

CLARK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

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

Recommendation:

Introduce 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 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, Instantaneous Test Method, and long-term stabilization requirements, and add clarifying language; and providing for other matters properly related thereto; and set a public hearing. (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 for unpaved parking lots and storage areas, including those with public access at stationary sources, and for unpaved parking lots and storage areas that do not have public access at stationary sources throughout Clark County as part of the consideration of a Reasonably Available Control Technology (RACT), Best Available Control Technology (BACT), or Lowest Achievable Emissions Rate (LAER) determination. The ordinance also adds clarifying language throughout, as well as updates and additions to definitions, paving exemptions, and control measures. It includes revised stabilization and opacity standards. And it 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 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 also adds clarifying language throughout, and updates and additions to definitions and dust control operating permit (DCOP) requirements. It includes new procedures for DCOP revocation and suspension, and adds new Dust Control Monitor requirements. It includes revised emission and opacity standards. It updates test methods, with the Instantaneous Test Method now averaging multiple readings to determine compliance with the revised opacity

Cleared for Agenda

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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.

Staff recommends that a public hearing be set for December 17, 2024, at 10:00 a.m.