Section 91	Fugitive Dust From Unpaved Roads, Unpaved Alleys, and Unpaved Easement Roads
Section 92	Fugitive Dust From Unpaved Parking Lots; Material Handling and Storage Yards; and Vehicle and Equipment Storage Yards
Section 93	Fugitive Dust From Paved Roads and Street Sweeping Equipment
Section 94	Permitting and Dust Control for Construction Activities

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ATTACHMENT C

Public Participation

A. 30-day Public Comment Period Notification

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

DEPT OF AIR QUALITY 3868527CC 8152937
was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 10/06/2012 to 10/06/2012, on the following days:

10/06/2012

**PUBLIC NOTICE
OF A 30-DAY NOTIFICATION
PERIOD FOR THE PROPOSED
NITROGEN DIOXIDE (NO₂)
INFRASTRUCTURE
STATE IMPLEMENTATION
PLAN**

NOTICE IS HEREBY GIVEN of a public comment period and public hearing for a proposed infrastructure State Implementation Plan (I-SIP). Pursuant to the Clean Air Act and the 2010 revision of the National Ambient Air Quality Standard (NAAQS), Clark County must prepare an I-SIP for NO₂ to demonstrate it has the programs in place to implement, maintain, and enforce the NO₂ NAAQS.

A 30-day comment period commences on Sunday October 7, 2012. All comments must be received by Tuesday, November 6, 2012 at 5:00 PM. The I-SIP is available for public inspection at the Clark County Department of Air Quality (DAQ) located at 4701 W Russell Rd, Suite 200, Las Vegas, Nevada 89118 and on the DAQ website: <http://www.ClarkCountyNV.gov/depts/airquality>. Comments must be submitted in writing to Jean-Paul Huys, Air Quality Specialist, at the DAQ address or via email to huys@ClarkCountyNV.gov. Mr. Huys may be contacted at (702) 455-1684.

A public hearing will be held by the Clark County Board of County Commissioners (Board) on December 4, 2012 at 10:00 AM in the Clark County Commission Chambers, Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada. The Board will consider approving the I-SIP, including any changes made to the public review draft based on written comments received during the comment period, for submittal to the United States Environmental Protection Agency.

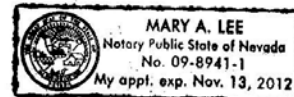
PUB: October 6, 2012
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

6th day of Oct 2012.

Mary Lee
Notary Public



Newspaper notification


PUBLIC NOTICE OF A 30-DAY NOTIFICATION PERIOD FOR THE PROPOSED NITROGEN DIOXIDE (NO₂) INFRASTRUCTURE STATE IMPLEMENTATION PLAN

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DAQ

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Clark County > Departments > Air Quality

Air Quality


The Department of Air Quality is the air pollution control agency for all of Clark County, Nevada. Established by the Clark County Board of County Commissioners in 2001, Air Quality administers a variety of programs to improve the health and welfare of our citizens by ensuring that the quality of the air in Clark County meets healthful, regulatory standards.


Announcements 


EPA Action on Section 12 Permitting Rules
Pending EPA Action on Section 12 Permitting Rules [More Information](#)

2013 Billing Info
2013 Billing Information [More Information](#)

Nitrogen Dioxide ISIP
Nitrogen Dioxide Infrastructure State Implementation Plan Draft [More Information](#)

How We're Serving You 

 **New Location For Department of Air Quality**
Clark County Department of Air Quality To Move [More Information](#)

 **Small Business Assistance**
Need help with your stationary source permit application or a compliance issue?
[More Information](#)

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Thursday, November 1, 2012

Clark County > Departments > Air Quality > Planning

Air Quality

The **Air Quality Planning Division** is responsible for the development and implementation of air quality plans and policies. The primary functions performed by the Planning Division include: plan development, emissions inventories, air quality computer modeling and mobile sources programs.

