

Chapter Nine – Determination of Adequacy, Procedural Requirements and Conclusions (40 CFR 51.308(g), (h) and (i))

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9.1 Determination of Adequacy

Section 51.308(h) requires states to make a determination as to the adequacy of the existing RH SIP. Based on the evidence presented in the preceding chapters, the NDEP hereby makes a

51.308(h) Determination of the adequacy of existing implementation plan. At the same time the State is required to submit any 5-year progress report to EPA in accordance with paragraph (g) of this section, the State must also take one of the following actions based upon the information presented in the progress report:

- (1) . . . provide to the Administrator a negative declaration that further revision of the existing implementation plan is not needed at this time;*
- (2) If the State determines that the implementation plan is or may be inadequate to ensure reasonable progress due to emissions from sources in another State(s) which participated in a regional planning process, the State must provide notification to the Administrator and to the other States . . . must also collaborate with the other States through the regional planning process for the purpose of developing additional strategies to address the plan's deficiencies;*
- (3) . . . the implementation plan is or may be inadequate . . . due to emissions from sources in another country, the State shall provide notification, along with available information, to the Administrator; or*
- (4) Where the State determines that the implementation plan is or may be inadequate to ensure reasonable progress due to emissions from sources within the State, the State shall revise its implementation plan to address the plan's deficiencies within one year.*

negative declaration that further revision of Nevada's 2009 RH SIP is not warranted at this time in order to achieve the 2018 reasonable progress goals for visibility improvement for mandatory Class I areas in Nevada and those outside the State that may be affected by Nevada emissions. The NDEP concludes that no additional controls are necessary pursuant to this five-year progress evaluation.

As evidenced by very substantial reductions in anthropogenic source emissions in Nevada and the concurrent improvement in visibility at Jarbidge WA, the NDEP determines that Nevada is making adequate progress overall in improving visibility due to reductions in emissions from the control measures included in the 2009 RH SIP. Additional anticipated reductions in emissions from control measures that are not yet fully implemented and changes in source activity that were

not included as part of Nevada's strategy further support this conclusion.

Many of the control measures included in the initial RH SIP were not fully implemented during the period covered by this 5-year progress review. Additional emissions reductions from full implementation of both new and “on-the-books” and “on-the-way” federal programs, as well as BART, will occur in the period between this review and the 2018 SIP revision. For example, the compliance date for the installation and operation of BART in Nevada is January 1, 2015 (with the exception of NO_x at Reid Gardner, which is later). Therefore, monitoring data at JARB1 for this progress period do not reflect emissions reductions resulting from the implementation of Nevada BART.

Visibility conditions at Nevada’s only Class I Area, Jarbidge WA, have improved slightly for the worst days with better progress shown for the best days, based on the rolling 5-year annual average haze index. Progress for the worst days is impeded by large contributions to visibility impairment from natural sources. Trend analyses of the period 2000 to 2012 show that visibility impairment due to sulfate and nitrate extinction is decreasing through time for both the worst and best days. The slopes of the trend lines clearly indicate improvements in visibility due to reduced sulfate and nitrate extinction.

The IMPROVE monitor (JARB1) representing the Jarbidge WA and most of the wilderness area itself lies within the Snake River Basin. JARB1 is situated in the Jarbidge River Canyon on the northern flank of the Jarbidge Mountains less than 10 miles south of the Idaho border. The Jarbidge Mountains, in part, form the divide between the Snake River Basin and Great Basin. The Snake River Basin encompasses the southern two thirds of Idaho, a portion of eastern Oregon, a portion of southeastern Washington, and small portions of Utah and Wyoming, in addition to a piece of northern Nevada. Because of its location, visibility impairment measured at JARB1 is likely more strongly affected by emissions originating from within the Snake River Basin than those emitted from within the Great Basin. Therefore, emissions reductions at facilities in Nevada may not be reflected by the monitor data from JARB1. The NDEP will continue to evaluate the implementation of BART and other control strategies in neighboring states to assess their impact on reasonable progress at Jarbidge WA.

9.2 Procedural Requirements

The RHR contains several procedural requirements for 5-year progress reports. 40 CFR 51.308(i)(2) and (3) require that states consult with the federal land managers in developing an implementation plan and include a description of how the State addressed any comments provided by the federal land managers. 40 CFR 51.308(g) requires that progress reports must be in the form of implementation plan revisions that comply with the procedural requirements of sections 51.102 and 51.103.

In keeping with the USEPA’s requirements related to consultation, the NDEP enlisted the support of appropriate state and local air pollution control agencies, as well as the federal land managers in preparing this report. As part of this commitment, the NDEP made an advance,

draft copy of this report available to the aforementioned agencies, as well as USEPA Region 9, and sought their input. The NDEP received informal comments from USEPA Region 9 staff, and those comments have been addressed. Formal comments received as part of this consultation together with the NDEP's responses can be found in Appendix C. In addition, the NDEP also provided a 30-day public comment period along with a proposed public hearing on October 15, 2014. Appendix D. Pursuant to 40 CFR 51.102, the NDEP cancelled the public hearing as no requests to hold it were received. The NDEP received one set of public comments; the comments and the NDEP's responses are included in Appendix D.

40 CFR 51.308(i)(4) requires a plan for continued consultation between the state and federal land managers over visibility protection in Class I areas. The NDEP recommits to continued participation in the WRAP and consultation among the states, federal land managers and tribes with respect to any SIP revisions and/or the implementation of other programs having the potential to contribute to visibility impairment.

9.3 Conclusions

The NDEP has prepared this progress report in response to the RHR requirements in 40 CFR 51.308(g) and (h) and in accordance with 51.308(i). The requirements addressed in the previous chapters include the status of implementing committed control measures, summaries and analyses of emissions and monitoring changes, and assessments of impacts on Class I areas identified in the original RH SIP. The evaluation presented in this report leads the NDEP to conclude that Nevada's 2009 RH SIP is being implemented appropriately; reasonable progress towards the 2018 visibility conditions goal for mandatory Class I areas impacted by sources in Nevada is being achieved; and no additional control measures are needed at this time.

In summary, the *Nevada Regional Haze 5-Year Progress Report* fulfills all requirements for progress reports pursuant to 40 CFR 51.102, 51.103 and 51.308 (g), (h) and (i), and thus meets USEPA criteria for full approval.