

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

Clark County, Nevada

March 2012

Clark County Department of Air Quality and Environmental Management  
500 S Grand Central Parkway  
Las Vegas, NV 89155

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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
DAQEM	Clark County Department of Air Quality & Environmental Management
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
Pb	Lead
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

## 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 2008 Lead (Pb) 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 memo<sup>1</sup> dated October 17, 2011, the following sections are not addressed in this I-SIP:

- Section 110(a)(2) to the extent it refers to nonattainment new source review under Part D; and
- Section 110(a)(2)(I) in its entirety.

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<sup>1</sup> 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 Pb**

<b>Element (A)</b>	<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 DAQEM. Emission sources within Clark County are required to comply with all existing rules and regulations through federally enforceable state implementation plan regulations<sup>2</sup>.</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"> <li>• Section 0 - Definitions (revised as part of the Section 12.1 rulemaking and the Section 12.2 et al rulemaking);</li> <li>• Section 12.0 - Applicability, General Requirements, Transition Procedures (adopted 11-09, submitted 02-10);</li> <li>• Section 12.1 - Permit Requirements for Minor Sources (adopted 11-09, submitted 02-10);</li> <li>• Section 12.2 - Permit Requirements for Major Sources in Attainment Areas (PSD) (adopted 05-10, submitted 8-10);</li> <li>• Section 12.3 - Permit Requirements for Major Sources in Nonattainment Areas (adopted 05-10, submitted 8-10);</li> <li>• Section 12.4 - Authority to Construct Application and Permit Requirements for Part 70 Sources (adopted 05-10, submitted 8-10);</li> <li>• Section 12.11 - General Permits for Minor Stationary Sources (adopted 11-09, submitted 02-10);</li> <li>• Section 25 - Affirmative Defense For Excess Emissions Due to Malfunctions, etc. (adopted 05-10, submitted 08-10).</li> </ul> <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>	

<sup>2</sup> Although not a SIP rule, DAQEM 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 DAQEM 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.

<b>Element (B)</b>	<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>Clark County operates an extensive air quality monitoring network, including a Pb monitor, in accordance with 40 CFR § 58. 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 DAQEM's website in near-real time.</p>	

<b>Element (C)</b>	<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"> <li>• Section 10 - Compliance Schedules;</li> <li>• Section 12.1 - Permit Requirements for Minor Sources;</li> <li>• Section 12.2 - Permit Requirements for Major Sources in Attainment Areas;</li> <li>• Section 12.3 - Permit Requirements for Major Sources in Nonattainment Areas;</li> <li>• Section 12.4 - Authority to Construct Application and Permit Requirements for Part 70 Sources;</li> <li>• Section 12.11 - General Permits for Minor Stationary Sources;</li> <li>• Section 13 - National Emission Standards for Hazardous Air Pollutants;</li> <li>• Section 14 - New Source Performance Standards</li> <li>• Section 25 - Affirmative Defense For Excess Emissions Due to Malfunctions;</li> <li>• Section 26 - Emission of Visible Air Contaminants;</li> <li>• Section 27 - Particulate Matter from Process Weight Rate;</li> <li>• Section 28 - Fuel Burning Equipment.</li> </ul> <p>The significant level for lead in Sections 12.2, 12.3 and 12.4 is 0.6 tons/year.</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><b>Element (D)</b></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>On July 31, 2007, EPA’s approval of Nevada’s interstate transport SIP (CAA 110(a)(2)(D)(i)) for the 8-hour ozone and PM<sub>2.5</sub> NAAQS promulgated in July 1997 was published in the Federal Register (72 FR 41629).</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>According to EPA’s final guidance memo (released on October 17, 2011), the physical properties of Pb prevent Pb emissions from experiencing the same travel or formation phenomena as PM<sub>2.5</sub> or ozone. More specifically, there is a sharp decrease in Pb concentrations, at least in the coarse fraction, as the distance from a Pb source increases. Pb sources contribute significantly to non-attainment or interfere with maintenance in neighboring states if: 1) the source has emissions of 0.5 or more tons per year; and 2) is located in close proximity to state borders (i.e., within 2 miles). DAQEM reviewed the lead emissions inventory and source data and verified that no industrial facility or other source in Clark County emits 0.5 or more tons per year.</p> <p>Furthermore, when evaluating the extent that Pb could impact visibility, EPA determined that Pb related visibility impacts were found to be insignificant<sup>3</sup>.</p>	

