

# CLARK COUNTY AIR QUALITY FORUM

## MINUTES

November 10, 2009

1:00 – 2:30 p.m.

Pueblo Room  
Clark County Government Center  
500 S. Grand Central Parkway  
Las Vegas, NV

1. Welcome and Introductions – Adele Malone, NDEP

The meeting was attended by:

Robert Tekniepe, DAQEM

Will Cates, DAQEM

Steve Deyo, DAQEM

Dawn Leaper, DAQEM

Brenda Manlove Williams, DAQEM

Clete Kus, North Las Vegas

Vinson Guthreau, NDEP

Dennis Gaddy, Chemical Lime Co.

Douglas Lundwehr, CH2MHill

DeAnna Rothhaupt, Nellis AFB

Tina Gingras, DAQEM

Rodney Langston, DAQEM

Paul Fransioli, Kleinfelder

Cheng Shih, City of Las Vegas

Joe Peltier, NDOT

Ian Zabarte, MOAPA Band of Putes

William Haley, DMV/CED

Allan Lal, DMV/CED

Schott Sabraw, Associated General Contractors

Shannon Rudolph, NDoA

Polly Cardlin, RTC-SNV

Beth Zie, RTC-SNV

Karina O'Connor, USEPA

Mark Silverstein, Clark County Dept. of Aviation

Vic Dugan, ExxonMobil

John Koswan, DAQEM

Vickie Rutledge, NDEP

2. Ozone Projects Status – Will Cates, DAQEM

Mr. Cates would be going over the following three topics:

a. Characterization of wildfire impacts on Air Quality.

Mr. Cates stated that in August of this year the national ozone air quality standards were exceeded due to wildfires in California. During the summer of 2009 an intense sampling program was implemented to characterize wildfires. During the wildfire in August smoke impact plumes were being experienced in Clark County. As part of the sampling program 55 samples of PM2.5 concentrations were collected and it was recommended to management that we go forward with laboratory analysis for these samples to identify the concentrations of wildfires. This data along with other data relating to ozone and particulate matter will be incorporated into an exceptional event demonstration, which will be submitted to EPA sometime in 2010. Under the exceptional event rule if you can demonstrate that a violation of the national health standards was due to an exceptional event the violations do not count against you in terms of regulatory implementations. Mr. Cates also stated that DAQEM was looking forward to the laboratory analysis, and putting the data together in a demonstration. .

b. Revised Ozone National Ambient Air Quality Standards (NAAQS).

Mr. Cates stated that on September 16<sup>th</sup> EPA announced it would reconsider the 2008 NAAQS which was established at 75ppb. It is expected that EPA will propose a more stringent standard in December of this year. It is not clear how stringent the new standard will be. We are hearing that it will likely range from 65 to 75ppb. The announcement in September also included a proposal to keep the 2008 standards for the purposes of attainment. This will allow time for the EPA to go forward with an accelerated ozone designation program. In another words when EPA proposes the new standards in December of this year the air quality will be evaluated by EPA and in August of 2011 they will go forward with the non-attainment designations for the new standards.

In summary the EPA will propose a new standard in December of this year which will be more stringent than the 2008 standards. The final promulgation will occur in August of 2010. In August 2011 EPA will go forward will final attainment designations. Air quality designation plans will be required to be submitted as early as December 2013.

Questions asked by the attendees:

1. You don't expect Clark County to be a non-attainment area when this is all said and done?

Mr. Cates answered that they do expect Clark County to be in non-attainment for the more stringent standard. Clark County has a real problem with transport ozone.

2. Are fuels listed in the control measures? Mr. Cates answered that yes they are.

c. Intergovernmental

Mr. Cates stated that Clark County continues to work closely with EPA and other non-attainment districts. The districts in the western states are wrestling with ozone like we are. One of the things we are trying to accomplish with the

intergovernmental coordination is a regional approach to the ozone problem. Not alone as a control measure but also dealing in a reasonable way with issues relating to transport pollution in the region and with exceptional events such as wildfires.

Questions asked by the attendees:

1. Which districts are you working with? Mr. Cates answered that they are working closely with Maricopa Arizona Air Districts, State of Arizona. We had an individual from New Mexico that participated in a conference call today and a number of representatives from western states. We also work closely with a number of districts in the State of California.

