ATTACHMENT K:

Documentation of Public Review Process

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1.0 30-DAY PUBLIC COMMENT PERIOD

1.1 NOTICE OF PUBLIC COMMENT AND PUBLIC HEARING

NOTICE OF PUBLIC COMMENT PERIOD AND PUBLIC HEARING ON THE PROPOSED 2015 OZONE NAAQS ATTAINMENT PLAN FOR THE LAS VEGAS VALLEY MODERATE NONATTAINMENT AREA

NOTICE IS HEREBY GIVEN of a public comment period and public hearing on the proposed 2015 Ozone NAAQS Attainment Plan for the Las Vegas Valley Moderate Nonattainment Area: Clark County, NV. The U.S. Environmental Protection Agency (EPA) designated the Las Vegas Valley as a marginal nonattainment area for the 2015 ozone National Ambient Air Quality Standard (NAAQS), effective August 3, 2018. On January 5, 2023, EPA determined that the area failed to attain the 2015 ozone NAAQS by the applicable marginal nonattainment area. Under Sections 172 and 182(b) of the Clean Air Act, Clark County is required to submit a state implementation plan (SIP) that meets the following planning requirements for the Las Vegas Valley moderate nonattainment area: emission inventories, attainment demonstration, nonattainment new source review, 15% rate of progress, reasonably available control measures, reasonably available control technology, motor vehicle inspection and maintenance, contingency measures, and a motor vehicle emissions budget for transportation conformity. This plan satisfies those requirements. If adopted, the plan will be submitted to the state of Nevada and EPA as a revision to the Nevada SIP.

NOTICE IS FURTHER GIVEN that a 30-day public comment period will begin on August 15, 2024, and end at 12:00 PM on September 16, 2024. The public may review and provide written comments on the proposed plan during this period. The Board of County Commissioners will consider the proposed plan, along with all written and any oral public comments, at a public hearing at 10:00 AM on November 5, 2024, in the Commission Chambers, Clark County Government Center, 500 S. Grand Central Parkway, Las Vegas, NV.

A copy of the proposed plan is available for review on the Department of Environment and Sustainability website at:

https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/public_c_ommunications/public_notices.php

The department must receive any written comments at 4701 W. Russell Road, Suite 200, Las Vegas, Nevada 89118, by 12:00 PM on September 16, 2024. Comments should be addressed to Air Quality Planning Section at the same mailing address, emailed to <u>aqplanning@clarkcountynv.gov</u>, or faxed to (702) 383-9994.

Published: August 15, 2024

Pheatone A. Levis

Ted Lendis, Planning Manager

1.2 DES WEBSITE NOTICES



Documents

20240815 CCDES 2015 O3 Moderate Attainment Plan Notice of Public Comment Hearing.pdf	
20240815 CCDES 2015 O3 Moderate Attainment Plan_draft.pdf	
AttA_20231130 CCDES 2015 O3 Moderate Attainment SIP 2017 and 2023 El.pdf	
AttB_20240628 CCDES 2015 O3 Moderate Attainment SIP Attainment Demo TSD.pdf	
AttC_20240620 CCDES CTG RACT Analysis_Final draft.pdf	
AttD_20231013 CCDES Major Source RACT Analysis_Final draft.pdf	
AttE_20240619 RACM Analysis_Final draft.pdf	
AttF_20240405 CCDES 2015 O3 Moderate Attainment SIP 2017 and 2026 ROP El.pdf	
AttG_20240624 CCDES 2015 O3 Moderate Attainment SIP 15 ROP Plan TSD.pdf	
AttH_Evaluation of Effectiveness of IM Program.pdf	
Attl_202311 STI Wildfire Atypical O3 Event Analysis TSDs 2016-2022.pdf	
Attj_20240628 Enhanced Vapor Recovery Report.pdf	

1.2.1 Declaration of DES Website Posting



1.3 DES FACEBOOK POSTING

Clark County Department of Environment & Sustainability August 16 at 11:45 AM · 😵

"Say...what's the Division of Air Quality doing about ozone in Clark County, Nevada?" Great question. We have a 1,761-page #VegasAirQuality ozone attainment plan available for review and public comment through Sept. 16.

