

APPENDIX R

Documentation on Residential Wood Combustion Control Measures

APPENDIX R

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APPENDIX R

Section 1:

**Nevada Division of
Environmental Protection
(NDEP) Endorsement
Documentation, with Clark
County Air Quality Management
Board Adoption of Draft
Changes to the PM₁₀ SIP**

ALLEN BIAGGI, *Administrator*

STATE OF NEVADA
KENNY C. GUINN
Governor

R. MICHAEL TURNIPSEED, *Director*

(775) 687-4670

TDD 687-4678

Administration
Facsimile 687-5856

Water Pollution Control
Facsimile 687-4684

Mining Regulation and
Reclamation
Facsimile 684-5259



Waste Management
Corrective Actions
Federal Facilities

Air Pollution Control
Air Quality Planning
Water Quality Planning

Facsimile 687-6396

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138
Carson City, Nevada 89706

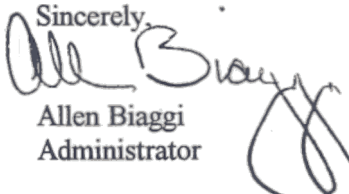
November 19, 2002

Mr. Wayne Natri
Regional Administrator
US EPA, Region IX
75 Hawthorne Street
San Francisco, CA 94105

Dear Mr. Natri:

During EPA's review of the Clark County PM10 State Implementation Plan, dated June 19, 2001, EPA requested that Clark County adopt local regulations for fireplaces and woodstoves and update its schedule for modifying certain air quality regulations. These regulation changes were adopted by the Board today. The fireplace and woodstove regulations are contained in Appendix R and the revised deadlines of March 31, 2003 appear on pages 4-125 and 4-126. Five copies of these amendments are enclosed along with the workshop notice, the notice of public hearing, and the agenda for the Clark County Air Quality Management Board for inclusion into the Clark County PM10 SIP.

If you have any questions regarding this submittal or need additional information, please contact Colleen Cripps of my staff at 775-687-9346 or by email at cripps@ndep.state.nv.us.

Sincerely,

Allen Biaggi
Administrator

Enclosures

cc: Colleen Cripps, NDEP
Christine Robinson, CC DAQM
Carrie MacDougall, CC DAQM
Rodney Langston, CC DAQM
Ken Bigos, US EPA, Region IX
Steven Barhite, US EPA, Region IX
Karen Irwin, US EPA, Region IX (w/ enc)

test were conducted, the U. S. EPA test for soil surface characterization had not been developed. Because both undisturbed native desert and disturbed areas account for a major part of the PM₁₀ emissions that are generated during high wind conditions, a refinement of the emission factors for these sources is warranted. Clark County Department of Comprehensive Planning anticipates moving forward with additional studies to develop refined emission factors in 2003, with completion of the studies expected by the end of 2005.

4.8.2.6 Commitment to Track Silt Loadings on Paved Roads

Clark County Department of Comprehensive Planning will conduct additional measurements of silt loadings on paved roads in order to update the paved roads emission inventory and evaluate the effectiveness of control measures for reducing silt loading on paved roads. Silt loading measurements will begin in the fourth quarter of 2001 and be conducted quarterly through June of 2006.

4.8.2.7 Commitment to Establish Test Methods for Section 94

If an acceptable test method has not been developed and adopted into Section 94 by September 1, 2001, Clark County will fund additional research up to \$100,000 to develop an acceptable test method. It is Clark County's intention that a contractor will be selected by November 1, 2001. If a test method that is acceptable to U. S. EPA under its BACM and enforceability criteria has not been incorporated into Section 94 by March 31, 2003, the opacity test method for unpaved roads in Section 91 will be presented to the governing board for adoption by May of 2003 for all non-process, intermittent construction site fugitive dust generating activities.

4.8.2.8 Commitment to Update Emission Inventories

Clark County will revise the entire PM₁₀ emission inventories for the attainment year in 2003 and 2006 to coincide with the Reasonable Further Progress reports. If the emission inventories are significantly different than in this SIP, particularly if the differences would affect the attainment demonstration, the SIP will be adjusted to

**Commitment to
Research
Development of a
Better Construction
Activities Test Method**

reflect the revised PM₁₀ emission inventories. If the SIP inventory requires adjustment, it will be resubmitted for approval to U. S. EPA with the Reasonable Further Progress/milestone reports that include revising conformity budgets and re-evaluation of control measures if necessary. The existing approved SIP and conformity budgets will remain in place until such time as a new SIP is approved.

4.8.2.9 Commitment to Revise Air Quality Regulations

The following proposed language for revision to the Air Quality Regulations will move forward in the rule development and adoption process, with rule revisions to be brought to the Clark County Air Quality Management Board for approval by March 31, 2003.

Section 90.2.1.3 –Dust Mitigation Plan Required:

Owners AND/OR OPERATORS of OPEN AREAS AND VACANT LOTS having a cumulative area of 10,000 acres or greater must submit a dust mitigation plan to the Air Quality Division for approval by March 31, 2003 in a format prescribed by the CONTROL OFFICER.

**Revisions to Air Quality
Regulations Moving
Forward in The Rule
Process**

Section 92.2.1.1 Revised Section:

No UNPAVED PARKING LOTS may be constructed after the adoption of this Subsection except as provided in Subsection 92.2.1.1 (a) and (b) below:

- (a) The requirements of Subsection 92.2.1.1 shall not be applicable to parking lots for rural public facilities such as trailheads, campgrounds, and similar facilities where paved parking lots would conflict with the rural nature of these facilities; and
- (b) The unpaved parking lot is stabilized in accordance with Subsection 92.2.1.2 (b) through (d)

APPENDIX R

Documentation on Residential Wood Combustion Control Measures

- 1. Clark County Fireplace Ordinance**
- 2. City of Las Vegas Fireplace Ordinance**
- 3. City of North Las Vegas Fireplace Ordinance**
- 4. City of Henderson Fireplace Ordinance**

**Clark County Residential Wood
Combustion Ordinance
(Fireplace)
No. 1249**

[Bracketed] material is that portion being deleted
Underlined material is that portion being added

BILL NO. 11-6-90-3

SUMMARY - An Ordinance to Amend
Title 22, Chapter 22.04, to
amend the Uniform Building
Code to restrict construction
of wood burning fireplaces.