Planning staff prepare long-term planning documents and reports, and conduct [studies](#) related to the [criteria pollutants](#). Plans and reports include [State Implementation Plans](#) (SIPs), Progress Reports, and [Exceptional Event](#) packages for [nonattainment areas](#) in Clark County. Long-term plans demonstrate how Clark County will meet and continue to maintain compliance with the [National Ambient Air Quality Standards](#) (NAAQS). So far, plans developed in Clark County consist of those for Particulate Matter (PM₁₀), Ozone (O₃) and Carbon Monoxide (CO).

The [emissions inventory](#) and modeling staff compile emissions inventories of air pollutant emissions from all sources within Clark County. These staff use computer models to simulate dispersion and formation of pollutants in the atmosphere to help demonstrate compliance and identify pollutant sources that require control.

The [mobile sources](#) program staff develops and implements programs to reduce emissions from mobile sources. These include cars, trucks, buses, construction equipment, RVs, off-road vehicles, and lawn or garden equipment. The program also includes identifying the air quality impacts of transportation issues, which include vehicle inspection and maintenance, clean fuels, and highway construction. The section also assists in the development of [transportation conformity analysis](#) and transportation planning.

NEWS: DAQ has prepared the following document:

An [Infrastructure State Implementation Plan for Nitrogen Dioxide \(NO₂\)](#) that shows that Clark County has the program in place to implement, maintain, and enforce the National Ambient Air Quality Standards (NAAQS) for Nitrogen Dioxide.

The public has the opportunity to [review and comment](#) on the draft document:

The 30-day public comment period is from October 7, 2012 through November 6, 2012. Comments must be received by Tuesday November 6, 2012 at 5:00 PM. Written comments will be retained and considered prior to the submittal of the proposed Plan to the Clark County Board of County Commissioners (BCC). The BCC will conduct a public hearing on the Plan on December 4, 2012.

[Planning Contact Information](#)

[Jobs](#) | [Site Map](#) | [Contact Us](#) | [Privacy Policy](#) | © 2010 Clark County, NV | 500 S. Grand Central Pkwy., Las Vegas, NV 89155 (702) 455-0000

B. Public Comment Report

Public Notice: *Las Vegas Review-Journal*, October 6, 2012

Public Comment Period: October 7, 2012 to November 6, 2012

Formal Comments Received: None

Public Hearing: December 4, 2012

Formal Comments Received: None

C. Board of County Commissioners Meeting – November 20, 2012

AGENDA

Page 1 of 8

AGENDA

JOINT MEETING OF THE
CLARK COUNTY BOARD OF COMMISSIONERS
CLARK COUNTY WATER RECLAMATION DISTRICT BOARD OF TRUSTEES
UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA BOARD OF TRUSTEES
9:15 AM TUESDAY, NOVEMBER 20, 2012
CLARK COUNTY COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY, LAS VEGAS, NEVADA

This meeting has been properly noticed and posted in the following locations:		Agenda Also Available At:	
CC Government Center 500 S. Grand Central Pkwy. Las Vegas, NV (Principal Office)	Regional Justice Center 200 Lewis Ave, 1 st Fl. Las Vegas, NV	Clark County Reg. Govt. Center 101 Civic Way Laughlin, NV	City of North Las Vegas 2250 N. Las Vegas Blvd North Las Vegas, NV
Third Street Building 309 S. Third St. Las Vegas, NV	Paradise Park Pool & Center 4775 McLeod Dr. Las Vegas, NV	City of Henderson 240 Water St. Henderson, NV	City of Boulder City 400 California Ave. Boulder City, NV
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If you wish to speak on an item appearing on this agenda, please fill out a Public Comment Interest Card which is located in front of the Commission Chambers and submit the comment card to staff sitting in the front lobby of the Commission Chambers. If you wish to speak to the Board about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three minutes. Please step up to the speaker's podium, clearly state your name and address and please **spell** your last name for the record. If any member of the Board wishes to extend the length of a presentation, this will be done by the Chair, or the Board by majority vote.

- Items on the agenda may be taken out of order.
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Contracts, zoning matters, or ordinances that do not comply with the County's disclosure requirement as outlined in Section 10(2) of the County Ethics Policy are subject to being voided.