Review the document & leave comments D bit.ly/planningpubnotice.

1.4 DES X POSTING

Clark County Dept. of Environment & Susta 😪 @ClarkCounty · Aug 15 … "Say...what's the Division of Air Quality doing about ozone in @ClarkCountyNV?" Great question. We have a 1,761-page #VegasAirQuality ozone attainment plan available for review and public comment through Sept. 16. Review the document & leave comments bit.ly/planningpubnot....

...

1.5 E-NOTICE (PUBLIC INPUT)

From: To: Subject: Date:	Clark. County Dept, of Environment & Sustair Arabell Pruett 30-DAY PUBLIC COMMENT PERIOD AND PU Thursday, August 15, 2024 2:26:34 PM		ZONE NAAQS ATTAINMENT PLAN		
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Pr	30-Day Notice of oposed 2015 Ozone N	Public No Public Comment Po IAAQS Attainment I Nonattainme	eriod and Publ Plan for the Las		derate
for the Las designated (NAAQS), the applica nonattainm plan (SIP) emission in control mea a motor ver	S HEREBY GIVEN of a public or s Vegas Valley Moderate Non. t the Las Vegas Valley as a n effective August 3, 2018. On Ja able marginal nonattainment or nent area. Under Sections 172 a:) that meets the following nventories, attainment demons asures, reasonably available or chicle emissions budget for tra ed to the state of Nevada and E	attainment Area: Clark Co araginal nonattainment are anuary 5, 2023, EPA detern late and reclassified the and 182(b) of the Clean Air planning requirements for tration, nonattainment new ontrol technology, motor vel nsportation conformity. Thi	unty, NV. The U.S. a for the 2015 ozon mined that the area fi- Las Vegas Valley (I Act, Clark County is or the Las Vegas / source review, 159 nicle inspection and i s plan satisfies thos	Environmental Protection e National Ambient Air G ailed to attain the 2015 of dydrographic Area 212) required to submit a state Valley moderate nona 6 rate of progress, reas naintenance, contingency	Agency (EPA) Quality Standard zone NAAQS by as a moderate e implementation ttainment area: onably available y measures, and
September County Co	S FURTHER GIVEN that a 30 r 16, 2024. The public may revi mmissioners will consider the p on November 5, 2024, in the Co , NV.	ew and provide written con proposed plan, along with a	nments on the propo Il written and any ora	sed plan during this perio I public comments, at a	od. The Board of public hearing at
https://www The depart on Septem	he proposed plan is available fo w.clarkcountynv.gov/governmen tment must receive any written iber 16, 2024. Comments shoul	t/departments/environment comments at 4701 W. Rus Id be addressed to Air Qua	<u>and_sustainability/p</u> sell Road, Suite 200,	ublic_communications/pu Las Vegas, Nevada 891	blic_notices.php 18, by 12:00 PM
aqplanning	@clarkcountynv.gov, or faxed t	o (702) 383-9994. Sent on behalf of Clark Coun 2409 Crabtree Blvd, Suite 10 Unsubscribe My Si View this email in a brow	7, Raleigh, NC 27604 ubscriptions		

1.5.1 E-Notice Distribution

To encourage stakeholder participation on the proposed plan, the public notice was emailed to over 1,500 stakeholders via our Public Input email subscription service. These stakeholders included individuals on our Ozone Attainment SIP, Regulatory, and Planning notices distribution lists. These lists are comprised of permitted sources, local businesses, environmental groups, government agencies, nearby tribal nations, and other interested parties. Stakeholders were invited to review the proposed plan on the department's website and to contact staff by email with questions or comments.