ORDINANCE NO. 1249
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 22, CHAPTER 22.04,
TO AMEND THE UNIFORM BUILDING CODE TO RESTRICT
CONSTRUCTION OF WOOD BURNING FIREPLACES; AND
PROVIDING FOR OTHER MATTERS PROPERLY RELATING
THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK
STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 22, Chapter 22.04 of the Clark County Code
is hereby amended to add a new section which shall read as
follows:

22.04.355 Fireplaces in New Construction. Chapter 37
amended. Chapter 37 of The Uniform Building Code is amended by
adding a new section designated as Section 3708 which shall read
as follows:

Section 3708: Fireplaces in New Construction and New
Fireplaces in Existing Construction. Effective July 1, 1991, no
fireplace shall be constructed in any residential dwelling unit
in the unincorporated area of the Las Vegas Valley Hydrographic
Basin at an elevation of less than 4000 feet above sea level
unless it is one of the following:

(a) A fireplace equipped with gas logs with a nation-
ally recognized listing approved by the Building Official;

(b) A dedicated natural gas burning factory-built fire-
place with a nationally recognized listing approved by the
Building Official;

(c) A dedicated woodburning factory-built fireplace

that conforms to the "Phase II Environmental Protection Agency Standards for Wood Heaters," as proscribed by NSPS, 40 CFR Part 60, Subpart AAA (emitting less than 7.5 grams per hour of particulate matter), as verified by a naturally recognized listing approved by the Building Official;

(d) A masonry fireplace that includes the installation of a woodburning insert which meets the standards described in Paragraph (3) of this Subsection and which is installed in accordance with the insert manufacturer's instructions; or

(e) A decorative electrical appliance with a nationally recognized listing approved by the Building Official.

SECTION 2. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks

PROPOSED on the 6th day of November, 1990.

PROPOSED BY Bruce L. Woodbury

PASSED on the 20th day of November, 1990.

VOTE:

AYES: Jay Bingham

Manuel J. Cortez

Thalia M. Dondero

Karen Hayes

William U. Pearson

Bruce L. Woodbury

NAYS: Paul J. Christensen

ABSTAINING: None

ABSENT: None

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By B. L. Woodbury
Chairman

ATTEST:

Loretta Bowman
LORETTA BOWMAN, County Clerk

This ordinance shall be in force and effect from and after
the 4th day of December, 1990

**City of Las Vegas Residential
Wood Combustion Ordinance
(Fireplace)
No. 3538**

2 BILL NO. 90-63

3 ORDINANCE No. 3538

4 AN ORDINANCE RELATING TO THE CONSTRUCTION OF FIREPLACES; AMENDING
5 THAT CERTAIN DOCUMENT ENTITLED "A SUPPLEMENTAL DOCUMENT AMENDING
6 THE UNIFORM BUILDING CODE, 1988 EDITION," BY ADDING THERETO A NEW
7 SECTION, DESIGNATED AS SECTION 45.1 OF SAID SUPPLEMENTAL
8 DOCUMENT, TO ADD TO THE UNIFORM BUILDING CODE A NEW SECTION 3708
9 TO REQUIRE ALL FIREPLACES CONSTRUCTED IN RESIDENTIAL DWELLING
10 UNITS AFTER JULY 1, 1991, TO CONFORM TO SPECIFIED LISTING OR EPA
11 REQUIREMENTS OR TO BE DECORATIVE ELECTRICAL APPLIANCES; PROVIDING
12 FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES
13 FOR THE VIOLATION THEREOF AND REPEALING ALL ORDINANCES AND PARTS
14 OF ORDINANCES IN CONFLICT HEREWITH.

10 Sponsored By: Summary: Requires all fireplaces
11 Councilman Arnie Adamsen constructed after July 1, 1991, in
12 residential dwelling units to con-
13 form to specified listing or EPA
14 requirements, or their equivalent,
15 or to be decorative electrical
16 appliances.

14 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
15 ORDAIN AS FOLLOWS:

16 SECTION 1: That certain document that is entitled "A
17 Supplemental Document Amending the Uniform Building Code, 1988
18 Edition," and adopted by reference as Part II of Title 16,
19 Chapter 4, Section 10, of the Municipal Code of the City of Las
20 Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto
21 a new section, to be designated as Section 45.1, reading as
22 follows:

23 Section 45.1: Chapter 37 is amended to add a new section,
24 designated as Section 3708, reading as follows:

25 Section 3708: (a) Fireplaces in New Construction and New
26 Fireplaces in Existing Construction. Effective July 1,
27 1991, no fireplace shall be constructed in any residen-
28 tial dwelling unit in the City of Las Vegas unless it is
29 one of the following:

- 30 (1) A fireplace equipped with gas logs with a listing
31 approved by the Building Official;
32 (2) A dedicated natural gas burning factory-built

1 fireplace with a listing approved by the Building
2 Official;

3 (3) A dedicated woodburning factory-built fireplace
4 that conforms to the "Phase II Environmental Pro-
5 tection Agency Standards for Wood Heaters," as
6 prescribed in NSPS, 40 CFR Part 60, Subpart AAA
7 (emitting less than 7.5 grams per hour of par-
8 ticulate matter);

9 (4) A masonry fireplace that includes the installation
10 of a woodburning insert which meets the standards
11 described in Paragraph (3) of this Subsection and
12 which is installed in accordance with the insert
13 manufacturer's instructions;

14 (5) A low-emission fireplace that is deemed by the
15 Building Official to be equivalent to one or more
16 of the fireplaces permitted in this Subsection (a),
17 based upon third-party laboratory documentation or
18 certification by a state or federal agency; or

19 (6) A decorative electrical appliance.