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

- 1 Approval of Minutes of the Regular Meetings on August 21, 2012 and September 4, 2012. (For possible action) *(Available in the County Clerk's Office, Commission Division)*

<http://agenda.co.clark.nv.us/sirepub/cache/2/tqmikhb5wlf0mj55pqect45/8961128201203...> 11/28/2012

Moapa Valley TAB - October 10, 2012
Enterprise TAB - October 10, 2012;
Whitney TAB - October 11, 2012.

Air Quality

- 9 [Set a public hearing on December 4, 2012 at 10:00 a.m. to approve, adopt, and authorize the submittal of the Nitrogen Dioxide Infrastructure State Implementation Plan to the State of Nevada and the U.S. Environmental Protection Agency for review and approval as a revision to the Nevada State Implementation Plan. \(For possible action\)](#)

Aviation

- 10 [Approve and authorize the Director of Aviation to sign the General Aviation Operating and Space Use Permit between Clark County and West Air Aviation \(James Bonelli, President\) to provide flight training at North Las Vegas Airport; or take other action as appropriate. \(For possible action\)](#)
- 11 [Approve and authorize the Director of Aviation to sign a professional services contract between Clark County and Richardson Construction, Inc. \(Louis Richardson, President\) to provide contract labor services for projects at McCarran International Airport and the Clark County General Aviation Airports; or take other action as appropriate. \(For possible action\)](#)
- 12 [Approve and authorize the Director of Aviation to sign a professional services contract \(2413\) between Clark County and Wood Rodgers, Inc. \(Mark Casey, Vice President\) for design services associated with the Airfield Improvements - Phase 3 Project at the North Las Vegas Airport; or take other action as appropriate. \(For possible action\)](#)
- 13 [Approve and authorize the Director of Aviation to negotiate and advertise a contract between Clark County and Best Janitorial Services of Nevada \(Rafael Romano, President\) to provide Custodial Services at the Automated Transit System Shop and Maintenance Facility - McCarran International Airport, in accordance with Nevada Revised Statute 496.090; or take other action as appropriate. \(For possible action\)](#)
- 14 [Approve and authorize the Director of Aviation to sign the Concession Agreement between Clark County and Valor Development, LLC dba Poker Face \(Valerie Sanchilli, President\) at McCarran International Airport; or take other action as appropriate. \(For possible action\)](#)
- 15 [Approve and authorize the Director of Aviation to sign the Consent to Assignment of the Concession Agreement between Clark County and XpresSpa Las Vegas Airport, LLC dba XpresSpa \(Moreton Binn, CEO\) at McCarran International Airport; or take other action as appropriate. \(For possible action\)](#)
- 16 [Approve and authorize the Director of Aviation to select and negotiate with a Construction Manager at Risk to provide preconstruction services for the Terminal 1 Baggage Claim and Lower Ticketing Roof Replacement Project at McCarran International Airport; or take other action as appropriate. \(For possible action\)](#)
- 17 [Approve and authorize the Director of Aviation to select and negotiate with a Construction Manager at Risk to provide preconstruction services for the Terminal 1 Restroom and B Gates Remodel Project \(2417\) at McCarran International Airport; or take other action as appropriate. \(For possible action\)](#)
- 18 [Approve and authorize the Director of Aviation to add the Terminal 1 Restroom and B Gates Remodel Project \(2417\) to the existing Project Labor Agreement between Clark County and signatory Unions \(Local and Southern Nevada Building and Construction Trades Council\); or take other action as appropriate. \(For possible action\)](#)
- 19 [Approve and authorize the reimbursement to SunsetJones, LLC dba Sierra Gold Business Park \(John](#)

<http://agenda.co.clark.nv.us/sirepub/cache/2/tqmikhb5wlf0mj55pqcct45/8961128201203...> 11/28/2012