<sup>3</sup> 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 – page 9

<p><b>Element (E)</b></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 DAQEM, 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"> <li>• Permits and technical services fees collected from regulated emission sources;</li> <li>• Federal grants;</li> <li>• State grants from the Nevada Air Pollution Control Account per NRS 445B.830;</li> <li>• RTC transportation tax revenue, as established by NRS 377A.090;</li> <li>• Federal Congestion Mitigation and Air Quality Program (CMAQ) funds.</li> </ul> <p>NRS 445B.520 gives the State Environmental Commission<sup>4</sup> 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>	

<sup>4</sup> State Environmental Commission is defined in NRS 445B.200

<p><b>Element (F)</b></p>	<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"> <li>• Section 12.1 - Permit Requirements for Minor Sources;</li> <li>• Section 12.2 - Permit Requirements for Major Sources in Attainment Areas;</li> <li>• Section 12.3 - Permit Requirements for Major Sources in Nonattainment Areas;</li> <li>• Section 12.4 - Authority to Construct Application and Permit Requirements for Part 70 Sources;</li> <li>• Section 12.9 - Annual Emissions Inventory Requirement;</li> <li>• Section 12.10 - Continuous Monitoring Requirements for Stationary Sources;</li> <li>• Section 12.11 - General Permits for Minor Stationary Sources;</li> <li>• Section 25 - Affirmative Defense For Excess Emissions Due to Malfunctions.</li> </ul> <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>	

<b>Element (G)</b>	<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>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>	

<b>Element (H)</b>	<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>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"> <li>(a) Any revision to the SIP described by 40 C.F.R. § 51.104(a);</li> <li>(b) Any individual compliance schedule under 40 C.F.R. § 51.260;</li> <li>(c) Any other SIP revision submitted to NDEP pursuant to 40 C.F.R. § 51.104(d).</li> </ul>	

<b>Element (J) CAA § 121</b>	<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.

<b>Element (J) CAA § 127</b>	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 Pb will be posted on DAQEM’s website.

<b>Element (J)</b>	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

<b>Element (K)</b>	<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>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 DAQEM 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>	

<b>Element (L)</b>	<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>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><b>Element (M)</b></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 SNRPC and the 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 Lewis Wallenmeyer (DAQEM) Regarding the  
“2010 Annual Monitoring Network Plan” (November 2010)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105  
NOV 01 2011

RECEIVED  
CC-DAQM

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Mr. Mike Sword, Engineering Manager  
Clark County Department of Air Quality and Environmental Management  
500 S Grand Central Parkway, 1<sup>st</sup> 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", is positioned above the typed name.

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 NO<sub>2</sub> monitors based on the 2010 NAAQS revision to the primary NO<sub>2</sub> standard. Although DAQEM includes a discussion (pp.61) of new upcoming NO<sub>2</sub> 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**

### **DAQEM 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**



Newspaper notification

**PUBLIC NOTICE OF A 30-DAY NOTIFICATION PERIOD FOR THE LEAD (Pb)  
INFRASTRUCTURE STATE IMPLEMENTATION PLAN**

NOTICE IS HEREBY GIVEN of a public hearing for a proposed Infrastructure State Implementation Plan (I-SIP) that Clark County prepared for submittal to the U.S. Environmental Protection Agency (EPA).

The Federal Clean Air Act (CAA) requires the County prepare an I-SIP for Lead (Pb), a criteria air pollutant, due to the 2008 publication of a revised lead national air quality standard. The purpose of the I-SIP is to demonstrate Clark County has the programs in place to implement, maintain, and enforce the National Ambient Air Quality Standards (NAAQS). An I-SIP is required whether or not an area is in compliance with a new air quality standard. The proposed 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.

A public hearing will be held by the Clark County Board of County Commissioners on March 20, 2012 at 10:00 am in the Clark County Commission Chambers, Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada. The Clark County Board of County Commissioners will consider approving the I-SIP including any changes made to the public review draft based on written comments received during the comment period.

