

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION
Workshop to Solicit Comments on Proposed Amendments to
NAC 445B: Air Controls

April 28, 2026

9:00 AM

Bonnie B. Bryan Boardroom
1st Floor
901 South Stewart Street
Carson City, NV 89701

Red Rock Conference Room
Suite 200
375 East Warm Springs Road
Las Vegas, NV 89119

The workshop was also held virtually and was publicly accessible by video conference and phone

MEETING NOTES

ATTENDEES:

Workshop Chair:

Ken McIntyre, Supervisor, BAQP

NDEP Staff:

Andrew Tucker, Chief, BAQP

Jennifer Schumacher, Chief, BAPC

Patricia Bobo, Environmental Scientist, BAQP

Katherine Hansen, Environmental Scientist, BAQP

Nicholas Schlafer, Staff Engineer, BAQP

Public:

Carson City:

Alex Tachek, Silver State Government Relations

Las Vegas:

No Attendees

*Virtual*¹:

Shilo Amos

Christopher Heintz, NV Energy

Mathew Johns, NV Energy

Nathan Tolbert, Douglas County

Nichole Larson

¹ Participants are listed using their online registration. Last name and/or affiliation may not have been provided.

CALL TO ORDER

Mr. McIntyre called the meeting to order at 9:00 AM, explained the purpose of the Public Workshop, and introduced the staff present. Mr. McIntyre explained that the names of attendees would be collected for the record and that the meeting was being recorded. Mr. McIntyre reviewed the workshop agenda. There were no questions or changes to the agenda. Ms. Bobo explained that virtual attendees would be muted by the moderator and how they could signal to the moderator that they had a question or comment so they could be unmuted. Ms. Bobo explained that a copy of the proposed regulations, and State Environmental Commission Forms 1 and 4, could be found on NDEP's website.

Mr. McIntyre explained how the regulation adoption process works. The regulation adoption timeline was explained, specifying that there would be a 30-day public comment period prior to the State Environmental Commission (SEC) hearing for each set of proposed amendments. Mr. McIntyre stated that unless there are substantive changes based on feedback from this workshop, NDEP will submit proposed regulation P2025-04 to the SEC to be heard at a future hearing. If the regulations are adopted by the SEC, they are submitted to the Legislative Commission. If the Legislative Commission approves the regulations, they are filed with the Secretary of State and become effective. Mr. McIntyre paused and asked if there were any questions about the regulation adoption process.

Mr. McIntyre moved on to present the petitions.

P2025-04 SUMMARY

Mr. McIntyre presented P2024-05, the proposal to amend NAC 445B.221 to adopt applicable federal rules promulgated since the State regulation was last updated as of April 2024. This is a routine activity commonly referred to as "adopt by reference". The proposed amendments and the adoption by reference of the federal regulations will allow NDEP to request delegated authority for the compliance and enforcement of air regulations from the U.S. EPA. NDEP will implement the federal regulations once the authority has been delegated. The proposed regulation is to adopt new and amended subparts under the Code of Federal Regulations Parts 51, 52, 60, and 63. The proposed regulation includes adoptions relating to National Emissions Standards for Hazardous Air Pollutants (NESHAP) and New Source Performance Standards (NSPS).

Mr. McIntyre paused and asked if there were any questions.

COMMENTS AND QUESTIONS

Christopher Heintz: My comment was on Part 60 and had to deal with the inclusion of TTTT, TTTTa, and UUUUb, as they existed on July 1, 2025. On June 11, 2025, EPA proposed to repeal the Greenhouse Gas Emission Standards for fossil fuel fired power plants which was published in the Federal Register on June 17, 2025. In the February 18, 2026 Federal Register, EPA announced a final rule effective April 20, 2026 for a rescission of the Greenhouse Gas Endangerment Findings for the Motor Vehicle Greenhouse Gas Emission Standards. My question

is, the inclusion of these subparts may be premature due to the information mentioned above. I was kind of thinking of when the subparts are rescinded or if they get rescinded that'd be quite a lag time. Would it still need to be required or complied with, even though it wouldn't be active federally? It would still be on the books with NDEP, so I didn't know if you thought about that or not.

Andrew Tucker: That's something we can look into, Chris. Looks like Matt's hand is up as well. Do you have a comment?

Mathew Johns: Good morning, all, Matt Johns with NV Energy. Just kind of understating that the comment, if the regulation, TTTTa, if it's changed by the EPA in the process of going through the rulemaking here, which we completely understand on that, we understand the need for the delegation authority. Would that date potentially change for those or how would you handle that? You can take that as a comment. That's just the one area that we're interested in understanding is all.

Andrew Tucker: I think we need to look at that and kind of see what exactly actions have been done on that. If the decision has been finalized, then we would probably pull that back just because it doesn't really make sense to adopt something that has been withdrawn by EPA in that sort of context.

Mathew Johns: I appreciate it. Thank you.

Ken McIntyre: Do we have any further questions and/or comments?

ADJOURNMENT

Ken McIntyre: If there are no further questions or comments this meeting is adjourned at 9:15 AM. Thank you everyone for your time and participation in this public workshop. We'll see you next time.