3. PM10 Maintenance Plan Update – Rodney Langston, DAQEM

Mr. Langston he will be presenting the next couple of topics starting with:

a. Construction activities emissions inventory development

Mr. Langston stated that a while ago the contracted to do a comprehensive study of the construction emissions data sources characteristic of construction activities and what approaches might be most effective to build future emissions inventories for state implementation plans. A number of local companies participated in that effort and gave us a lot of input.

The report has been completed and has been reviewed internally by the department. The department is moving to incorporate recommendation into a new dust control database the department is developing. The contractor's recommendation was that we:

1. Incorporating recommendations into DAQEM database
2. Obtaining permit submittal information that best supports emissions inventory development such as online data submittal.

b. Updating inventory of vacant lands using GILIS data.

Mr. Langston stated that they are currently updating their vacant lands inventory using the comprehensive plan GILIS land use data sets. This is currently ongoing the GIS staff is working with Comp Planning to put that information into a format that we can use to update our current land use classification. The data used to calculate what the wind emissions of the vacant land inventory are.

c. Updating population data using Southern Nevada Regional Planning Collation report.

Mr. Langston stated that are using the recently published report to update a number of population based emissions estimates that will part of the new maintenance plan.

Questions asked by the attendees:

1. What is due next to EPA? Mr. Langston answered we currently don't have any plans that are due.

4. Equestrian Facilities Project – Rodney Langston, DAQEM  
Mr. Langston continued on with his presentation with the Equestrian Facilities Project. At the last TAC meeting we gave a fairly detailed overview on the equestrian working group. This time I am going to go over a few project updates.
  - a. Blue Diamond Wash East Trailhead.  
Mr. Langston stated that the Blue Diamond Wash has currently completed the design phase. The Department of Public Works requested approval of stone filled permeable surface. They would like to consider that a paved surface. The department has approved that on a trial basis. After a six month evaluation period the department will meet future projects for the definition of paving. The project is currently under review by the Army Corp of Engineers. The review is anticipated to be completed by the end of December. The targeted contract date for accepting bids is sometime around February or March 2010.
  - b. Existing Equestrian Facility Staging Area.  
Mr. Langston continued on with the existing equestrian facility staging areas. The working group has had several meeting and discussed in detail the type of surface / gravel that would comply with the standards in the section 94 rule on paved surfaces. The working group did test on the three existing facilities and have determined that the facilities do not meet the standard. The department has decided that they will be moving forward with a revision of section 92 regulations to embody that standard into the regulations. Based on our discussion with the working group we think that is a feasible requirement.
5. DERA Grants – Vickie Rutledge, NDEP and Robert Tekniepe, DAQEM  
Mr. Tekniepe started the section with what Clark County is doing with their DERA grants. Mr. Tekniepe stated that they were going forward with three different types of grants. One would be the bio-diesel cost differential program; the truck stop electrification program; and the third was the diesel retrofit program. Due to some recent changes we have decided to focus our efforts on just one of the grants. That is the bio-diesel cost differential program. The proposal is due to EPA on December 8<sup>th</sup>, 2009. We are still in the process of writing the grant we will be requesting about two million. This is a 2-year grant so we will be requesting one million each year. We are estimating this program will pay the difference between a state USL and bio-diesel blend. We are estimating that in one year will we off set the purchase of 17 – 19 million gallons of bio-diesel. There is some concern with private fleet operators that anything above a B-5 negates the manufacture's warranty on engines. That debate is ongoing. There are fleets in the Valley that would be willing to move as high as a B-20 blend and they aren't real concerned about the manufacture's warranty. We plan on starting with a B-6 and then move we will try and move these private fleet operators up to a B-20. The program participants can not be municipalities that are currently required to use a bio-diesel blend. We have been in contact with a lot of the private fleets in town that don't use the bio-diesel blend due to the cost. The aim of the program is to move the private fleets to the bio-diesel blend by paying the difference in the cost. We estimate that we can off-set about 36 million gallons by the end of the program. We are also going to include tank cleaning

as a component of the program. There are two bio-diesel wholesale blenders in town that we have been in communication with. They will be giving us a letter of support to attach to the grant application. It is our understanding that EPA will be choosing the recipients of this grant no later than the end of January.