A 30-day comment period commences on Monday January 16, 2012. All comments must be received by Wednesday, February 15, 2012 at 5:00 PM.

The I-SIP is available for public inspection at the front counter of the Clark County Department of Air Quality and Environmental Management (DAQEM) located at 500 S. Grand Central Parkway, Las Vegas, Nevada 89106. The I-SIP is also available on the DAQEM Web site at <http://www.clarkcountynv.gov/depts/daqem>.

Comments must be submitted in writing to the DAQEM at the address given above and placed to the attention of Jean-Paul Huys, Air Quality Specialist. Mr. Huys can be reached at 702-455-1684. Comments can also be submitted via email to [huys@ClarkCountyNV.gov](mailto:huys@ClarkCountyNV.gov).

DAQEM web pages notifications:

DAQEM

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## Air Quality

The Department of Air Quality and Environmental Management is control agency for all of Clark County, Nevada. Established by the Board of County Commissioners in 2001, Air Quality administers programs to improve the health and welfare of our citizens by en quality of the air in Clark County meets healthful, regulatory stan

### Announcements

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**Proposed SIP Revision**

Proposed SIP revisions for Pb and PM10 [More Information](#)

**Monitoring Network Plan for Public Inspection**

This annual plan reports the status of the Clark County Air Monitoring Netwoc  
[More Information](#)

**DAQEM 2011 Fees**

Revised Department of Air Quality Fee Schedule [More Information](#)

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## 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 conducting emissions inventories, air quality computer modeling and mobile sources program.

Planning staff prepare long-term planning documents and reports, and [criteria pollutants](#). Plans and reports include [State Implementation Plans](#) and [Exceptional Event](#) packages for [nonattainment areas](#) in Clark County. For Clark County will meet and continue to maintain compliance with the [Standards](#) (NAAQS). So far, plans developed in Clark County consist of [PM<sub>10</sub>](#), Ozone (O<sub>3</sub>) and Carbon Monoxide (CO).

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

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

**NEWS:** DAQEM has prepared the following two documents:

An [Infrastructure State Implementation Plan for Lead \(Pb\)](#) that shows the steps to be taken to get Clark County in place to implement, maintain, and enforce the National Ambient Air Quality Standards for Lead; and

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[Clark County](#) > [Departments](#) > [Air Quality](#) > [Announcements](#) > [Proposed](#)

## Air Quality

### 1/13/2012 - Proposed SIP Revision

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Contact: Jean-Paul Huys  
Phone: 702-455-1684  
Email: [huys@clarkcountynv.gov](mailto:huys@clarkcountynv.gov)

DAQEM prepared an [Infrastructure State Implementation Plan](#) defined in the Clean Air Act (CAA). The revision is required ac See [newspaper notice](#).

DAQEM also prepared a [Proposed Particulate Matter \(PM<sub>10</sub>\) Re Plan](#) (and [Technical Support Document](#)) for submittal to the El County PM<sub>10</sub> Nonattainment Area to attainment status for the [notice](#).

<http://www.clarkcountynv.gov/Depts/daqem/Announcements/Pages/ProposedSIPRevision...> 1/19/2012

## **B. Public Comment Report**

Public Notice: *Las Vegas Review-Journal*, January 15, 2012

Public Comment Period: January 16, 2012 to February 15, 2012

Formal Comments Received: None



## C. Board of County Commissioners Meeting – March 6, 2012

Page 1 of 1

**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, MARCH 06,  
2012**

**CLARK COUNTY COMMISSION CHAMBERS,  
GOVERNMENT CENTER  
500 SOUTH GRAND CENTRAL PARKWAY,  
LAS VEGAS, NEVADA**

**This meeting has been properly notified and posted  
in the following locations:**

		<b>Agenda Also Available At:</b>	
CC Government Center 500 S. Grand Central Pkwy. Las Vegas, NV (Principal Office)	Regional Justice Center 200 Lewis Ave, 1 <sup>st</sup> Fl. Las Vegas, NV	City of Las Vegas 400 E. Stewart Ave. Las Vegas, 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 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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**Supporting Materials**