**CLARK COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM**

Issue:	Set a Public Hearing	Back-up:
Petitioner:	Lewis Wallenmeyer, Director, Air Quality	Clerk Ref. #
Recommendation:		
<p>That the Board of County Commissioners set a public hearing on December 4, 2012 at 10:00 AM to approve, adopt, and authorize the submittal of the Nitrogen Dioxide Infrastructure State Implementation Plan to the State of Nevada and the U.S. Environmental Protection Agency for review and approval as a revision to the Nevada State Implementation Plan. (For Possible Action)</p>		

FISCAL IMPACT:

Fund #: N/A	Fund Name: N/A
Fund Center: N/A	Funded Program/Grant: N/A
Description: N/A	Amount: N/A
Added Comments: N/A	

BACKGROUND:

The Federal Clean Air Act and applicable federal regulations require Clark County to prepare an Infrastructure State Implementation Plan (I-SIP) for Nitrogen Dioxide (NO₂), a criteria air pollutant, due to the 2010 publication of a revised National Ambient Air Quality Standard (NAAQS) for NO₂. The purpose of the I-SIP is to demonstrate Clark County has the programs in place to implement, maintain, and enforce the NAAQS. An I-SIP is required whether or not an area is in compliance with a new or revised NAAQS. The attached proposed NO₂ I-SIP addresses the following air quality program elements: permitting; air quality modeling; enforcement; ambient air monitoring; and confirmation of adequate personnel, resources, and legal authorities.

The proposed NO₂ I-SIP was made available for public review and comment from October 7, 2012 through November 6, 2012. No comments were received during the 30-day comment period. A public hearing on December 4, 2012 will provide the public with an additional opportunity to provide comments on the proposed NO₂ I-SIP. Staff recommends that the Board set the public hearing be set for 10:00 AM on December 4, 2012.

Respectfully submitted,

LEWIS WALLENMEYER, DIRECTOR

Cleared for Agenda

11/20/2012

Agenda Item #

9

SUMMARY OF FINAL ACTION

AGENDA

JOINT MEETING OF THE CLARK COUNTY BOARD OF COMMISSIONERS, CLARK COUNTY WATER RECLAMATION DISTRICT BOARD OF TRUSTEES, AND UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA BOARD OF TRUSTEES

9:30 A.M. TUESDAY, NOVEMBER 20, 2012

CLARK COUNTY COMMISSION CHAMBERS, GOVERNMENT CENTER

500 SOUTH GRAND CENTRAL PARKWAY, LAS VEGAS, NEVADA

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Third Street Building 309 S. Third St. Las Vegas, NV	Paradise Park Pool & Center 4775 McLeod Dr. Las Vegas, NV	City of Henderson 200 Water St. Henderson, NV	City of Boulder City 400 California Ave. Boulder City, NV
Winchester Park & Center 3130 S. McLeod Dr Las Vegas, NV	Desert Breeze Park & Community Ctr 8275 Spring Mtn. Rd Las Vegas, NV	City of Mesquite 10 E. Mesquite Blvd. Mesquite, NV	Clark County Reg. Govt. Center 101 Civic Way Laughlin, NV

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The min agenda is available on Clark County's Internet Web Site, <http://www.accessclarkcounty.com>.
This meeting will be broadcast live on Clark County Television, Channel 4 (CCTV 4) and over the Internet, <http://www.accessclarkcounty.com>. It will be replayed over CCTV 4 on Tuesday, November 20, 2012, at 8:00 p.m.
For more programming information, call the Public Communications Office at 455-6888.

SEC. 1. OPENING CEREMONIES

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

- 1 Approval of Minutes of the Regular Meetings on August 21, 2012 and September 4, 2012. (For possible action) (Available in the County Clerk's Office, Commission**

Division)

MOVED BY: Steve Sisolak

ACTION: APPROVED SUBJECT MINUTES AS RECOMMENDED

VOTE: 5-0

VOTING AYE: Tom Collins, Susan Brager, Lawrence Weekly, Steve Sisolak, Chris Giunchigliani

