

# CLARK COUNTY BOARD OF COMMISSIONERS

## AGENDA ITEM

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

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**Recommendation:**

**Introduce an ordinance to create new Clark County Air Quality Regulation Section 102, "Gasoline Dispensing Facilities," Section 105, "VOC Emissions Control for Metal Solvent Degreaser Operations," and Section 107, "VOC Emissions Control for Cutback Asphalt Manufacturing and Use," to regulate sources that may cause or contribute to volatile organic compound emissions within the 2015 ozone nonattainment boundary by implementing emissions standards, permitting or registration requirements, and recordkeeping and reporting requirements; providing for other matters properly related thereto; and to set a public hearing. (For possible action)**

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**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. Although it was impossible to meet that retroactive date, the proposed ordinance includes additional SIP requirements needed to address the moderate nonattainment area designation by implementing the proposed Sections 102, 105, and 107 to regulate volatile organic compounds. In addition, the proposed regulations will replace previously repealed Section 52, "Gasoline Dispensing Facilities," and Section 60, "Evaporation and Leakage," in the Nevada SIP. The BCC repealed Sections 52 and 60 on April 19, 2011, and directed they be submitted to EPA for removal from the SIP; however, EPA did not approve their removal. Through this proposed rulemaking, Clark County will again seek to have Sections 52 and 60 removed from the Nevada SIP.

Staff recommends that a public hearing be set for March 19, 2024, at 10:00 a.m.

Cleared for Agenda

**03/05/2024**

File ID#

**24-270**