

# CLARK COUNTY BOARD OF COMMISSIONERS

## AGENDA ITEM

---

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

---

**Recommendation:**

**Conduct a public hearing and approve, adopt, and authorize the Chair to sign an ordinance to amend Clark County Air Quality Regulations Section 92, "Fugitive Dust Control Requirements for Unpaved Parking Lots and Storage Areas," to update applicability, definitions, stabilization standards, and the Instantaneous Test Method, and add clarifying language; amend Section 94, "Permitting and Dust Control for Construction and Temporary Commercial Activities and Fugitive Dust Control at Stationary Sources," to update applicability, definitions, permit revocation procedures, Dust Control Monitor requirements, emissions standards, stockpile requirements, the Instantaneous Test Method, and long-term stabilization requirements, and add clarifying language; 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:**

The proposed ordinance will amend Clark County Air Quality Regulation (AQR) Section 92, "Fugitive Dust Control Requirements for Unpaved Parking Lots and Storage Areas," to revise applicability to unpaved parking lots and storage areas in Clark County of 5,000 square feet or more, including those with public access at stationary sources. It also revises applicability to all unpaved parking lots and storage areas in Clark County that do not have public access at stationary sources as part of consideration of a Reasonably Available Control Technology (RACT), Best Available Control Technology (BACT), or Lowest Achievable Emissions Rate (LAER) determination. The ordinance adds clarifying language, as well as updates and additions to definitions, paving exemptions, and control measures, includes revised stabilization and opacity standards, and updates test methods, with the Instantaneous Test Method now averaging multiple readings to determine compliance with the revised opacity standard.

The proposed ordinance will amend AQR Section 94, "Permitting and Dust Control for Construction and

Cleared for Agenda

**12/17/2024**

File ID#

**24-1654**

Temporary Commercial Activities and Fugitive Dust Control at Stationary Sources," to revise applicability at stationary sources as part of a RACT, BACT, or LAER determination. The ordinance adds clarifying language throughout, as well as updates and additions to definitions and Dust Control Operating Permit (DCOP) requirements. It includes new procedures for DCOP revocation and suspension, adds new Dust Control Monitor requirements, and revises emission and opacity standards. It updates test methods, with the Instantaneous Test Method now averaging multiple readings to determine compliance with the revised opacity standard; requirements regarding long-term stabilization prior to DCOP closure; and stockpile requirements. The ordinance contains updated best management practices (BMPs) to shift the requirement to apply tackifier during construction activities to using tackifier to stabilize disturbed soils following construction activities, as applicable. Lastly, it adds and revises requirements for BMP 11, "Long-term Stabilization," to provide additional flexibility for permittees, including stabilization of unpaved roads and road shoulders.

The attached Technical Support Document provides context, explains the proposed amendments, and provides responses to public comments received.