VOTING NAY: NONE

ABSTAINING: NONE

ABSENT: Larry Brown, Mary Beth Scow

2 Approval of Agenda with the Inclusion of Any Emergency Items and Deletion of Any Items. (For possible action)

MOVED BY: Chris Giunchigliani

ACTION: APPROVED AGENDA WITH DELETION OF ITEM NOS. 33 AND 43 AS RECOMMENDED

VOTE: 5-0

VOTING AYE: Tom Collins, Susan Brager, Lawrence Weekly, Steve Sisolak, Chris Giunchigliani

VOTING NAY: NONE

ABSTAINING: NONE

ABSENT: Larry Brown, Mary Beth Scow

SEC. 2. CONSENT AGENDA: Items No. 3 through No. 52

NOTE: All items listed on this agenda are for action by the Board/Trustees unless otherwise noted. Action may consist of any of the following: approve, deny, condition, hold, or table.

Consent Agenda - All matters in this sub-category are considered by the Board of County Commissioners, Board of Trustees, Licensing Board and Agency to be routine and may be acted upon in one motion. Most agenda items are phrased for a positive action. However, the Board/Trustees may take other actions such as hold, table, amend, etc.

COMMENTS BY THE GENERAL PUBLIC

According to Nevada's Open Meeting Law, it is the Board's/Trustees' discretion to take Public Comment during times other than during a Public Hearing or during the Public Comment Session. In all other instances, a citizen may speak on any matter before the Board/Trustees for consideration, after receiving recognition and consent of the Chairman of the Board. Public Comment will be limited to three minutes. If any member of the Board/Trustees wishes

to extend the length of a presentation, this will be done by the Chairman, or the Board/Trustees by majority vote.

If you wish to speak on a matter not listed as a public hearing or on a matter not posted on the agenda, you may do so during the Public Comment Session. Please step up to the speaker's podium, clearly state your name and address -- please spell your name for the record -- and limit your comments to no more than three minutes. No vote may be taken on any matter not listed on the posted agenda.

Consent Agenda items are routine and can be taken in one motion unless a Commissioner/Trustee/Licensing member requests that an item be taken separately. For all items left on the Consent Agenda, the action taken will be staff's recommendation as indicated on the item.

Items taken separately from the Consent Agenda by Commission/Trustees/Licensing members at the meeting will be heard following the Commissioners'/County Manager's Recognition Section.

MOVED BY: Chris Giunchigliani

ACTION: APPROVED CONSENT AGENDA ITEM NOS. 3 THROUGH 52 EXCLUDING ITEM NOS. 5, 11, 33, 43, AND 52 WITH NOTED CHANGE ON ITEM NO. 3 AS RECOMMENDED

VOTE: 5-0

VOTING AYE: Tom Collins, Susan Brager, Lawrence Weekly, Steve Sisolak, Chris Giunchigliani

VOTING NAY: NONE

ABSTAINING: NONE

ABSENT: Larry Brown, Mary Beth Scow

Purchasing & Contracts

- 3** Approve the award of Bid No. 602722-12, Annual Requirements Contract for Records Storage and Retrieval, to the low responsive and responsible bidders. Staff recommends award of Lot I to Puliz Records Management Services, and of Lot II to Record Management Systems, Inc; and rejection of the bid received for Lot II from Info Stor, Information Storage Center, Inc. (For possible action)

ACTION: APPROVED AS RECOMMENDED

ATTACHMENT: [Clark County Agenda Item Template.doc](#)

ATTACHMENT: [B602722-12-Disclosures.pdf](#)

D. Board of County Commissioners Meeting – December 4, 2012

AGENDA

Page 1 of 8

AGENDA

JOINT MEETING OF THE
CLARK COUNTY BOARD OF COMMISSIONERS
CLARK COUNTY WATER RECLAMATION DISTRICT BOARD OF TRUSTEES
UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA BOARD OF TRUSTEES
9:15 AM TUESDAY, DECEMBER 04, 2012
CLARK COUNTY COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY, LAS VEGAS, NEVADA

