



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

DEC 17 2018

Mr. Mike Sword  
Planning Manager  
Clark County Department of Air Quality  
4701 West Russell Road Suite 200  
Las Vegas, Nevada 89118


Dear Mr. Sword:

Thank you for Clark County Department of Air Quality's (CCDAQ's) exceptional events mitigation plan submitted October 22, 2018. EPA reviewed the mitigation plan and determined that it is complete.

Section 319(b) of the Clean Air Act (CAA) authorizes EPA to consider air agency requests to exclude air quality monitoring data that is directly due to exceptional events from use in determinations by the Administrator with respect to exceedances or violations of the NAAQS. All States having areas with historically documented or known seasonal events shall be required to develop an exceptional events mitigation plan with the components identified in paragraph 40 CFR 51.930(b)(2), and to submit the mitigation plan to EPA in accordance with 40 CFR 51.930(b)(3). EPA identified the Clark County PM<sub>10</sub> nonattainment area, Nevada as subject to the mitigation requirements for PM<sub>10</sub> due to high wind dust, and Clark County, Nevada as subject to the mitigation requirements for O<sub>3</sub> due to wildfires. *See Treatment of Data Influenced by Exceptional Events*, 81 Fed. Reg. 68216, 68272-73 (Oct. 3, 2016). EPA acknowledges that CCDAQ submitted a mitigation plan for these areas in accordance with 40 CFR 51.930. We determined that the mitigation plan is complete, and are providing CCDAQ notice pursuant to 40 CFR 51.930(b)(3)(ii). Enclosed is the checklist EPA used to review your plan.

We appreciate CCDAQ's efforts to develop this mitigation plan, and look forward to continued engagement on exceptional events. If you have any questions regarding this letter or related matters, please feel free to contact me at (415) 972-3183 or my staff lead, Anna Mebust, at (415) 972-3265 at any time.

Sincerely,

  
for Elizabeth J. Adams  
Director, Air Division

Enclosure

cc (via email): Rodney Langston, CCDAQ  
Danilo Dragoni, Nevada Division of Environmental Protection

### **Exceptional Events Mitigation Plan Checklist**

<b>Area Subject to Mitigation Requirements in 40 CFR 51.930:</b>	Clark County PM <sub>10</sub> Nonattainment Area, NV	Clark County, NV
<b>Applicable Pollutant and Event Type:</b>	PM <sub>10</sub> High Winds	O <sub>3</sub> Wildfires
<b>Date Submitted:</b>	October 22, 2018	
<b>Date of EPA Review:</b>	December 10, 2018	

<b>Element Addressed</b>	<b>Plan Page Number</b>	<b>40 CFR 51.930 Mitigation of Exceptional Events Regulatory Citation</b>		<b>User Notes</b>	<b>EPA Review Notes</b>
Yes	See elements below	51.930(a)	A State requesting to exclude air quality data due to exceptional events must take appropriate and reasonable actions to protect public health from exceedances or violations of the NAAQS. At a minimum, the State must:	The air agency responsibilities described in 51.930(a)(1) – (a)(3) are functionally fulfilled by the mitigation plan requirements and components specified under 51.930(b)(2).	
Yes	See elements below	51.930(a)(1)	Provide for prompt public notification whenever air quality concentrations exceed or are expected to exceed an applicable ambient air quality standard;	See above – 51.930(a).	
Yes	See elements below	51.930(a)(2)	Provide for public education concerning actions that individuals may take to reduce exposures to unhealthy levels of air quality during and following an exceptional event; and	See above – 51.930(a).	

Element Addressed	Plan Page Number	40 CFR 51.930 Mitigation of Exceptional Events Regulatory Citation		User Notes	EPA Review Notes
Yes	See elements below	51.930(a)(3)	Provide for the implementation of appropriate measures to protect public health from exceedances or violations of ambient air quality standards caused by exceptional events.	See above – 51.930(a).	
Yes	10-24, App. B, D	51.930(b)(2)	<i>Plan components.</i> At a minimum, each mitigation plan...shall contain provisions for the following:	State/local/tribal air agency responsibility.	See specific items below.
Yes	10-14, App. B	51.930(b)(2)(i)	Public notification to and education programs for affected or potentially affected communities. Such notification and education programs shall apply whenever air quality concentrations exceed or are expected to exceed a NAAQS with an averaging time that is less than or equal to 24-hours.	State/local/tribal air agency responsibility.	
Yes	15-22, App. B	51.930(b)(2)(ii)	Steps to identify, study and implement mitigating measures, including approaches to address each of the following:	State/local/tribal air agency responsibility.	See specific items below.
Yes	15-18	51.930(b)(2)(ii)(A)	Measures to abate or minimize contributing controllable sources of identified pollutants.	State/local/tribal air agency responsibility.	
Yes	19-20	51.930(b)(2)(ii)(B)	Methods to minimize public exposure to high concentrations of identified pollutants.	State/local/tribal air agency responsibility.	
Yes	20-21, App. B	51.930(b)(2)(ii)(C)	Processes to collect and maintain data pertinent to the event.	State/local/tribal air agency responsibility.	
Yes	21-22	51.930(b)(2)(ii)(D)	Mechanisms to consult with other air quality managers in the affected area regarding the appropriate responses to abate and minimize impacts.	State/local/tribal air agency responsibility.	

Element Addressed	Plan Page Number	40 CFR 51.930		User Notes	EPA Review Notes
		Mitigation of Exceptional Events	Regulatory Citation		
Yes	23-24	51.930(b)(2)(iii)	Provisions for periodic review and evaluation of the mitigation plan and its implementation and effectiveness by the State & interested stakeholders.	State/local/tribal air agency responsibility.	
Yes	23, App. D	51.930(b)(2)(iii)(A)	With the submission of the initial mitigation plan according to the requirements in 51.930(b)(3) that contains the elements in 51.930(b)(2), the State must:	State/local/tribal air agency responsibility.	See specific items below.
Yes	23, App. D	51.930(b)(2)(iii)(A)(1)	Document that a draft version of the mitigation plan was available for public comment for a minimum of 30 days;	State/local/tribal air agency responsibility.	
Yes	23, App. D	51.930(b)(2)(iii)(A)(2)	Submit the public comments received along with its mitigation plan to the Administrator; and	State/local/tribal air agency responsibility.	No comments were received.
Yes	23, App. D	51.930(b)(2)(iii)(A)(3)	In its submission to the Administrator, for each public comment received, explain the changes made to the mitigation plan or explain why the State did not make any changes to the mitigation plan.	State/local/tribal air agency responsibility.	No comments were received.
Yes	23-24	51.930(b)(2)(iii)(B)	The State shall specify in its mitigation plan the periodic review and evaluation process that it intends to follow for reviews following the initial review identified in 51.930(b)(2)(iii)(A).	State/local/tribal air agency responsibility.	

Element Addressed	Plan Page Number	40 CFR 51.930 Mitigation of Exceptional Events Regulatory Citation		User Notes	EPA Review Notes
Yes	23, App. D	51.930(b)(3)	<i>Submission of mitigation plans.</i> All States subject to the provisions of 51.930(b) shall, after notice and opportunity for public comment identified in 51.930(b)(2)(iii)(A), submit a mitigation plan to the Administrator for review and verification of the plan components identified in 51.930(b)(2).	This provision is also described in section 51.930(b)(2)(iii)(A)(1).	
Yes	Cover Letter	51.930(b)(3)(i)	States shall submit their mitigation plans within 2 years of being notified they are subject to 51.930(b).	State/local/tribal air agency responsibility.	