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30-DAY PUBLIC COMMEN	T PERIOD AND PUBLIC HE	ARING ON THE PROPOSED 2015 OZON	E NAAQS ATTAINMENT PLAN		
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1.6 PUBLIC COMMENT REPORT

Introduction: From August 15, 2024, through September 16, 2024, the Clark County Department of Environment and Sustainability (DES) conducted a public comment period on the proposed 2015 Ozone NAAQS Attainment Plan for the Las Vegas Valley Moderate Nonattainment Area: Clark County, NV.

This report summarizes and responds to comments received consistent with the State Implementation Plan (SIP) submission requirements of 40 CFR Part 51.103(a) and 40 CFR Part 51, Appendix V, Section 2.1(h). The responses herein follow the federal Administrative Procedure Act requirements to respond to significant comments (Title 5, Section 553(c) of the United States Code), which federal courts have generally found to be those that raise relevant issues with the proposed plan/rules and would warrant changes.

COMMENTOR: Nick Christenson, npc@gangofone.com, received: September 15, 2024

Comment:

Las Vegas is the second fastest warming city in the country and the third sunniest, and this heat and sunlight along with NO_x and volatile organic compounds are the recipe for the unacceptable levels of ground level ozone we experience. We know that, as a species, we are not yet finished pumping CO_2 into the atmosphere, the principal cause of global warming. Consequently, on our present course, our city will continue to heat up. Because of this, even if we were to reduce the production of the other two factors that cause ozone, our ozone levels could continue to rise. If we are serious about reducing ozone levels and all its terrible effects on our community, we can't just reduce our emissions by a little, we have to reduce our emissions by a lot. We're either serious about this, or we're, quite literally, just blowing smoke.

The health effects from ground level ozone are significant. The American Lung Association has repeatedly given the air quality in the Las Vegas Valley an "F" grade[1]. We see this in our rates of asthma as well as other respiratory diseases which lead to bad health outcomes, which just about every new study reveals to be much worse than we previously thought (see [2][3][4] and many, many more). These respiratory ailments also lead to missed work which also has a significant economic impact. Our children are especially vulnerable to air pollution, which not only leads to increased childhood asthma and susceptibility to other illnesses, but leads to reduced school attendance, which contributes to our community-wide educational outcomes being below desired levels.

There's no mystery about what we need to do, and there is no way to make a meaningful impact outside of these measures. If we're serious, these are the things we'll do. If we don't do these things, it means we're simply not serious about addressing our air quality:

• Convert our vehicle fleet, especially our medium and heavy duty vehicles which are disproportionately prone to emit NOx compounds, to zero emission vehicles, either electric or hydrogen powered.

- Reduce the number of vehicle miles traveled for valley residents, both in number of trips and distance per trip. This can be accomplished by improving our mass transit systems and making their use increasingly attractive to residents and visitors, as well as adjusting our land use to increase the density of our community, bringing people and services physically closer to one another. Certainly, continuing our policy of sprawling our urban environment would likely be the singular worst possible thing we could do, both in terms of increasing emissions due to longer commutes and by exacerbating the heat island effect of our community.
- Additionally, we should stop adding and then actively reduce NO_x point sources in the Las Vegas valley. This means not building any more fossil fuel fired power generation facilities within the valley and rapidly converting existing generation to zero-carbon energy facilities. By necessity, these would become distributed solar plus electrical storage facilities, including premises energy storage configured by the electrical utility to "peak shave" in a so-called "virtual power plant" configuration[5]. We will also need to eliminate point source emissions from existing and especially any new industry that wishes to operate in the valley, and we must say, "No," to any new business that would further degrade our air quality.

Expanding upon this, business and government in Clark County is currently set upon a path of expanding both our population and our economic product. This is not completely incompatible with a policy of reducing ground level ozone, but if we are to achieve better air quality during both economic growth and a warming climate, our reduction efforts cannot be half-hearted. We must drastically reduce our air pollution emissions. If we're not willing to make the changes that will lead to drastic reductions in emissions, then let's not pretend we're serious about improving air quality in southern Nevada, because we're not.