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

1. Approval of Minutes of the Regular Meetings on August 7, 2012 and October 16, 2012. (For possible action) *(Available in the County Clerk's Office, Commission Division)*

<http://agenda.co.clark.nv.us/sirepub/cache/2/tqmikhb5wlf0mj55pqecct45/9001128201203...> 11/28/2012

awarded. (For possible action)

END CONSENT AGENDA

SEC. 3. COMMISSIONERS' / COUNTY MANAGER'S RECOGNITION

- 34** Present proclamations recognizing the Miss Rodeo America, Miss Rodeo Nevada and Rodeo participants of UNLV, high school, junior high and Little Britches Rodeo Association, in conjunction with the 2012 Wrangler National Finals Rodeo.
- 35** Recognize the volunteers of Sun City Security Patrol who generously contribute their time to serve and protect their community.
- 36** Present a proclamation to Johnny Thompson recognizing him for his outstanding accomplishments as a magician and entertainer.

SEC. 4. ITEMS TAKEN SEPARATELY FROM CONSENT AGENDA

SEC. 5. PUBLIC HEARINGS - 10 AM

- 37** Conduct a public hearing; and approve, adopt, and authorize the Chair to sign an ordinance to amend Title 9, Chapter 9.04 of the Clark County Code by amending Sections 9.04.010, 9.04.070, 9.04.090, 9.04.130, 9.04.140, 9.04.240, 9.04.280 and 9.04.300 to provide definitions of terms consistent with similar terms that are also defined by the Southern Nevada Health District, to clarify when solid waste and recyclable materials may be collected and transported, to prohibit the unlawful removal of recyclable materials, to amend the criteria by which mandatory subscription to solid waste collection service is required, and to clarify when a resident may dispose of solid waste at an authorized disposal site free of charge; and providing for other matters properly relating thereto. (For possible action)
- 38** Conduct a public hearing; and approve, adopt, and authorize the Chair to sign an ordinance to amend Sections 16.08.110 and 16.08.120 of Chapter 16.08 of Title 16 of the Clark County Code relating to the location and placement of newsracks; and provide for other matters properly relating thereto. (For possible action)
- 39** Conduct a public hearing; and approve and adopt the Nitrogen Dioxide Infrastructure State Implementation Plan; authorize the Director of the Department of Air Quality or his designee to incorporate any relevant public comments into the Plan; and submit the Plan to the State of Nevada and the United States Environmental Protection Agency for review and approval as a revision to the Nevada State Implementation Plan. (For possible action)

END PUBLIC HEARINGS

SEC. 6. INTRODUCTION OF ORDINANCE

<http://agenda.co.clark.nv.us/sirepub/cache/2/tqmikhb5wlf0mj55pqecet45/9001128201203...> 11/28/2012

**CLARK COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM**

Issue: Public Hearing	Back-up:
Petitioner: Lewis Wallenmeyer, Director, Air Quality	Clerk Ref. #
Recommendation:	
That the Board of County Commissioners conduct a public hearing; approve and adopt the Nitrogen Dioxide Infrastructure State Implementation Plan; authorize the Director of the Department of Air Quality or his designee to incorporate any relevant public comments into the Plan and submit the Plan to the State of Nevada and the United States Environmental Protection Agency for review and approval as a revision to the Nevada State Implementation Plan. (For Possible Action)	

FISCAL IMPACT:

Fund #: N/A	Fund Name: N/A
Fund Center: N/A	Funded Program/Grant: N/A
Description: N/A	Amount: N/A
Added Comments: N/A	

BACKGROUND:

The Federal Clean Air Act and applicable federal regulations require the County to prepare an Infrastructure State Implementation Plan (I-SIP) for Nitrogen Dioxide (NO₂), a criteria air pollutant, due to the 2010 publication of a revised National Ambient Air Quality Standard (NAAQS) for NO₂. An I-SIP demonstrates that an air quality agency has the programs in place to implement, maintain and enforce the NAAQS whether or not an area is in compliance with the NAAQS. The County is currently designated attainment/unclassifiable for NO₂. The attached proposed NO₂ I-SIP describes the air quality program elements (permitting, modeling, enforcement, monitoring, personnel, resources, and legal authority) currently in place that demonstrate the County's ability to implement, maintain and enforce the NO₂ NAAQS.

