

**To: Nevada State Board of Health**  
**Topic: Nevada State Environmental Commission, meeting notes**  
**Prepared by: Charles Smith**

- 1) The SEC meeting was held in person and online on March 18, 2025

#### **Penalty Assessments**

- 2) Item 4 – Safety-Kleen Systems, Inc – NOAV No 3069, 3150
  - a. Alleged failures to construct or operate a stationary source in accordance with any condition of an operating permit, in violation of Class II Air Quality Operating Permit AP2992-1473.03.
  - b. Recommendation: Approved the NDEP- recommended penalties for Safety-Kleen systems, Inc. in the amount of \$6,600 for NOAV No 3069 and \$29,150 for NOAV No 3150 for a total of \$37,750 or take appropriate action.
  - c. The item was reviewed on how the penalty was assessed. Main violation was that the thru-put values exceeded what their current license allowed. A representative of the company said that they appreciated the State Air Quality for working with them on corrections and have since upgraded their license and are now in full compliance. No previous instances are on record for this company.
  - d. **The penalty assessment was approved by the Commission.**

#### **Regulatory Petitions**

- 3) Item 5 – Permanent Regulatory Petition R119-24– Bureau of Air Quality Planning
  - a. Adopting Federal Regulations by Reference. Amend sections 445B.220 and 445B.221 of Nevada Administrative Code (NAC) to adopt by reference applicable federal law and regulations to prevent, abate and control air pollution and to establish standards for air quality. (1) revised which provision of federal regulations are adopted by reference (2) revises certain standards for testing air quality previously adopted by reference (3) updates the price for and manner of obtaining the publications containing those standards.
  - b. A presentation of the proposed changes to the regulation was provided by the Bureau of Air Quality Planning.
  - c. **The proposed amendment was approved.**
- 4) Item 6 – Permanent Regulatory Petition R126-24– Bureau of Corrective Actions.
  - a. Alignment of Brownfield Regulatory Language with Federal Regulations. Amend Chapter 459 of the NAC to ensure consistency with the terms and conditions entered by the state with the U.S. EPA regarding the use of federally granted Fund for Brownfield Projects. (1) define new terms introduced by the proposed revision (2) identify the goal of the Fund (3) expand existing match funds to include in-kind services and provide relief from match for disadvantaged recipients (4) increase the percentage of the Fund available for subgrant to eligible entities (5) expand eligible uses of the Fund, which is currently limited to cleanup, to include planning, community involvement, site

assessment, and other tasks necessary for successful Brownfield property redevelopment.

- b. The Bureau of Corrective Actions ran through a discussion of the proposed amendment.
- c. **The proposed amendment was approved.**

5) Item 7 – Permanent Regulatory Petition R130-24– Bureau of Corrective Actions.

- a. Regulatory Clean-up om Response to the Governor’s Executive Order EO2023-003. Amend Chapter 445A of the NAC to remove outdated references and add references to current and dynamic federal regulations and guidance. The language clarifies that current soil containment screening levels and drinking water Maximum Containment Levels should be used for risk assessment and potential cleanup rather than the levels determined based on 1996 toxicology data.
- b. **The proposed amendment was approved.**

6) Item 8 – Language Access Plan (discussion only)

- a. A discussion was provided by the administrative staff on the project that is currently in development to provide a plan to provide language interpretations of the agenda or meeting items of the SEC Board meeting. Directed by the Governor to be able to provide translations of subject matter when requested. There are other state agencies that provide this type of service, so the object is for the plan to be based on current programs that can be offered for language services when requested. Plan is in development.

**Administrative Briefing to the Commission**

7) Item 9 – The following items were presented by the Administration

- a. Assembly Bill #40 Executive Branch – following progress on the two Assembly Bills as there is potential impacts to the SEC.
  - i. This bill seeks to put mechanisms in place to get funding re-imbursement for instances of cleanup/reclamation of failed companies, financial assurances.
  - ii. Clarify the authority for cleanup activities related to abandoned mines, solid waste and hazardous waste management, and provide financial assurances
- b. Assembly Bill #43 Delegation of Authority
  - i. Solid waste program and Safe Drinking Water
  - ii. Updates to regulations as the current are old
  - iii. Provide support for State Health Districts on regulations and inspections.
- c. Senate Bill #143 – following this bill
  - i. This is to put in place a Study on the use of Artificial turf.

**Meeting adjourned.**