20 (b) Exception: None of the terms or prohibitions
21 of this Section shall apply to or be enforced against any
22 wood heater that has been certified by the Environmental Pro-
23 tection Agency. Uncertified wood heaters shall not be
24 installed within the City of Las Vegas.

25 SECTION 2: If any section, subsection, subdivision,
26 paragraph, sentence, clause or phrase in this ordinance or any
27 part thereof, is for any reason held to be unconstitutional or
28 invalid or ineffective by any court of competent jurisdiction,
29 such decision shall not affect the validity or effectiveness of
30 the remaining portions of this ordinance or any part thereof.
31 The City Council of the City of Las Vegas, Nevada, hereby
32 declares that it would have passed each section, subsection, sub-

1 division, paragraph, sentence, clause or phrase thereof irrespec-
2 tive of the fact that any one or more sections, subsections, sub-
3 divisions, paragraphs, sentences, clauses or phrases be declared
4 unconstitutional, invalid or ineffective.

5 SECTION 3: Whenever in this ordinance any act is
6 prohibited or is made or declared to be unlawful or an offense or
7 a misdemeanor, or whenever in this ordinance the doing of any act
8 is required or the failure to do any act is made or declared to
9 be unlawful or an offense or a misdemeanor, the doing of any such
10 prohibited act or the failure to do any such required act shall
11 constitute a misdemeanor and upon conviction thereof, shall be
12 punished by a fine of not more than \$1,000.00 or by imprisonment
13 for a term of not more than six (6) months, or by any combination
14 of such fine and imprisonment. Any day of any violation of this
15 ordinance shall constitute a separate offense; provided, however,
16 that no violation shall be deemed to have occurred before the
17 Building Official has conducted an inspection for the sole pur-
18 pose of determining compliance with this ordinance. Such inspec-
19 tion shall be conducted subsequent to the final inspection of the
20 building at a time that is mutually agreeable to the builder and
21 the Building Official.

22 SECTION 4: All ordinances or parts of ordinances,
23 sections, subsections, phrases, sentences, clauses or paragraphs
24 contained in the Municipal Code of the City of Las Vegas, Nevada,
25 1983 Edition, in conflict herewith are hereby repealed.

26 PASSED, ADOPTED AND APPROVED this 21st day of November,
27 1990.

28 APPROVED:

29 By 
30 RON LURIE, MAYOR *ok 11-26-90 (RAU)*

31 ATTEST:

32 
KATHLEEN M. TIGHE CITY CLERK

1 The above and foregoing ordinance was first proposed and
2 read by title to the City Council on the 5th day of September,
3 1990, and referred to the following committee composed of
4 Councilmen Adamsen and Nolen
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 21st day of November, 1990,
7 which was a regular meeting of said Council; that at said
8 regular meeting, the proposed ordinance was read by
9 title to the City Council as amended and adopted by the following
10 vote:

11 VOTING "AYE": Councilmen Adamsen Higginson, Miller, and Mayor Lurie
12 VOTING "NAY": NONE
13 ABSENT: Councilman Nolen

14 APPROVED:

15
16 By 
RON LURIE, MAYOR *OK 11-26-90 KTW*

17 ATTEST:

18 
19 KATHLEEN M. TIGHE, CITY CLERK
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**City of North Las Vegas
Residential Wood Combustion
Ordinance
(Fireplace)
No. 1020**

ORDINANCE NO. 1020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 13, UNIFORM BUILDING CODE BY CREATING A NEW SECTION 13.16.150 ENTITLED "FIREPLACES"; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES, RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWTH.

THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS DOES HEREBY ORDAIN:

SECTION 1: Fireplaces. Chapter 13 of the North Las Vegas Municipal Code is hereby amended by creating a new section designated as Section 13.16.150 which shall read as follows:

13.16.150: Fireplaces in New Construction and New Fireplaces in Existing Construction. Effective October 1, 1991, no fireplace shall be constructed in any residential dwelling unit in North Las Vegas unless it is one of the following:

- A. A fireplace equipped with gas logs with a nationally recognized listing approved by the Building Official;
- B. A dedicated natural gas burning factory-built fireplace with a nationally recognized listing approved by the Building Official;
- C. A dedicated woodburning factory-built fireplace that conforms to the "Phase II Environmental Protection Agency Standards for Wood Heaters," as presented by NSPS, 40 CFR Part 60, Subpart AAA (emitting less than 7.5 grams per hour of particulate matter), as verified by a nationally recognized listing approved by the Building Official;
- D. A masonry fireplace that includes the installation of a woodburning insert which meets the standards described in Paragraph (C) of this Subsection and which is installed in accordance with the insert manufacturer's instructions; or
- E. A decorative electrical appliance with a nationally recognized listing approved by the Building Official.

SECTION 2: The City Council of the City of North Las Vegas has been informed by its legal department as to the constitutionality of this ordinance, and based upon such information, we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the Constitution or by laws providing for equal rights of citizens or persons.

SECTION 3: Severability. If any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such sections, paragraph, clause, or provision, shall in no way affect the validity and enforceability of the remaining provisions of this ordinance.

SECTION 4: Repealer. All ordinances, parts of ordinances or chapters, sections, subsections or paragraphs or resolutions previously adopted by the North Las Vegas City Council which are in conflict herewith are hereby repealed.