Questions asked by the attendees:

1. Are there any real emissions reductions? Mr. Tekniepe answered that he believes the reduction on NO<sub>x</sub> when using a bio-diesel blend at a B-20 is about 22% of the tail pipe emissions. PM / PM10 is at about 25%.

Ms. Rutledge stated that the Nevada Division of Environmental Protection has two DERA grants one is to retrofit school buses with diesel oxidation catalyst (DOC) and/or closed crankcase ventilation (CCV) system. At the present time we have completed 7 counties for a total of 308 buses. We don't plan on using all the funding for this grant on the DOC/CCV. We are in the process of revising the grant to include pre-heaters with the remaining funds.

The next grant we have is the ARRA DERA grant which is part of the stimulus grant. This grant is for 1.73 million and is being used to replace older diesel school buses. We were able to replace 17 school buses with this grant. These buses should be arriving in January. The buses that are being replaced have to be scrapped.

Questions asked by the attendees:

1. You say retrofit school buses, does that entail replacing the engine? Ms. Rutledge answered that it does not. We are putting on the buses DOC and CCV's.
2. Were the DERA and ARRA funds direct allocations? Ms. Rutledge answered yes they were.

6. Lead NAAQS and PM2.5 Designation Actions - Adele Malone, NDEP

Ms. Malone stated that as far as the Lead NAAQS goes we have recommended area designations to EPA in October. We recommended that the entire state be designated as unclassifiable as there is no monitoring data available to make a determination. For PM2.5 the area designations were submitted back in 2007. There was a notice signed by EPA before the Obama administration in December of 2008. That was held and was not published because the new administration wanted to review it. It was reviewed and on October 8<sup>th</sup> of this year another proposed designation rule was signed. There were some changes from the December 08 rule that didn't impact Nevada. Nevada is still going to be designated as unclassifiable / attainment. The October 8<sup>th</sup> signed rule has not been published in the Federal Register yet. I expect it to be coming out shortly. Another recent action for PM2.5 was an infrastructure SIP, which is basically an attainment area SIP. This just shows that the state has the infrastructure in its existing SIP including state regulations and state statutes to show they will maintain the NAAQS. In this case the PM2.5 NAAQS. NDEP submitted the infrastructure SIP in September. Washoe County is in the process of preparing one for submittal right now.

7. Update on GHG issue – Adele Malone, NDEP

Ms. Malone stated that on the state level there is a mandatory reporting rule, which was required by legislation a couple of sessions ago. We have our rule in place. It is for EGU's that produce a certain level of electricity for sale. The first year we are collecting data for is 2009. It is suppose to be submitted to us by March of 2010. The state will be doing its own verification and will be completed by June. That will be the cycle of each reporting year, data due by March of the following year and verified by June. On the federal level there has been more GHG rule activity. There is a vehicle emissions reporting rule that will be effective in March of 2010. That rule will trigger PSD and Title V applicability requirements for GHG emissions reporting. What EPA has done is proposed what they are calling a GHG tailoring rule. In the tailoring rule if emission report was required of all of the sources at the levels triggered it would wind up being an administrative nightmare. EPA is proposing to elevate that by saying you only have to report emissions at a higher level, which is at 25 tpy. What we are doing in the state office is going through the tailoring rule and preparing a set of comments that will be going to EPA.

8. Regional Haze SIP update – Adele Malone, NDEP

Ms. Malone stated the DEP have been responding to public comments that have been received on the draft SIP. EPA's comments focused on the Reid Gardner facility, specifically the SO<sub>2</sub> emissions that we determined were best available retrofit technology. The other two sets of comments focused on the BART determination and zeroed in on Reid Gardner. What we did was do another review of BART on Reid Gardner with respect to SO<sub>2</sub> emissions. We used a new set of data that became available in 2009. Working with Nevada Energy we determined that we could lower what we decided was BART at Reid Gardner for SO<sub>2</sub>. We have a proposed regulation that is going to be heard by the State Environmental Commission in December to reduce those emission limits at Reid Gardner. That is the only serious change we have made to the SIP. We plan on having the SIP submitted next week.

9. Public Input/Discussion

Items of Interest for Future Meetings

No comments or topics for future meetings.

10. Wrap Up/Questions

The next meeting will be on March 9<sup>th</sup>, 2010.