

STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

November 18, 2009

Laura Yoshii
Acting Regional Administrator
OAR-1, USEPA Region IX
75 Hawthorne Street
San Francisco, CA 94105

RE: SUBMITTAL OF NEVADA'S REGIONAL HAZE STATE IMPLEMENTATION PLAN

Dear Ms. Yoshii:

On behalf of Governor Gibbons, as his appointed designee, this letter transmits to you two hard copies of the *Nevada Regional Haze State Implementation Plan* (RH SIP or SIP) and one compact disc. Additionally, the RH SIP may be viewed on the Nevada Division of Environmental Protection's (NDEP) website at <http://ndep.nv.gov/baqp/planmodeling/rhaze.html>. The SIP is submitted pursuant to 40 CFR 51 section 308, "Regional haze program requirements." NDEP requests approval of the RH SIP into the Nevada State implementation plan.

The RH SIP satisfies the criteria of 40 CFR § 51.308. The SIP was properly noticed and presented at the Public Hearing on May 20, 2009, conducted by NDEP. Under the authority in Nevada Revised Statutes 445B.205 and Nevada Administrative Code 445B.053, the Administrator of NDEP has the authority to adopt and submit state implementation plans to the U.S. Environmental Protection Agency (USEPA) (see Appendix D, section 1.4).

Evidence of compliance with the consultation and public review processes required for the RH SIP is presented in Appendix A, *Nevada BART Regulation*, Appendix C, *Federal Land Management Agency Comments and Nevada's Response* and Appendix D, *Evidence of Public Participation; Public Comments and Nevada's Responses*. Copies of all formal comments on the SIP received by NDEP and NDEP's response to those comments appear in Appendices C and D.

We would like to point out that the SIP is based on data and analyses that existed as of January 5, 2009, when we provided the federal land managers with their consultation review draft of the SIP, with one exception. The exception is that we used more recent data in support of lowering the SO₂ best available retrofit technology (BART) emission limits at NV Energy's Reid Gardner Generating Station. The re-evaluation of the BART requirements at Reid Gardner was done in response to public comments received during the public review period. (See NDEP's response to USEPA comment 2 in Appendix D for details.) This change to the BART limits requires a regulatory amendment, which NDEP has drafted and forwarded to the State Environmental Commission for presentation at their December 9, 2009 Hearing. A copy of the amendment is included in Appendix A. NDEP will submit the adopted regulation to USEPA when it becomes effective.



NDEP is aware that an update of the 2018 modeling scenarios for regional haze planning in the Western Regional Air Partnership (WRAP) region was completed in July 2009, after the cut off date for incorporating new information into Nevada's SIP. NDEP has reviewed this most recent WRAP modeling effort and notes that it supports the conclusions and recommendations presented in the SIP.

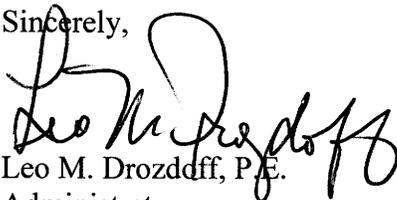
In conjunction with Nevada's RH SIP submittal, NDEP is providing a summary of comments received during the public comment period (attached). In the summary, NDEP has included statements and/or discussion of general or recurring commenter concerns from Nevada's viewpoint, including:

- Nevada's perspective;
- No increase in SO₂ emissions from Reid Gardner;
- Nevada's progress toward the national visibility goal;
- The relationship between BART and the regional haze rule;
- Philosophical differences;
- FLM comments regarding costs and control efficiencies;
- FLM emphasis on visibility improvement in BART process; and
- FLM emphasis on \$/dv measure of cost effectiveness.

The enclosed RH SIP presents Nevada's reasonable progress goals, calculations of baseline and natural visibility conditions, Nevada's long-term strategy for regional haze, monitoring strategy and other implementation plan requirements and BART requirements for addressing regional haze visibility impairment in accordance with the requirements of 40 CFR § 51.308. NDEP urges USEPA to provide timely review and approval of Nevada's RH SIP taking into account the significant progress toward meeting the national visibility goals that Nevada's SIP demonstrates.

If you should have any questions about this submittal or require additional clarification, you may contact Greg Remer, Chief, Bureau of Air Quality Planning at (775) 687-9359.

Sincerely,


Leo M. Drozddff, P.E.
Administrator

Enclosures

cc: Robin Reedy, Chief of Staff, Office of the Governor
Allen Biaggi, Director, DCNR
Colleen Cripps, Deputy Administrator, NDEP
Greg Remer, Chief, Bureau of Air Quality Planning, NDEP
Michael Elges, Chief, Bureau of Air Pollution Control, NDEP
Tom Webb, Air Division, EPA Region IX AIR-2
Eleanor Kaplan, Air Division, EPA Region IX AIR-2
Dennis Ransel, Chief, Planning Manager, Clark County DAQEM
Andrew Goodrich, Director, Air Quality Management Division, Washoe County DHD

Sent via FedEx