SECTION 5: Effective Date. This ordinance shall become effective after its passage by the City Council of the City of North Las Vegas, and after such passage by the City Council, shall be published once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

SECTION 6: Publication. The City Clerk shall cause this ordinance, immediately following its adoption, to be published once by title, together with the names of the Councilmen voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED, ADOPTED AND APPROVED THIS 18TH DAY OF SEPTEMBER, 1991

AYES: MAYOR SEASTRAND, COUNCILMEN GOYNES, KINGAID, ROBINSON AND HARDY

NAYES: NONE

ABSENT: NONE

APPROVED:

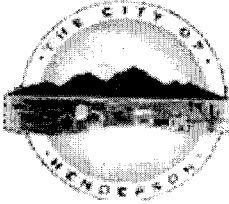
/s/ James K. Seastrand

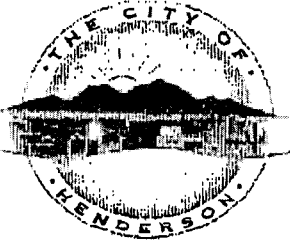
JAMES K. SEASTRAND, MAYOR

ATTEST:

/s/ Eileen M. Sevigny
EILEEN M. SEVIGNY, CITY CLERK

**City of Henderson Residential
Wood Combustion Ordinance
(Fireplace)
No. 1697**

| | | |
|--|--|---|
|  City Government Services Community Outreach What's New Doing Business Common Questions Contact/More Info Search | Contents - Search - No Frames | <u>Chapter 15.40 FIREPLACES</u> Section 15.40.010 Fireplaces in new construction and new fireplaces in existing construction. Effective upon publication of the ordinance codified in this section, no fireplace shall be constructed in any residential dwelling unit in Henderson unless it is one of the following: <ul style="list-style-type: none"> A. A fireplace equipped with gas logs with a nationally recognized listing approved by the building official; B. A dedicated natural gas burning factory-built fireplace with a nationally recognized listing approved by the building official; C. A dedicated woodburning factory-built fireplace that conforms to the Phase II Environmental Protection Agency Standards for Wood Heaters, as presented by NSPS, 40 CFR Part 60, Subpart AAA (emitting less than 7.5 grams per hour of particular matter), as verified by a nationally recognized listing approved by the building official; D. A masonry fireplace that complies with Section 3102.7 of the Uniform Building Code, 1994 edition; or E. A decorative electrical appliance with a nationally recognized listing approved by the building official. (Ord. 1697 § 1, 1996) |
| | Home | |
| | Henderson Municipal Code | |
| | <u>Preface</u> | |
| | <u>CHARTER</u> | |
| | <u>Title 1 GENERAL PROVISIONS</u> | |
| | <u>Title 2 ADMINISTRATION AND PERSONNEL</u> | |
| | Title 3 (RESERVED) | |
| | <u>Title 4 BUSINESS REGULATIONS AND LICENSES*</u> | |
| | <u>Title 5 HEALTH AND SANITATION</u> | |
| | <u>Title 6 CIVIL SERVICE*</u> | |
| | <u>Title 7 ANIMALS</u> | |
| | <u>Title 8 PUBLIC PEACE AND SAFETY</u> | |
| | Title 9 (RESERVED) | |
| | <u>Title 10 VEHICLES AND TRAFFIC</u> | |
| | <u>Title 11 STREETS AND SIDEWALKS</u> | |
| | Title 12 (RESERVED) | |
| | <u>Title 13 UTILITIES</u> | |
| | Title 14 (RESERVED) | |
| | <u>Title 15 BUILDINGS AND CONSTRUCTION</u> | |
| | <u>Title 16 TRAILER PARKS</u> | |
| | <u>Title 17 TRAVEL TRAILER PARK</u> | |



CITY OF HENDERSON
CITY CLERK'S OFFICE
240 WATER STREET
HENDERSON, NV 89015

A Place To Call Home

FACSIMILE TRANSMITTAL SHEET

| | |
|-------------------------|--|
| TO: Russ | FROM: Paula |
| ENTITY | DATE |
| FAX NUMBER: 383-9994 | TOTAL NO. OF PAGES INCLUDING COVER: |
| PHONE NUMBER: | SENDER'S FAX NUMBER: 702-565-3273 |
| RE: | SENDER'S PHONE NUMBER: 702-565-2057 |

X URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Russ, Please give me a call as soon as possible. I need more information regarding your request and I to was not awake and forgot to get your phone number. Thanks

Adopted 10-15-96

OTD 1697

C-2**BILL NO. 1341 - AMEND TITLE 15
UNIFORM BUILDING CODE - FIREPLACES**

Mayor Groesbeck introduced Bill No. 1341 and City Manager Speight read the Bill by title:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND TITLE 15, UNIFORM BUILDING CODE, BY CREATING A NEW SECTION ENTITLED "FIREPLACES"; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES, RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH.

City Attorney Shauna Hughes said this item comes through Councilmember Cyphers, by virtue of her membership on the Clark County Health District Board. It was brought to Councilmember Cyphers' attention that Henderson is the only remaining jurisdiction in the valley which does not prohibit the building of fireplaces and new construction of wood-burning fire stoves. This amendment would require that all fireplaces built in new buildings, with very limited, difficult to obtain exceptions, would be powered with gas.

Councilmember Cyphers explained the Health District asked the City to come on line with the rest of the valley in following the requirements. In the winter months there is a problem with the air quality and the County does routinely request residents to not use their wood-burning fireplaces.

Councilmember Hafen clarified the ordinance does not totally prohibit wood-burning fireplaces as long as they meet the requirements. He said there is not a great change other than the wood-burning fireplaces do have to meet federal requirements.