We know how to solve our air quality problems. Technical solutions for these issues exist and are eminently feasible. Doing so will improve our health and implementing them will come with net cost savings for our community. However, there exist many powerful entities operating in southern Nevada with an interest in maintaining the status quo and not addressing the factors that are exacerbating our air quality problems. The only question is whether we have the will to stand up to those few who feel they stand to lose by improving everyone else's lives. It really is as simple as that.

DES Response:

The comment provides an overview of ozone formation and its adverse effects on public health. The commentor states that emissions of volatile organic compounds (VOC) and oxide(s) of nitrogen (NO_x) must be reduced significantly and proposes three strategies to make meaningful impacts: implementing zero-emitting vehicles, reducing vehicle miles traveled, and limiting the addition of new stationary sources of NO_x within the Las Vegas Valley. The comments do not specifically identify any part of the proposed SIP that does not meet the requirements of the Clean Air Act and U.S. Environmental Protection Agency (EPA) regulations.

As dispersion and photochemical models indicate, the formation of ozone in the Las Vegas Valley is predominantly caused by emissions transported from outside Clark County (international and regional), including those generated by wildfires, and emissions from motor vehicles that combust fossil fuels. DES's authority to control these sources of ozone is limited; therefore, control measures addressed in the proposed SIP focus strongly on stationary sources. DES is working concurrently with the Regional Transportation Commission of Southern Nevada (RTC) and the All-In Clark County sustainability initiative to address motor vehicle emissions separately.

To address local VOC and NO_x contributions, DES implemented seven new regulations that impose additional controls on new and existing stationary sources for which EPA has published a Control Technique Guideline. Additionally, DES assessed existing equipment at major stationary sources and is implementing another regulation to ensure that adequate levels of emission controls are required as part of this SIP. All these regulations require that emission controls meet Reasonably Available Control Technology standards. DES will incorporate additional emission control requirements into its regulatory framework while continuing efforts to reduce ozone in the Las Vegas Valley.

DES works closely with the RTC to ensure that transportation programs align with air quality standards. This collaboration includes evaluating and monitoring transportation projects to ensure that they do not adversely impact air quality or contribute to nonattainment of the standard.

DES is the lead agency in the All-In Clark County sustainability initiative, which promotes electric vehicle technology and alternative transportation options. This community-wide collaborative effort encourages government agencies, utilities, and private enterprise to replace gas vehicle fleets with alternative-fuel vehicles and technologies. Through these partnerships, DES aims to create a robust infrastructure that supports alternative vehicle adoption.

DES shares the commenter's interest in protecting public health and improving air quality in Clark County. It will continue to work with EPA and other state, local, and federal agencies, as well as private entities, to meet its regulatory obligations. As Clark County continues to face the challenges of growth and increasingly stringent public health standards, DES will pursue attainment of these standards by addressing all sources of NO_x and VOC with open and inclusive governance.

2.0 BOARD OF COUNTY COMMISSIONERS MEETING – 10/15/2024 (SET PUBLIC HEARING)

2.1 AGENDA ITEM

CLARK COUNTY BOARD OF COMMISSIONERS AGENDA ITEM

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

Recommendation:

Set a public hearing on November 5, 2024, at 10:00 a.m. to approve, adopt, and authorize submittal of the "2015 Ozone NAAQS Attainment Plan for the Las Vegas Valley Moderate Nonattainment Area: Clark County, NV" to the State of Nevada for submission to the U.S. Environmental Protection Agency for review and approval as a revision to 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:

On October 1, 2015, the U.S. Environmental Protection Agency (EPA) revised the 8-hour ozone National Ambient Air Quality Standard (NAAQS), lowering both the primary and secondary standards from 0.075 to 0.070 parts per million. The Las Vegas Valley (Hydrographic Area 212) was designated as a marginal nonattainment area for the 2015 ozone standard, effective August 3, 2018. On January 5, 2023, EPA determined that the area failed to attain the 2015 ozone NAAQS by the applicable marginal nonattainment date and reclassified the Las Vegas Valley as a moderate nonattainment area. The reclassification notice established a submission deadline of January 1, 2023, for the area's moderate attainment plan. On October 18, 2023, EPA issued a finding of failure to submit a moderate attainment plan for the Las Vegas Valley nonattainment area by the submission deadline.