Notice of a 30-day public review and comment period from October 7, 2012 through November 6, 2012 was published in the Las Vegas Review Journal and posted on the County's web site on October 5, 2012. The proposed NO₂ I-SIP was available for review on the web site and at the Department of Air Quality office at 4701 W Russell Rd, Suite 200. No comments were received during the comment period.

Staff recommends that the Board approve and adopt the NO₂ I-SIP and authorize staff to submit it to the State of Nevada and the U.S. Environmental Protection Agency for approval as a revision to the Nevada State Implementation Plan.

Respectfully submitted,

LEWIS WALLENMEYER, DIRECTOR
Air Quality & Environmental Management

Cleared for Agenda

Agenda Item #

12/4/2012

SUMMARY OF FINAL ACTION

AGENDA

JOINT MEETING OF THE CLARK COUNTY BOARD OF COMMISSIONERS, CLARK COUNTY WATER RECLAMATION DISTRICT BOARD OF TRUSTEES, AND UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA BOARD OF TRUSTEES

9:30 A.M. TUESDAY, DECEMBER 4, 2012

CLARK COUNTY COMMISSION CHAMBERS, GOVERNMENT CENTER

500 SOUTH GRAND CENTRAL PARKWAY, LAS VEGAS, NEVADA

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Winchester Park & Center 3130 S. McLeod Dr Las Vegas, NV	Desert Breeze Park & Community Ctr 8275 Spring Mtn. Rd Las Vegas, NV	City of Mesquite 10 E. Mesquite Blvd. Mesquite, NV	Clark County Reg. Govt. Center 101 Civic Way Laughlin, NV

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SEC. 1. OPENING CEREMONIES

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

- 1 Approval of Minutes of the Regular Meetings on August 7, 2012 and October 16, 2012. (For possible action) (Available in the County Clerk's Office, Commission**

- 39** Conduct a public hearing; and approve and adopt the Nitrogen Dioxide Infrastructure State Implementation Plan; authorize the Director of the Department of Air Quality or his designee to incorporate any relevant public comments into the Plan; and submit the Plan to the State of Nevada and the United States Environmental Protection Agency for review and approval as a revision to the Nevada State Implementation Plan. (For possible action)

ATTACHMENT: Clark County Agenda Item Template.doc

ATTACHMENT: Infrastructure NO2 SIP 11-6-12.pdf

MOVED BY: Chris Giunchigliani

ACTION: APPROVED/ADOPTED AS RECOMMENDED

VOTE: 7-0

VOTING AYE: Mary Beth Scow, Tom Collins, Lawrence Weekly, Steve Sisolak, Susan Brager, Chris Giunchigliani, Larry Brown

VOTING NAY: NONE

ABSTAINING: NONE

ABSENT: NONE

SEC. 6. INTRODUCTION OF ORDINANCES

- 40** Introduce an ordinance to amend Title 18, Chapter 18.08, section 18.08.030 of the Clark County Code to increase the Clark County Law Library's portion of the filing fees received by the Clerk of the District Court from \$25 to \$30; providing for other matters properly relating thereto; and set a public hearing. (For possible action)

ATTACHMENT: Clark County Agenda Item Template.doc

ATTACHMENT: Fee Ordinance-Law Library.doc

BILL 12-4-12-1 INTRODUCED (AS AMENDED) BY COMMISSIONER BRAGER/PUBLIC HEARING SET FOR DECEMBER 18, 2012 AT 10:00 A.M.-STAFF DIRECTED TO CONTACT REPRESENTATIVES OF BOTH JUSTICE & DISTRICT COURT SYSTEMS TO DISCUSS PARTICIPATION OF THOSE COURTS IN FEE STRUCTURE

SEC. 7. BUSINESS ITEMS

- 41** Receive a report from the President and the Executive Director of the Nevada