Ms. Hughes said there are much more stringent regulations now with respect to construction of a wood-burning fireplace.

Councilmember Hafen said there is a way to install wood-burning fireplaces as long as they meet the requirements. He did not want to prohibit construction of wood-burning fireplaces, as long as they meet federal standards.

Ms. Hughes said the language regarding Councilmember Hafen's concern is found in Section D, and states that a masonry fireplace that complies with Section 3102.7 of the Uniform Building Code, 1994 edition, which outlines the more stringent requirements allowing wood-burning fireplaces under certain circumstances.

(Motion)

Councilmember Clark moved to refer Bill No. 1341 to the Regular Meeting with a "do-pass" recommendation. The roll call vote favoring passage was: Those voting AYE: Clark, Cyphers, Groesbeck, Hafen, and Wood. Those voting NAY: None. Those Absent: None. Mayor Groesbeck declared the motion carried.

| | |
|--------------|--|
| UB-66 | BILL NO. 1341 - ORD. NO. 1697 AMEND TITLE 15 - UNIFORM BUILDING CODE - FIREPLACES |
|--------------|--|

Mayor Groesbeck Introduced Bill No. 1341 and City Manager Spelght read the Bill by title:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND TITLE 15, UNIFORM BUILDING CODE, BY CREATING A NEW SECTION ENTITLED "FIREPLACES"; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES, RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH.

(Motion) Councilmember Hafen moved for adoption of Ordinance No. 1697, Introduced as Bill No. 1341. The roll call vote favoring passage was: Those voting AYE: Clark, Cyphers, Groesbeck, Hafen, and Wood. Those voting NAY: None. Those Absent: None. Mayor Groesbeck declared the motion carried.

**RESOLUTION OF THE CLARK COUNTY AIR QUALITY MANAGEMENT BOARD
ADOPTING AMENDMENTS TO THE PM₁₀ STATE IMPLEMENTATION PLAN FOR
CLARK COUNTY**

WHEREAS, the Clark County Board of County Commissioners adopted the Clark County PM₁₀ State Implementation Plan on June 19, 2001; the Plan was received by the U.S. Environmental Protection Agency, the U.S. Environmental Protection Agency has determined the Mobile Source Emissions budget contained in the Plan is suitable for transportation conformity purposes, and the U.S. Environmental Protection Agency has issued a completeness finding for the Plan; and

WHEREAS, the Clark County PM₁₀ State Implementation Plan is currently under U.S. Environmental Protection Agency review for approval action; and

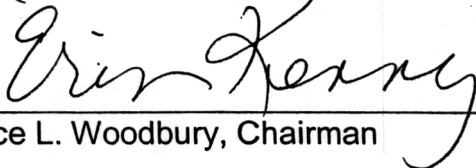
WHEREAS, the U.S. Environmental Protection Agency has identified the need to incorporate adopted local regulations on fireplace and wood stoves into the Clark County PM₁₀ State Implementation Plan and to revise the schedule for amending the Clark County Air Quality Regulations; and

WHEREAS, Clark County has been designated by the Governor to the State of Nevada as the responsible agency for air quality management; and

NOW, THEREFORE, BE IT RESOLVED, that the Clark County Air Quality Management Board adopt the Draft Revisions to the Clark County PM₁₀ State Implementation Plan as amended, incorporate adopted local regulations on fireplace and wood stoves into the PM₁₀ State Implementation Plan and revise the schedule for amending the Clark County Air Quality Regulations.

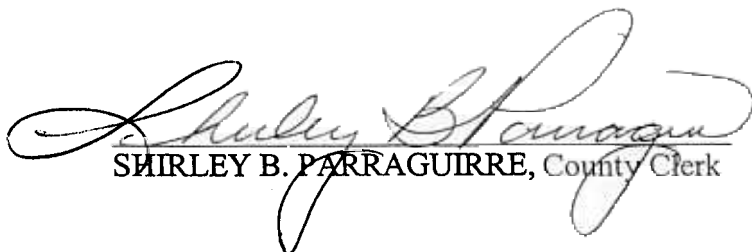
PASSED, APPROVED, AND ADOPTED this 19th day of November 2002.

CLARK COUNTY, NEVADA
AIR QUALITY MANAGEMENT BOARD



Bruce L. Woodbury, Chairman

Attest:



SHIRLEY B. PARRAGUIRRE, County Clerk

APPENDIX R

Section 2:

**November 19, 2002
Clark County Air Quality
Management Board Public
Meeting for Draft Changes to
the PM₁₀ SIP**

AGENDA

CLARK COUNTY AIR QUALITY MANAGEMENT BOARD

2:00 P.M. November 19, 2002

**CLARK COUNTY COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY, LAS VEGAS, NEVADA**

**This meeting has been properly noticed and posted
in the following locations:**

CC Government Center
500 S. Grand Central Pkwy.
Las Vegas, NV
(Principal Office)

Third Street Building
309 S. Third St.
Las Vegas, NV

Winchester Park & Center
3130 S. McLeod Dr
Las Vegas, NV

CC Dept. of Air Quality Mgmt.
500 S. Grand Central Parkway
Las Vegas, NV

CC Courthouse
200 S. 3rd Street
Las Vegas, NV

Paradise Park
Pool & Center
4770 Harrison Ave.
Las Vegas, NV

Desert Breeze
Park & Community Ctr
8275 Spring Mtn. Rd
Las Vegas, NV

Agenda Also Available At:

City of Las Vegas
400 E. Stewart Ave.
Las Vegas, NV

City of Henderson
200 Water St.
Henderson, NV

City of Mesquite
10 E. Mesquite Blvd.
Mesquite, NV

City of No. Las Vegas
2200 Civic Center Dr.
No. Las Vegas, NV

City of Boulder City
400 California Ave.
Boulder City, NV

Clark County
Reg. Govt. Center
101 Civic Way
Laughlin, NV

The main agenda is available on Clark County's Internet Web Site, <http://www.co.clark.nv.us>.
Today's meeting will be shown Tuesday, **November 19, 2002**, at 7:30 p.m., following the Board of County Commissioners' meeting,
on:

Clark County Community Channel (C4)
Cox Communications Channel 4

For more programming information, call the Public Communications office at 455-6888.

