

CLARK COUNTY

AIR QUALITY REGULATIONS

WHEREAS, it is recognized that there has been a growth in the amount of complexity of air pollution in Clark County, Nevada, brought about by, and incident to, the population growth of and industrial development in the said County, which conditions are likely to be aggravated and compounded by additional population growth and industrial development in the future, all resulting in serious potential danger to the public health and welfare of the residents of said County, and substantial injury to or interference with the reasonable use and enjoyment of property and the conduct of business therein, as well as injury to agricultural crops and livestock, and hazards to air and ground transportation; and

WHEREAS, it is the responsibility of the Clark County Board of County Commissioners to promote and protect the health and welfare of the inhabitants of this County, which necessitates the control and regulation of activities affecting the quality of the air therein; and

WHEREAS, it is the public policy of Clark County and the purpose of these Regulations to achieve and maintain levels of air quality which will protect human health and safety, prevent injury to plant and animal life, prevent damage to property, and preserve visibility and scenic, esthetic and historic values of Clark County; and

WHEREAS, it is the intent of these Regulations to:

- (a) Require the use of reasonably available methods to prevent, reduce or control air pollution throughout Clark County;
- (b) Maintain cooperative programs;
- (c) Facilitate cooperation across jurisdictional lines in dealing with problems of air pollution not confined within a single jurisdiction; and

WHEREAS, the quality of air is declared to be affected with the public interest and these Regulations are enacted in the exercise of the police power of this county and the municipal entities comprising Clark County to protect the health, peace, safety and general welfare of its people as required by State law; and

WHEREAS, Clark County Board of County Commissioners has initiated and conducted an air pollution control program, including a comprehensive air monitoring program for the purpose of determining air quality standards and source emission standards; and

WHEREAS, the need for control of air contaminants, and the emission thereof at their source, was first determined by an air pollution survey of Clark County conducted in 1962 and 1963, the findings of which survey and the problems identified therein having been confirmed by subsequent measurements and experience gained in the conduct of an air pollution control program established pursuant to authority vested in the Clark County Department of Air Quality and Environmental Management; and

WHEREAS, the Clark County Board of County Commissioners has taken into consideration all of the facts and circumstances bearing upon the reasonableness of the emission of air contaminants in the area including but not limited to:

- (a) The character and degree of injury to or interference with health and property or the reasonable use and enjoyment of property or conduct of business;
- (b) The social and economic value of the source of air contaminants;
- (c) The technical practicability and economic reasonableness of reducing or eliminating the emission of air contaminants from such source;
- (d) The location involved, the density of population, the atmospheric condition, and the relationship of the emissions to the general air pollution condition of the area;
- (e) The cost and effectiveness of control equipment available; and
- (f) Efforts previously made and the equipment previously installed to control or decrease such emissions; and

WHEREAS, recent developments in State and Federal law, as well as developing air pollution control technology, and the need for more precise and equitable standards and procedures, require the updating and amendment of the current Air Quality Regulations of the Clark County Board of County Commissioners;

NOW, THEREFORE, the Clark County Board of County Commissioners, in accordance with the authority vested in it by Chapter 445 of Nevada Revised Statutes, does hereby adopt, promulgate and order compliance therewith within Clark County, Nevada, the following amended Regulations, to be known as "Air Quality Regulations."

<u>Section</u>	<u>TABLE OF CONTENTS</u>	<u>Pages</u>
0	Definitions	1 – 50
2	Procedures for Adoption and Revision of Regulations and for Inclusion of those Regulations in the State Implementation Plan	1 – 6
4	Control Officer	1 – 4
5	Interference with Control Officer	1 – 1
6	Injunctive Relief	1 – 1
7	Hearing Board and Hearing Officer	1 – 7
8	Persons Liable for Penalties – Punishment: Defense	1 – 1
9	Civil Penalties	1 – 2
10	Compliance Schedules	1 – 1
11	Ambient Air Quality Standards	1 – 2
12	Preconstruction Review for New or Modified Stationary Sources Table of Contents	1 – 69 i – ii
13	Emission Standards for Hazardous Pollutants	1 – 2
14	New Source Performance Standards	1 – 7
16	Operating Permits	1 – 3
18	Permit and Technical Service Fees	1 – 13
19	Part 70 Operating Permits Attachment A Table of Contents	1 – 28 A-1 – A-4 i
20	Emission Standards for Hazardous Air Pollutants for Source Categories	1 – 3
21	Acid Rain Permits	1 – 2
22	Acid Rain Continuous Emission Monitoring	1 – 2
24	Sampling and Testing – Records and Reports	1 – 2
25	Upset/Breakdown, Malfunctions	1 – 2

<u>Section</u>	<u>TABLE OF CONTENTS</u>	<u>Pages</u>
26	Emission of Visible Air Contaminants	1 - 1
27	Particulate Matter from Process Weight Rate	1 – 2
28	Fuel Burning Equipment	1 – 2
29	Sulfur Contents of Fuel Oil	1 – 1
30	Incinerators	1 – 3
32	Reduction of Animal Matter	1 – 1
33	Chlorine in Chemical Processes	1 – 4
34	Performance Standards for Metallic and/or Nonmetallic Mineral Mining and Processing	1 – 5
35	Diesel Engine Powered Electrical Generating Equipment	1 – 2
40	Prohibitions of Nuisance Conditions	1 – 1
41	Fugitive Dust	1 – 3
42	Open Burning	1 – 2
43	Odors in the Ambient Air	1 – 1
44	Prohibitions on Planting, Selling, or Offering to Sell Fruitless Mulberry and European Olive Trees	1 – 2
45	Idling of Diesel Powered Motor Vehicles	1 – 1
49	Compliance Requirements for Boilers and Steam Generators	1 – 4
50	Storage of Petroleum Products	1 – 2
51	Petroleum Product Loading into Tanks, Trucks And Trailers	1 – 2
52	Gasoline Dispensing Facilities Table of Contents	1 – 21 i – ii
53	Oxygenated Gasoline Program	1 – 3

<u>Section</u>	<u>TABLE OF CONTENTS</u>	<u>Pages</u>
54	Cleaner Burning Gasoline (CBG): Wintertime Program	1-14
55	Preconstruction Review for New or Modified Stationary Sources in the 8-Hour Ozone Nonattainment Area	1-8
58	Emission Reduction Credits Table of Contents	1 – 10 i
59	Emission Offsets Table of Contents	2 – 8 1
60	Evaporation and Leakage	1 – 3
70	Emergency Procedures	1 – 2
80	Circumvention	1 – 1
81	Provisions of Regulations Severable	1 – 1
90	Fugitive Dust From Open Areas and Vacant Lots	1 – 9
91	Fugitive Dust From Unpaved Roads, Unpaved Alleys, and Unpaved Easement Roads	1 – 9
92	Fugitive Dust From Unpaved Parking Lots; Material Handling and Storage Yards; and Vehicle and Equipment Storage Yards	1 – 8
93	Fugitive Dust From Paved Roads and Street Sweeping Equipment	1 – 10
94	Permitting and Dust Control for Construction Activities	1 – 19