

**PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. Rxxx-13

P2013-04

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

NOTE to LCB: The amendments to NAC 445B.22097 from LCB File No. R038-12 are codified in the table below. Further, NAC 445B.22097 is being amended currently in LCB File No. R042-13, which will go to the Legislative Commission on December 20, 2013 for approval.

AUTHORITY: §1, NRS 445B.210; §2, NRS 445B.210 and 445B.300.

A REGULATION relating to air pollution; revising provisions governing ambient air quality standards; and providing other matters properly relating thereto.

Section. 1. NAC 445B.22097 is hereby amended to read as follows:

NAC 445B.22097 Standards of quality for ambient air.

1. The table contained in this section lists the minimum standards of quality for ambient air.

		NEVADA STANDARDS ^A		NATIONAL STANDARDS ^B		
POLLUTANT	AVERAGING TIME	CONCENTRATION ^C	METHOD ^D	PRIMARY ^{C, E}	SECONDARY ^{C, F}	METHOD ^D
Ozone	1 hour	0.12 ppm (235 µg/m ³)	Ultraviolet absorption	0.12 ppm ^G (1979 standard)	Same as primary	Chemiluminescence
	8 hours	--	--	0.075 ppm (2008 standard)		
Ozone-Lake Tahoe Basin, #90	1 hour	0.10 ppm (195 µg/m ³)	Ultraviolet absorption	--	--	--
Carbon monoxide less than 5,000' above mean sea level	8 hours	9 ppm (10,500 µg/m ³)	Nondispersive infrared photometry	9 ppm (10 mg/m ³)	None	Nondispersive infrared photometry
At or greater than 5,000' above mean sea level		6 ppm (7,000 µg/m ³)				
Carbon monoxide at any elevation	1 hour	35 ppm (40,500 µg/m ³)		35 ppm (40 mg/m ³)		
Nitrogen dioxide	Annual arithmetic	0.053 ppm (100 µg/m ³)	Gas phase chemiluminescence	53 ppb	Same as primary	Gas phase chemiluminescence

		NEVADA STANDARDS ^A		NATIONAL STANDARDS ^B		
POLLUTANT	AVERAGING TIME	CONCENTRATION ^C	METHOD ^D	PRIMARY ^{C, E}	SECONDARY ^{C, F}	METHOD ^D
	mean 1 hour		ence			nce
		$\pm 100 \text{ ppb}$	--	100 ppb	None	
Sulfur dioxide	Annual arithmetic mean	0.030 ppm (80 $\mu\text{g}/\text{m}^3$)	Ultraviolet fluorescence	0.03 ppm ^H (1971 standard)	None	Spectrophotometry (Pararosaniline method)
	24 hours	0.14 ppm (365 $\mu\text{g}/\text{m}^3$)		0.14 ppm ^H (1971 standard)		
	3 hours	0.5 ppm (1,300 $\mu\text{g}/\text{m}^3$)		None	0.5 ppm	
	1 hour	$\pm 75 \text{ ppb}$	--	75 ppb	None	
Particulate matter as PM ₁₀	Annual arithmetic mean	50 $\mu\text{g}/\text{m}^3$	High volume PM ₁₀ sampling	None	None	--
	24 hours	150 $\mu\text{g}/\text{m}^3$		150 $\mu\text{g}/\text{m}^3$	Same as primary	High or low volume PM ₁₀ sampling
Particulate matter as PM _{2.5}	Annual arithmetic average	$\pm 15.0 \mu\text{g}/\text{m}^3$	--	15.0 $\mu\text{g}/\text{m}^3$	Same as primary	Low volume PM _{2.5} sampling
	24-hour	$\pm 35 \mu\text{g}/\text{m}^3$	--	35 $\mu\text{g}/\text{m}^3$	Same as primary	
Lead (Pb)	Nevada: Quarterly arithmetic mean; National: Rolling 3 mo. average	1.5 $\mu\text{g}/\text{m}^3$	High volume sampling, acid extraction and atomic absorption spectrometry	0.15 $\mu\text{g}/\text{m}^3$	Same as primary	High volume sampling, acid extraction and atomic absorption spectrometry
Hydrogen sulfide	1 hour	0.08 ppm (112 $\mu\text{g}/\text{m}^3$) ^I	Ultraviolet fluorescence	--	--	--

Notes:

Note A: The Director shall use the Nevada standards in considering whether to issue a permit for a stationary source and shall ensure that the stationary source will not cause the Nevada standards to be exceeded in areas where the general public has access.

Note B: The National standards are used in determinations of attainment or nonattainment. The form of a National standard is the criteria which must be satisfied for each respective concentration level of a standard for the purposes of attainment. The form for each National standard is set forth in 40 C.F.R. Part 50 and may be viewed at <http://www.epa.gov/air/criteria.html>.

Note C: Where applicable, concentration is expressed first in units in which it was adopted. All measurements of air quality that are expressed as mass per unit volume, such as micrograms per cubic meter, must be corrected to a reference temperature of 25 degrees Centigrade and a reference pressure of 760 mm of Hg (1,013.2 millibars); “ppm” in this table refers to parts per million by volume, or micromoles of regulated air pollutant per mole of gas; “ $\mu\text{g}/\text{m}^3$ ” refers to micrograms per cubic meter.

Note D: Any reference method specified in accordance with 40 C.F.R. Part 50 or any reference method or equivalent method designated in accordance with 40 C.F.R. Part 53 may be substituted.

Note E: National primary standards are the levels of air quality necessary, with an adequate margin of safety, to protect the public health.

Note F: National secondary standards are the levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a regulated air pollutant.

Note G: The EPA revoked the National 1-hour ozone standard as it applies to all areas. However, anti-backsliding provisions in Federal law require certain areas to have continuing obligations under the National 1-hour ozone standard.

Note H: The 1971 National sulfur dioxide standards remain in effect for an area until 1 year after the area is designated for the 2010 National sulfur dioxide standard, except that in an area designated nonattainment for the 1971 National sulfur dioxide standards, the 1971 standards remain in effect until an implementation plan to attain or maintain the 2010 National sulfur dioxide standards is approved.

Note I: The ambient air quality standard for hydrogen sulfide does not include naturally occurring background concentrations.

2. These standards of quality for ambient air are minimum goals, and it is the intent of the Commission in this section to protect the existing quality of Nevada's air to the extent that it is economically and technically feasible.