CALL TO ORDER

**Approval of Minutes of the Regular Meeting of October 15, 2002. (Available in
the County Clerk's Office, Commission Division)**

1

**Approval of Agenda with the Inclusion of Any Emergency Items and Deletion of
Any Items**

2

BUSINESS ITEMS

Receive a report from the Director of Air Quality Management on air quality performance and operations during the month of October 2002.

3

Receive a report from staff regarding the status of the air quality permitting regulations and direct staff accordingly.

4

PUBLIC HEARING – 2:05 P.M.

Conduct a public hearing for comments on the draft revisions to the June 2001 PM₁₀ State Implementation Plan, approve the Plan with recommended revisions, adopt and authorize the Chairman to sign a resolution adopting the Plan revisions, authorize staff to prepare responses to comments received by the public.

5

Comments By the General Public

A period devoted to comments by the general public about matters relevant to the Board's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three minutes. Please step up to the speaker's podium, clearly state your name and address and please spell your last name for the record. If any member of the Board wishes to extend the length of a presentation, this will be done by the Chairman, or the Board by majority vote.

All comments by speakers should be relevant to Board action and jurisdiction.

THE REGULAR MEETINGS OF THE CLARK COUNTY AIR QUALITY MANAGEMENT BOARD HELD ON THE THIRD TUESDAY OF EACH MONTH, ARE VIDEO-TAPED BY THE UNIVERSITY OF NEVADA, LAS VEGAS. TODAY'S MEETING WILL BE SHOWN TUESDAY, (NOVEMBER 19, 2002) AT 7:30 P.M., FOLLOWING THE BOARD OF COUNTY COMMISSIONERS' MEETING, ON CLARK COUNTY COMMUNITY CHANNEL (C4) COX COMMUNICATIONS CHANNEL 4. FOR MORE PROGRAMMING INFORMATION, CALL THE PUBLIC COMMUNICATIONS OFFICE AT 455-6888.

THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE AIR QUALITY MANAGEMENT BOARD. IN ORDER TO MAINTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD SHOULD BE SUBMITTED TO THE COUNTY CLERK. IF MATERIALS ARE TO BE DISTRIBUTED TO THE BOARD, PLEASE PROVIDE SUFFICIENT COPIES FOR DISTRIBUTION TO THE COUNTY MANAGER, COUNTY COUNSEL, AND COUNTY CLERK.

THE CLARK COUNTY COMMISSION CHAMBERS ARE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. WITH TWENTY-FOUR (24) HOUR ADVANCE REQUEST, A SIGN LANGUAGE INTERPRETER MAY BE MADE AVAILABLE (PHONE: 455-3530 OR TDD 385-7486) OR RELAY NEVADA TOLL FREE (800) 326-6868, TT/TDD. ASSISTIVE LISTENING DEVICES ARE AVAILABLE UPON REQUEST AT THE STAFF TABLE.

AIR QUALITY MANAGEMENT BOARD
AGENDA ITEM
 November 19, 2002

| | |
|---|---------------------|
| ISSUE: Public Hearing for Revisions to the June 2001 PM ₁₀ State Implementation Plan | Back-up: |
| PETITIONER: Christine Robinson, Director, Air Quality Management | Clerk Ref. # |
| <p>RECOMMENDATION:</p> <p>That the Clark County Air Quality Management Board conduct a public hearing to solicit final comments on the draft revisions to the June 2001 PM₁₀ State Implementation Plan; approve with recommended revisions, adopt, and authorize the Chairman to sign a resolution adopting the Plan revisions; and authorize staff to prepare responses to comments received at the public hearing prior to submitting the Plan to the Nevada Department of Conservation and Natural Resources.</p> | |

FISCAL IMPACT:

None by this action

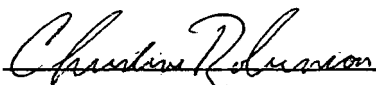
BACKGROUND:

The Clark County Board of County Commissioners adopted the Clark County PM₁₀ State Implementation Plan (SIP) on June 19, 2001. The Plan has been received by the U.S. EPA and is under review for approval action. In the course of this review, the U.S. EPA has identified the need to incorporate adopted local regulations on fireplace and wood stoves into the SIP. These are incorporated in the proposed Appendix R (attached). The U.S. EPA has also noted that the schedule set forth on pages 4-125 and 4-126 for revising the Air Quality Regulations has been changed and has requested that that an updated schedule be incorporated into the Plan. These revised deadlines of March 31, 2003 are shown in amended Pages 4-125 and 4-126 (attached).

A workshop on Appendix R and amendments to Pages 4-125 and 4-126 was conducted on November 1, 2002.

Respectfully Submitted,

Cleared for Agenda



CHRISTINE ROBINSON
 Director, Air Quality Management

Nov 19, 2002 ck

| |
|-----------------|
| Agenda Item # 5 |
|-----------------|

SRS:CR/ck

test were conducted, the U. S. EPA test for soil surface characterization had not been developed. Because both undisturbed native desert and disturbed areas account for a major part of the PM₁₀ emissions that are generated during high wind conditions, a refinement of the emission factors for these sources is warranted. Clark County Department of Comprehensive Planning anticipates moving forward with additional studies to develop refined emission factors in 2003, with completion of the studies expected by the end of 2005.

