

Form #1

Petition to Adopt, Amend, or Repeal Commission Regulations

Approved 10-3-1995



NEVADA
**STATE ENVIRONMENTAL
COMMISSION**

1. Name, address, telephone number, and signature:

Name: Nevada Division of Environmental Protection

Address: 901 South Stewart Street, Suite 4001

E-mail Address: atucker@ndep.nv.gov

Telephone Number: (775) 687-9340

Date of Petition: TBD

Representative capacity and signature of petitioner, authorized individual, officer or attorney:



2. Specific type of petitioner (individual, partnership, corporation, government agency, or other) and the exact occupation or business, including a description of the occupation or business if necessary:

The Nevada Division of Environmental Protection (NDEP) is a division of the Nevada Department of Conservation and Natural Resources of the State of Nevada. The NDEP is an environmental regulatory agency.

3. Exact and specific nature of changes sought, including delineation of the regulations, statutory provisions of Commission decisions involved. May include a statement of the written term or substance of the proposed regulatory action, or a description of the subjects and issues involved:

The NDEP is proposing to amend NAC 445B.22097, "Standards of quality for ambient air". We are proposing to revise the Nevada ambient air quality standards table in NAC 445B.22097 to further align it with the national ambient air quality standards (NAAQS) currently in effect. The proposed regulation revises the annual fine particulate matter (PM_{2.5}) standard on the Nevada standards table from 12.0 to 9.0 micrograms per cubic meter.

4. A statement of the need for and purpose of the proposed regulations:

The proposed amendments address the implementation of the USEPA's February 7, 2025 PM2.5 NAAQS revision. When the USEPA promulgates a new or revised NAAQS, states must submit a plan which provides for implementation, maintenance and enforcement of such standard, as stated in Clean Air Act 42 U.S.C § 110(a)(1). The proposed PM2.5 standard is already a federal standard applicable nationwide. Adoption at the state level and incorporation into the Nevada State Implementation Plan allows for NDEP to implement it. If USEPA must implement the standard, it will do so remotely, in a unilateral manner, with little experience of Nevada's industry and without the NDEP's commitment to support economic development. In contrast, the NDEP has active working relationships with the regulated industry and is well positioned to develop Nevada-specific implementation strategies with industry that are effective and as unobtrusive as possible.

5. A statement of the:

(a) Estimated economic effect of the regulation on the business which it is to regulate:

The economic effect of this regulation can only be determined on a case-by-case basis for each affected businesses; however, the provisions are already in effect at the federal level so the impacts would occur even without state adoption of the standards.

(1) Both adverse and beneficial effects:

If an environmental evaluation shows that the emissions from a business are expected to exceed the air quality standards, the business must revise its operating procedures or install controls to reduce emissions. The cost will range from no cost to the cost of installing emission controls appropriate to the individual situation.

(2) Both immediate and long-term effects:

As the federal primary standard is health-based, the proposed strengthened state standard will help protect human health, avoid lost workdays and increase workforce productivity.

(b) Estimated economic effect on the public:

The strengthened federal standard will result in significant public health net benefits that, nationally, could be as high as \$46 billion in 2032. The proposed regulation will be aligning the state standard with the federal standard and is expected to result in public health benefits and avoided health related loss of productivity.

(1) Both adverse and beneficial effects:

The proposed regulation will have beneficial effects in terms of improved health and welfare. In accordance with the Clean Air Act, the primary NAAQS are established to protect against adverse effects of polluted air on human health. The emissions reductions will also benefit public welfare.

(2) Both immediate and long-term effects:

Scientific evidence shows exposures to PM2.5 can harm people's health, leading to heart attacks, asthma attacks, and premature death. The proposed regulation will align with the federal standard and, nationally, the expected health benefits will include up to 4,500 avoided premature deaths, 800,000 avoided cases of asthma symptoms, and 290,000 avoided lost workdays.

(c) Estimated cost by the agency for enforcement of the proposed regulation:

The proposed regulation does not impose functions on the agency that it does not already provide, so no additional costs beyond what the agency would normal incur are expected.

6. A description of any regulations for other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:

The proposed amendments do not overlap with any other State regulations. They adopt a federal regulation into State regulation as required by the federal Clean Air Act.

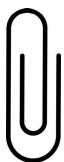
7. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions. The statement must include the specific citation of the federal statute or regulation requiring such adoption:

Not applicable, the proposed amendments are no more stringent than federal requirements.

8. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:

Not applicable, the proposed regulatory action does not provide for any new fees or increase to existing fees.

Supporting Documents



When submitting this form, attach a second document to your email with your proposed regulatory language. Include other supporting documents as needed.