

**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 May 28, 2025

#### **Penalty Assessments**

- 2) Item 4 – Drilling Minerals Industries, LLC – NOAV No 3175
  - 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 AP1479-3903
  - b. Recommendation: Approved the NDEP- recommended penalties for Safety-Kleen systems, Inc. in the amount of \$28,900 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. However, they expressed their position that this testing was done on the initial startup of the systems, and they felt the penalty was excessive as they had to bring them online to make sure all the controls worked properly. With this and subsequent discussion by the commission, the decision was as follows.
  - d. **The penalty assessment was approved by the Commission as follows:**
    - i. Drilling Materials and NDEP work together to come up with a plan for a project that the company can provide services for to reduce the cash amount of the penalty
    - ii. Work with NDEP to determine the value of this project and adjust the cash penalty.
    - iii. Balance of cash penalty to be paid by Drilling Materials.
    - iv. NDEP will provide an update at the next commission meeting on the resolution

#### **Regulatory Petitions**

- 3) Item 5 – Permanent Regulatory Petition R077-24P– Bureau of Air Quality Planning – Repealing and Amending Regulations to Improve efficiency in Nevada’s Air program and Better Serve Public Interest.
  - a. Repeal the several sections on Nevada Administrative Code 445B.0385, 445B.22057, 445B.2206, (and others) and amend 445B.281. The purpose of the proposed amendment is to repeal regulations that no longer serve the purpose of achieving the intents and purposes of Nevada Revised Statutes (NRS) 445B.110 to 445B.640 inclusive. Repealing is necessary to improve the efficiency in administering Nevada’s Air Program and to minimize the resources needed to understand the regulatory requirements that may affect businesses and the public.
  - b. A presentation of the proposed changes to the regulation was provided by the Bureau of Air Quality Planning. The Governor issued an Executive order for the department to review the regulations and remove outdated or ineffective procedures

- i. Many of the repealed regulations are concerning “odor control”. The department has had only a few reported incidents over the last several years. Odor control is very elusive and difficult to monitor or capture as the atmosphere is constantly changing. Odor complaints are also very subjective. The NDEP will continue to review complaints that are brought forward as they will be addressed under a different regulation for air quality.
- ii. Repeal sections on mercury emissions, as they have been superseded by newer regulations.

**c. The proposed amendment was approved.**

**4) Item 6 – Language Access Plan (discussion only)**

- a. An update was provided by the administrative staff on the project that continues in development and will likely be brought to the commission at the next meeting.

**Administrative Briefing to the Commission**

**5) Item 7 – The following items were presented by the Administration. Update on current bills with the legislature.**

- 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.
  - iv. Clarify the authority of the SEC.
- c. Update on the operations budget and current open staffing positions.

**Meeting adjourned.**