4.8.2.6 Commitment to Track Silt Loadings on Paved Roads

Clark County Department of Comprehensive Planning will conduct additional measurements of silt loadings on paved roads in order to update the paved roads emission inventory and evaluate the effectiveness of control measures for reducing silt loading on paved roads. Silt loading measurements will begin in the fourth quarter of 2001 and be conducted quarterly through June of 2006.

4.8.2.7 Commitment to Establish Test Methods for Section 94

If an acceptable test method has not been developed and adopted into Section 94 by September 1, 2001, Clark County will fund additional research up to \$100,000 to develop an acceptable test method. It is Clark County's intention that a contractor will be selected by November 1, 2001. If a test method that is acceptable to U. S. EPA under its BACM and enforceability criteria has not been incorporated into Section 94 by ~~November 1, 2002~~ March 31, 2003, the opacity test method for unpaved roads in Section 91 will be presented to the governing board for adoption in ~~December~~ by May of 2002 for all non-process, intermittent construction site fugitive dust generating activities.

**Commitment to
Research
Development of a
Better Construction
Activities Test Method**

4.8.2.8 Commitment to Update Emission Inventories

Clark County will revise the entire PM₁₀ emission inventories for the attainment year in 2003 and 2006 to coincide with the Reasonable Further Progress reports. If the emission inventories are significantly different than in this SIP, particularly if the differences would affect the attainment demonstration, the SIP will be adjusted to

reflect the revised PM₁₀ emission inventories. If the SIP inventory requires adjustment, it will be resubmitted for approval to U. S. EPA with the Reasonable Further Progress/milestone reports that include revising conformity budgets and re-evaluation of control measures if necessary. The existing approved SIP and conformity budgets will remain in place until such time as a new SIP is approved.

4.8.2.9 Commitment to Revise Air Quality Regulations

The following proposed language for revision to the Air Quality Regulations will move forward in the rule development and adoption process, with rule revisions to be brought to the Clark County ~~Health District Air Quality Management Board of Health~~ for approval at the ~~regularly scheduled meeting in August~~ by March 31, of 20013.

Section 90.2.1.3 –Dust Mitigation Plan Required:

Owners AND/OR OPERATORS of OPEN AREAS AND VACANT LOTS having a cumulative area of 10,000 acres or greater must submit a dust mitigation plan to the Air Quality Division for approval by ~~January 1, 2002~~ March 31, 2003 in a format prescribed by the CONTROL OFFICER.

**Revisions to Air Quality
Regulations Moving
Forward in The Rule
Process**

Section 92.2.1.1 Revised Section:

No UNPAVED PARKING LOTS may be constructed after the adoption of this Subsection except as provided in Subsection 92.2.1.1 (a) and (b) below:

- (a) The requirements of Subsection 92.2.1.1 shall not be applicable to parking lots for rural public facilities such as trailheads, campgrounds, and similar facilities where paved parking lots would conflict with the rural nature of these facilities; and
- (b) The unpaved parking lot is stabilized in accordance with Subsection 92.2.1.2 (b) through (d)

APPENDIX R

Documentation on Residential Wood Combustion Control Measures

- 1. Clark County Fireplace Ordinance**
- 2. City of Las Vegas Fireplace Ordinance**
- 3. City of North Las Vegas Fireplace Ordinance**
- 4. City of Henderson Fireplace Ordinance**

**Clark County Residential Wood
Combustion Ordinance
(Fireplace)
No. 1249**

[Bracketed] material is that portion being deleted
Underlined material is that portion being added

BILL NO. 11-6-90-3

SUMMARY - An Ordinance to Amend
Title 22, Chapter 22.04, to
amend the Uniform Building
Code to restrict construction
of wood burning fireplaces.

ORDINANCE NO. 1249
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 22, CHAPTER 22.04,
TO AMEND THE UNIFORM BUILDING CODE TO RESTRICT
CONSTRUCTION OF WOOD BURNING FIREPLACES; AND
PROVIDING FOR OTHER MATTERS PROPERLY RELATING
THERE TO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK
STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 22, Chapter 22.04 of the Clark County Code
is hereby amended to add a new section which shall read as
follows:

22.04.355 Fireplaces in New Construction. Chapter 37
amended. Chapter 37 of The Uniform Building Code is amended by
adding a new section designated as Section 3708 which shall read
as follows:

Section 3708: Fireplaces in New Construction and New
Fireplaces in Existing Construction. Effective July 1, 1991, no
fireplace shall be constructed in any residential dwelling unit
in the unincorporated area of the Las Vegas Valley Hydrographic
Basin at an elevation of less than 4000 feet above sea level
unless it is one of the following:

- (a) A fireplace equipped with gas logs with a nation-
ally recognized listing approved by the Building Official;
- (b) A dedicated natural gas burning factory-built fire-
place with a nationally recognized listing approved by the
Building Official;
- (c) A dedicated woodburning factory-built fireplace

that conforms to the "Phase II Environmental Protection Agency Standards for Wood Heaters," as prescribed by NSPS, 40 CFR Part 60, Subpart AAA (emitting less than 7.5 grams per hour of particulate matter), as verified by a naturally recognized listing approved by the Building Official;

(d) A masonry fireplace that includes the installation of a woodburning insert which meets the standards described in Paragraph (3) of this Subsection and which is installed in accordance with the insert manufacturer's instructions; or

(e) A decorative electrical appliance with a nationally recognized listing approved by the Building Official.

SECTION 2. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks

PROPOSED on the 6th day of November, 1990.

PROPOSED BY Bruce L. Woodbury

PASSED on the 20th day of November, 1990.

