

# CLARK COUNTY BOARD OF COMMISSIONERS

## AGENDA ITEM

---

**Petitioner:** Marci Henson, Department of Environment and Sustainability

---

**Recommendation:**

**Conduct a public hearing and approve, adopt and authorize the Chair to sign an ordinance to create a new Clark County Air Quality Regulation Section 130, "VOC Emissions Control for Architectural and Industrial Maintenance Coatings," to regulate coatings that may cause or contribute to volatile organic compound (VOC) emissions within the 2015 ozone nonattainment boundary by implementing VOC content limits; container labeling, recordkeeping, reporting, testing, and compliance requirements; and providing for other matters properly related thereto; and to authorize the Control Officer to compile and submit the approved ordinance and all related documentation, including the Technical Support Document, to the Nevada Division of Environmental Protection for U.S. Environmental Protection Agency approval into the Nevada State Implementation Plan. (For possible action)**

---

**FISCAL IMPACT:**

Fund #:	N/A	Fund Name:	N/A
Fund Center:	N/A	Funded PGM/Grant:	N/A
Amount:	N/A		
Description:	N/A		
Additional Comments:	N/A		

**BACKGROUND:**

On October 1, 2015, the U.S. Environmental Protection Agency (EPA) revised the 8-hour National Ambient Air Quality Standard (NAAQS) for ozone, lowering both the primary and secondary standards from 0.075 to 0.070 parts per million. When establishing a new NAAQS or revising an existing one, EPA must also designate areas as meeting (attainment) or not meeting (nonattainment) the NAAQS. Initially, the Las Vegas Valley was designated as a "marginal" nonattainment area. On July 22, 2022, EPA proposed to determine that the Las Vegas Valley nonattainment area had failed to attain the 2015 8-hour ozone NAAQS and would be reclassified as a "moderate" nonattainment area. On January 5, 2023, EPA officially made that determination and notified Clark County that the required State Implementation Plan (SIP) was due no later than January 1, 2023. The proposed Section 130 includes SIP requirements needed both to address the moderate nonattainment area designation by reducing VOC emissions associated with the production of ground-level ozone and to satisfy the 15% Rate of Progress requirement through regulation of VOC content in architectural and industrial maintenance (AIM) coatings, including paint, primers, varnishes, or lacquers, as well as solvents used as thinners and for cleanup. Section 130 is based on the Ozone Transport Commission model rule for AIM coatings (Phases I–II), which recommends reducing VOC emissions by regulating the VOC content of AIM coatings sold, supplied, offered for sale, applied, solicited for application, or manufactured for use. The attached Technical Support Document provides context and explains the proposed new rule to facilitate enforcement required by the 2015 ozone SIP.

Cleared for Agenda

**08/06/2024**

File ID#

**24-1046**