Set a public hearing on Tuesday, March 20, 2012 at 10:00 a.m. to approve, adopt, and authorize the submittal of the Lead 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)

**Files**

- Clark County Agenda Item Template.doc
- Infrastructure Pb SIP 2-14-12.pdf



**CLARK COUNTY BOARD OF COMMISSIONERS  
AGENDA ITEM**

<b>Issue:</b>	<b>Set a Public Hearing</b>	<b>Back-up:</b>
<b>Petitioner:</b>	Lewis Wallenmeyer, Director, Air Quality & Environmental Management	<b>Clerk Ref. #</b>
<b>Recommendation:</b>  <b>That the Board of County Commissioners set a public hearing on March 20, 2012 at 10:00 AM to approve, adopt, and authorize the submittal of the Lead 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)</b>		

**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 requires the County prepare an Infrastructure State Implementation Plan (I-SIP) for Lead, a criteria air pollutant, due to the 2008 publication of a revised National Ambient Air Quality Standard (NAAQS) for Lead. 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 Lead I-SIP describes the following air quality program elements currently in place: permitting; air quality modeling; enforcement; ambient air monitoring; and confirmation of adequate personnel, resources, and legal authorities.

The proposed Lead I-SIP was made available for public review and comment from January 16, 2012 through February 15, 2012. No comments were received during the 30-day comment period. A public hearing on March 20, 2012 will provide the public with an additional opportunity to provide comments on the proposed Lead I-SIP.

Respectfully submitted,

\_\_\_\_\_  
LEWIS WALLENMEYER, DIRECTOR

Cleared for Agenda

**3/6/2012**

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**

**10:30 A.M. TUESDAY, MARCH 6, 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:**

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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, March 6, 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 Meeting on December 20, 2011. (For possible action) (Available in the County Clerk's Office, Commission Division)**

**MOVED BY: Chris Giunchigliani**  
**ACTION: APPROVED SUBJECT MINUTES AS RECOMMENDED**  
**VOTE: 5-0**  
**VOTING AYE: Mary Beth Scow, Lawrence Weekly, Steve Sisolak, Susan Brager, Chris Giunchigliani**  
**VOTING NAY: NONE**  
**ABSTAINING: NONE**  
**ABSENT: Tom Collins, Larry Brown**

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

**MOVED BY: Steve Sisolak**  
**ACTION: APPROVED AGENDA WITH INCLUSION OF ITEM NO. 81 (ADDENDUM) AS RECOMMENDED**  
**VOTE: 6-0**  
**VOTING AYE: Mary Beth Scow, Lawrence Weekly, Steve Sisolak, Susan Brager, Tom Collins, Chris Giunchigliani**  
**VOTING NAY: NONE**  
**ABSTAINING: NONE**  
**ABSENT: Larry Brown**

**SEC. 2. CONSENT AGENDA: Items No. 3 through No. 54**

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: Steve Sisolak**

**ACTION: APPROVED CONSENT AGENDA ITEM NOS. 3 THROUGH 54 EXCLUDING ITEM NOS. 11, 12, 28, 29, 30, 35, 40, 41 & 42 AS**

**RECOMMENDED**

**VOTE: 6-0**

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

**VOTING NAY: NONE**

**ABSTAINING: NONE**

**ABSENT: Larry Brown**

#### **Purchasing & Contracts**

- 3** Approve Amendment No. 1 to the contract with Opportunity Village, for CBE No. 601986-10, to provide Janitorial Services for the Government Center; and authorize the Chief Financial Officer or his designee to sign the amendment; or take other action as appropriate. (For possible action)

**ACTION: APPROVED AS RECOMMENDED**

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

ATTACHMENT: [C601986-10-Disclosure.pdf](#)

ATTACHMENT: [C601986-10-Amendment.pdf](#)



## D. Board of County Commissioners Meeting – March 20, 2012

**AGENDA**

**JOINT MEETING OF THE  
CLARK COUNTY BOARD OF  
COMMISSIONERS**

**CLARK COUNTY WATER RECLAMATION  
DISTRICT BOARD OF TRUSTEES AND THE  
UNIVERSITY MEDICAL CENTER OF  
SOUTHERN NEVADA BOARD OF TRUSTEES**