Under Sections 172 and 182(b) of the Clean Air Act, Clark County is required to submit a state implementation plan (SIP) that meets the following planning requirements for moderate nonattainment areas: emission inventories, attainment demonstration, nonattainment new source review, 15% rate of progress, reasonably available control technology, motor vehicle inspection and maintenance, contingency measures, and a motor vehicle emissions budget for transportation conformity. The attached plan is intended to satisfy the EPA's requirements for moderate nonattainment areas and resolve its finding of failure to submit. The plan and all attachments may be reviewed at the following link: https://publicinput.com/e58566.

The plan was made available for public comment from August 15 through September 16, 2024. One comment was received. Attachment K documents the public review process. Information not yet included in Attachment K will be added after the public hearing and upon Board approval of this plan.

A public hearing on November 5, 2024, will provide the public with an additional opportunity to provide comments prior to the Board of County Commissioners' consideration of the plan.

Cleared for Agenda **10/15/2024** File ID# **24-1353**

2.2 MEETING SUMMARY

18.	Approve and authorize the submission of a grant application to the U.S. Departme and Urban Development (HUD) for the Northern Nevada Continuum of Care (Coo Management Information System (HMIS) Project, by Clark County Social Service the amount of \$122,822 and \$30,706 in Emergency Solutions Grant (ESG) cash m Nevada Housing Division to provide software and administration; and authorize the County Manager, or her designee, to accept any grant funds awarded. (For possibl	C) Homeless (CCSS), in atch from the Deputy
	ACTION: APPROVED.	
	ATTACHMENT: Staff Report	
	ATTACHMENT: 2024 HMIS Northern Nevada Application Draft	
19.	Approve and authorize the submission of a grant application to the U.S. Departme and Urban Development (HUD) for the Rural Nevada Continuum of Care (CoC) F Management Information System (HMIS) Project, by Clark County Social Service the amount of \$92,741 and \$23,185 in Emergency Solutions Grant (ESG) cash ma Nevada Housing Division, to provide software and administration; and authorize th County Manager, or her designee, to accept any grant funds awarded. (For possible	Iomeless (CCSS), in tch from he Deputy
	ACTION: APPROVED.	
	ATTACHMENT: Staff Report	
	ATTACHMENT: 2024 HMIS Rural Nevada Application Draft	
20.	Approve and authorize the submission of a renewal grant application to the U.S. D Housing and Urban Development (HUD) for the Southern Nevada Continuum of C Homeless Management Information System (HMIS) Project, by Clark County Soc (CCSS), in the amount of \$980,154 to provide for the current software system; and Deputy County Manager, or her designee, to accept any grant funds awarded. (For action)	Care (CoC) ial Service l authorize the
	ACTION: APPROVED.	
	ATTACHMENT: Staff Report	
	ATTACHMENT: 2024 HMIS Southern Nevada Application Draft	
	Environment and Sustainability	
21.	Set a public hearing on November 5, 2024, at 10:00 a.m. to approve, adopt, and au submittal of the "2015 Ozone NAAQS Attainment Plan for the Las Vegas Valley I Nonattainment Area: Clark County, NV" to the State of Nevada for submission to Environmental Protection Agency for review and approval as a revision to the Nev Implementation Plan. (For possible action)	Moderate the U.S.
	ACTION: APPROVED.	
сі. і ·	County Board of Commissioners Action Summary - 10/15/24	Page 8

