

To: Nevada State Board of Health
Topic: Nevada State Environmental Commission, meeting notes
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- 1) The SEC meeting was held in person and online on November 19, 2024

Regulatory Petitions

- 2) Item 4 – Permanent Regulatory Petition R133-24– Bureau of Safe Drinking Water
 - a. Regulatory clean-up in response to Governor’s Executive Order EO2023-003
 - i. Amendment to streamline, clarify and improve the regulations to provide the general welfare of the State without unnecessarily inhibiting economic growth.
 - b. A presentation of the proposed changes to the regulation was done by the Bureau of Safe Drinking Water.
 - c. **The proposed amendment with the changes was approved.**
- 3) Item 5 – Permanent Regulatory Petition R138-24– Bureau of Air Quality Planning.
 - a. Compliance with Federal Regional Haze Rule and Clean Air Act
 - i. R138-24 proposes to amend Chapter 445B of the NAC to establish the emission limits and control measures required at the Valmy Units and Tracy Unit 4 Pinion Pine to meet Regional Haze reasonable progress requirements instead of closure.
 - b. The Regional Haze Rules call for states and federal agencies to work together to improve visibility in 156 National Parks and Wilderness Areas. There is one designated Class 1 area in Nevada and that is Jarbridge Wilderness Area in the northeast corner of the state.
 - c. The Bureau worked with Nevada Energy to put together the edits to the regulations to reduce the haze, while being able to continue operation of the Valmy Units and Tracey Unit 4 power plants.
 - d. The majority of the revisions pertained to setting up ongoing monitoring and testing of the outputs from the plants. The plants had originally been planned to be closed but are need to support power to the communities in that area.
 - e. **The proposed amendment was approved.**
- 4) Item 6 – Permanent Regulatory Petition R144-24 – Bureau of Air Quality Planning.
 - a. Clean Trucks and Buses Incentive Program Requirements.
 - i. On June 9, 2023, the governor of Nevada signed Assembly Bill (AB) 184, creating the Clean Trucks and Buses Incentive Program (Program), which provides voucher incentives for the purchase of zero emission medium- and heavy-duty vehicles, along with various requirements for the Program and other matters relating thereto.
 - ii. The program will provide voucher-based incentives for the adoption of medium and heavy-duty vehicles that produce zero tailpipe emissions. This program is the first of its kind in the Unites States and is open to public, private and

commercial vehicles and buses. Funding is provided by the Federal Department of Transportation.

- iii. Vehicles can be new or remodeled to electric. The program also requires annual reporting and updates on the vehicles that receive the credits. Applications are submitted to Nevada Department of Environmental Protection.
- iv. Many companies and public entities are expressing excitement for this program and what it can bring to the State.

b. The proposed amendment was approved

5) Item 7 – Permanent Regulatory Petition R161-24 – Bureau of Sustainable Materials Management.

a. Revising Hazardous Waste Regulations to align with Federal Regulations.

- i. NDEP is proposing to amend sections of Nevada Administrative Code (NAC) 444 to revise the definition of the Solid Waste Rule that was partially adopted in 2020. These amendments will provide regulatory clarification and framework promoting recycling of hazardous materials. The amendments also provide clear guidelines for the proper management of hazardous secondary materials.
- ii. Currently California is sending most of its solar panel waste to Nevada.
- iii. The updates to the regulations to make Nevada a leader in processing and recycling of hazardous waste products. A private company for example, has found a way to recycle all the elements of waste solar panels.
- iv. The Rules that are included in the proposed adopt by reference adoption are Safe Management of Recalled Airbags, the addition of aerosol cans to the universal waste regulations, modernizing ignitable liquids determinations, and conforming changes to Canada-specific hazardous waste import-export recovery and disposal operation codes. We are also updating existing regulations such as the Definition of Solid Waste Rule and general section clean-up.

b. The proposed amendment was approved

Penalty Assessments

6) Item 8 - Reck Brothers – NOAV No 2892

- a. Alleged failures to construct or operate a stationary source in accordance with any condition of an operating permit, in violation of Class II Air Quality Operating Permit AP1611-0835.
- b. This was a review of a previously assessed penalty. The penalty had been divided into a cash penalty and an NDEP approved supplemental environmental project. The cash penalty has been paid but the environmental project has not been completed. The Company completed a project, but not one authorized by the NDEP and thus not accepted. Discuss was on the next steps on the penalty.
- c. **The environmental project penalty was changed back to a cash penalty and approved by the Commission.**

- 7) Item 9 -Reck Brothers – NOAV No 3139
 - a. Alleged failures to construct or operate a stationary source in accordance with any condition of an operating permit, in violation of Class II Air Quality Operating Permit AP1611-0835.03.
 - b. Penalty of \$21,024 for the same asphalt plant operation.
 - c. Lengthy discussion with NDEP, Air Quality and the Commission on the plant being physically capable of producing enough product to be able to comply with the testing requirements. The plant is a smaller operation but it being tested on standards for companies with larger through-put.
 - d. **The proposed penalty was approved**
- 8) Item 6 – Administrative Briefing to the Commission
- 9) Public Comment
 - a. No additional comments or topics from the public.

Meeting adjourned.