**9:15 AM                      TUESDAY, MARCH 20,  
2012**

**CLARK COUNTY COMMISSION CHAMBERS,  
GOVERNMENT CENTER  
500 SOUTH GRAND CENTRAL PARKWAY,  
LAS VEGAS, NEVADA**


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**Supporting Materials**

Conduct a public hearing; approve and adopt the Lead Infrastructure State Implementation Plan; and authorize the Director of the Department of Air Quality and Environmental Management 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)

**Files**

-  Clark County Agenda Item Template.doc
-  Infrastructure Pb SIP 2-14-12.pdf

**CLARK COUNTY BOARD OF COMMISSIONERS  
AGENDA ITEM**

<b>Issue:</b> Public Hearing	<b>Back-up:</b>
<b>Petitioner:</b> Lewis Wallenmeyer, Director, Air Quality & Environmental Management	<b>Clerk Ref. #</b>
<p><b>Recommendation: That the Board of County Commissioners conduct a public hearing; approve and adopt the Lead Infrastructure State Implementation Plan; authorize the Director of the Department of Air Quality and Environmental Management 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.</b></p> <p><b>(For possible action)</b></p>	

**FISCAL IMPACT:**

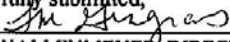
Fund #: N/A	Fund Name: N/A
Fund Center: N/A	Funded Program/Grant: N/A
Description: N/A	Amount: N/A
Added Comments: N/A	

**BACKGROUND:**

The federal Clean Air Act and applicable federal regulations require the County to prepare an Infrastructure State Implementation Plan for Lead (I-SIP) due to the 2008 publication of the revised National Ambient Air Quality Standard (NAAQS) for Lead. 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 standard. The County is currently designated attainment/unclassifiable for Lead. The attached proposed I-SIP describes the air quality program elements currently in place that demonstrate the County's ability to implement, maintain and enforce the Lead NAAQS: permitting, modeling, enforcement, monitoring, personnel, resources, and legal authority.

Notice of a 30-day public review and comment period from January 16, 2012 through February 15, 2012 was published in Las Vegas Review Journal and posted on the County's web site on January 15, 2012. The proposed I-SIP was available for review on the web site and at the Department of Air Quality and Environmental Management office on the first floor of the Clark County Government Center. No comments were received during the comment period.

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

Respectfully submitted,  
  
 for LEWIS WALLENMEYER, DIRECTOR  
 Air Quality & Environmental Management

Cleared for Agenda

Agenda Item #

**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, MARCH 20, 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**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**\*\*\***

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

**SEC. 4. ITEMS TAKEN SEPARATELY FROM CONSENT AGENDA**

**SEC. 5. PUBLIC HEARINGS - 10 AM**

\*\*\*

- 40** Conduct a public hearing; approve and adopt the Lead Infrastructure State Implementation Plan; and authorize the Director of the Department of Air Quality and Environmental Management 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 Pb SIP 2-14-12.pdf](#)

**MOVED BY: Chris Giunchigliani**

**ACTION: APPROVED AS RECOMMENDED**

**VOTE: 7-0**

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

**VOTING NAY: NONE**

**ABSTAINING: NONE**

**ABSENT: NONE**

- 41** Conduct a public hearing to review the project recommendations of the Community Development Advisory Committee (CDAC); and allocate FY 2011 Phase II and FY 2012 Emergency Solutions Grant (ESG) Program funds for incorporation into the Substantial Amendment to the FY 2011 HUD Consolidated Action Plan and the FY 2012 HUD Action Plan. (For possible action)

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

ATTACHMENT: [AIDR 3368-Emergency Solutions Grant.pdf](#)

**MOVED BY: Chris Giunchigliani**

**ACTION: ACCEPTED CDAC RECOMMENDATIONS/APPROVED ESG ALLOCATIONS AS INDICATED IN TABLE 1, FUNDING RECOMMENDATIONS, OF AIDR NO. 3368/AUTHORIZED STAFF TO PREPARE & SUBMIT APPLICATIONS PER HUD AND STATE DEADLINES AND REQUIREMENTS**

**VOTE: 7-0**

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

**VOTING NAY: NONE**