3.0 BOARD OF COUNTY COMMISSIONERS MEETING – 11/5/2024 (CONDUCT PUBLIC HEARING)

3.1 AGENDA ITEM

CLARK COUNTY BOARD OF COMMISSIONERS AGENDA ITEM

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

Recommendation:

Conduct a public hearing; approve, adopt, and authorize the "2015 Ozone NAAQS Attainment Plan for the Las Vegas Valley Moderate Nonattainment Area: Clark County, NV," and authorize the Director or her designee to submit the plan, including any relevant public comments, to the State of Nevada for submission to the U.S. Environmental Protection Agency for review and approval as a revision to 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:

On October 1, 2015, the U.S. Environmental Protection Agency (EPA) revised the 8-hour ozone National Ambient Air Quality Standard (NAAQS), lowering both the primary and secondary standards from 0.075 to 0.070 parts per million. The Las Vegas Valley (Hydrographic Area 212) was designated as a marginal nonattainment area for the 2015 ozone standard, effective August 3, 2018. On January 5, 2023, EPA determined that the area failed to attain the 2015 ozone NAAQS by the applicable marginal nonattainment date and reclassified the Las Vegas Valley as a moderate nonattainment area. The reclassification notice established a submission deadline of January 1, 2023, for the area's moderate attainment plan. On October 18, 2023, EPA issued a finding of failure to submit a moderate attainment plan for the Las Vegas Valley nonattainment area by the submission deadline.

Under Sections 172 and 182(b) of the Clean Air Act, Clark County is required to submit a state implementation plan (SIP) that meets the following planning requirements for moderate nonattainment areas: emission inventories, attainment demonstration, nonattainment new source review, 15% rate of progress, reasonably available control technology, motor vehicle inspection and maintenance, contingency measures, and a motor vehicle emissions budget for transportation conformity. The attached plan is intended to satisfy EPA's requirements for moderate nonattainment areas and resolve its finding of failure to submit. The plan and all attachments may be reviewed at the following link: https://publicinput.com/e58566.

The plan was made available for public comment from August 15 through September 16, 2024, on the Department of Environment and Sustainability, Division of Air Quality's website. One comment was received. Attachment K documents the public review process. Information not yet included in Attachment K will be added after the public hearing and upon Board approval of this plan.

Staff requests the Board approve and adopt this plan and authorize staff to submit it to the State of Nevada and EPA for approval as a revision to the Nevada SIP.

Cleared for Agenda **11/05/2024** File ID# **24-1411**

3.2 PUBLIC COMMENT REPORT

Public Hearing:	November 5, 2024
Formal Comments Received during Public Hearing:	None

3.3 MEETING SUMMARY

	VOTE: 7		
	Voting Aye:	Tick Segerblom Jim Gibson William McCurdy II Marilyn Kirkpatrick Ross Miller Michael Naft Justin Jones	
	Voting Nay:	None	
	Absent:	None	
	Abstain:	None	
<mark>49.</mark>	Plan for the Las Vegas V the Director or her design State of Nevada for subm approval as a revision to MOVED BY: Jim Gibso		ounty, NV," and authorize public comments, to the Agency for review and
	ACTION: APPROVED	<mark>.</mark>	
	VOTE: 7		
	Voting Aye:	Tick Segerblom Jim Gibson William McCurdy II Marilyn Kirkpatrick Ross Miller Michael Naft Justin Jones	
	Voting Nay:	None	
	Absent: Abstain:	None None	
50.	amend Clark County Coc transport, and delivery of delivery support services package liquor licensees services; adding a section establishing operational r a grocery store, liquor sto cards for any person emp matters properly related t Liquor and Gaming Licen	and approve, adopt, and authorize the Chair the Title 8, Chapter 8.20 and Chapter 8.24 regather input and the provide for the second of the se	rding the handling, ne licensure of liquor delivery of alcohol by quor delivery support or handle liquor; nsumer in certain areas by ring work identification d providing for other
	ACTION: DELETED.		