VOTE:

AYES: Jay Bingham

Manuel J. Cortez

Thalia M. Dondero

Karen Hayes

William U. Pearson

Bruce L. Woodbury

NAYS: Paul J. Christensen

ABSTAINING: None

ABSENT: None

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By B. Woodbury
Chairman

ATTEST:

Loretta Bowman
LORETTA BOWMAN, County Clerk

This ordinance shall be in force and effect from and after
the 4th day of December, 1990



**City of Las Vegas Residential
Wood Combustion Ordinance
(Fireplace)
No. 3538**

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SECOND AMENDMENT

BILL NO. 90-63

ORDINANCE No. 3538

AN ORDINANCE RELATING TO THE CONSTRUCTION OF FIREPLACES; AMENDING THAT CERTAIN DOCUMENT ENTITLED "A SUPPLEMENTAL DOCUMENT AMENDING THE UNIFORM BUILDING CODE, 1988 EDITION," BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 45.1 OF SAID SUPPLEMENTAL DOCUMENT, TO ADD TO THE UNIFORM BUILDING CODE A NEW SECTION 3708 TO REQUIRE ALL FIREPLACES CONSTRUCTED IN RESIDENTIAL DWELLING UNITS AFTER JULY 1, 1991, TO CONFORM TO SPECIFIED LISTING OR EPA REQUIREMENTS OR TO BE DECORATIVE ELECTRICAL APPLIANCES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By: Councilman Arnie Adamsen
Summary: Requires all fireplaces constructed after July 1, 1991, in residential dwelling units to conform to specified listing or EPA requirements, or their equivalent, or to be decorative electrical appliances.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That certain document that is entitled "A Supplemental Document Amending the Uniform Building Code, 1988 Edition," and adopted by reference as Part II of Title 16, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, to be designated as Section 45.1, reading as follows:
Section 45.1: Chapter 37 is amended to add a new section, designated as Section 3708, reading as follows:

Section 3708: (a) Fireplaces in New Construction and New Fireplaces in Existing Construction. Effective July 1, 1991, no fireplace shall be constructed in any residential dwelling unit in the City of Las Vegas unless it is one of the following:
(1) A fireplace equipped with gas logs with a listing approved by the Building Official;
(2) A dedicated natural gas burning factory-built

- 1 fireplace with a listing approved by the Building
2 Official;
- 3 (3) A dedicated woodburning factory-built fireplace
4 that conforms to the "Phase II Environmental Pro-
5 tection Agency Standards for Wood Heaters," as
6 prescribed in NSPS, 40 CFR Part 60, Subpart AAA
7 (emitting less than 7.5 grams per hour of par-
8 ticulate matter);
- 9 (4) A masonry fireplace that includes the installation
10 of a woodburning insert which meets the standards
11 described in Paragraph (3) of this Subsection and
12 which is installed in accordance with the insert
13 manufacturer's instructions;
- 14 (5) A low-emission fireplace that is deemed by the
15 Building Official to be equivalent to one or more
16 of the fireplaces permitted in this Subsection (a),
17 based upon third-party laboratory documentation or
18 certification by a state or federal agency; or
- 19 (6) A decorative electrical appliance.
- 20 (b) Exception: None of the terms or prohibitions
21 of this Section shall apply to or be enforced against any
22 wood heater that has been certified by the Environmental Pro-
23 tection Agency. Uncertified wood heaters shall not be
24 installed within the City of Las Vegas.

25 SECTION 2: If any section, subsection, subdivision,
26 paragraph, sentence, clause or phrase in this ordinance or any
27 part thereof, is for any reason held to be unconstitutional or
28 invalid or ineffective by any court of competent jurisdiction,
29 such decision shall not affect the validity or effectiveness of
30 the remaining portions of this ordinance or any part thereof.
31 The City Council of the City of Las Vegas, Nevada, hereby
32 declares that it would have passed each section, subsection, sub-

1 division, paragraph, sentence, clause or phrase thereof irrespec-
2 tive of the fact that any one or more sections, subsections, sub-
3 divisions, paragraphs, sentences, clauses or phrases be declared
4 unconstitutional, invalid or ineffective.

5 SECTION 3: Whenever in this ordinance any act is
6 prohibited or is made or declared to be unlawful or an offense or
7 a misdemeanor, or whenever in this ordinance the doing of any act
8 is required or the failure to do any act is made or declared to
9 be unlawful or an offense or a misdemeanor, the doing of any such
10 prohibited act or the failure to do any such required act shall
11 constitute a misdemeanor and upon conviction thereof, shall be
12 punished by a fine of not more than \$1,000.00 or by imprisonment
13 for a term of not more than six (6) months, or by any combination
14 of such fine and imprisonment. Any day of any violation of this
15 ordinance shall constitute a separate offense; provided, however,
16 that no violation shall be deemed to have occurred before the
17 Building Official has conducted an inspection for the sole pur-
18 pose of determining compliance with this ordinance. Such inspec-
19 tion shall be conducted subsequent to the final inspection of the
20 building at a time that is mutually agreeable to the builder and
21 the Building Official.

22 SECTION 4: All ordinances or parts of ordinances,
23 sections, subsections, phrases, sentences, clauses or paragraphs
24 contained in the Municipal Code of the City of Las Vegas, Nevada,
25 1983 Edition, in conflict herewith are hereby repealed.

26 PASSED, ADOPTED AND APPROVED this 21st day of November,
27 1990.

28 APPROVED:

29 By 
30 RON LURIE, MAYOR *Ok 11-26-90 RAW*

31 ATTEST:

32 KATHLEEN M. TIGHE CITY CLERK

1 The above and foregoing ordinance was first proposed and
2 read by title to the City Council on the 5th day of September,
3 1990, and referred to the following committee composed of
4 Councilmen Adamsen and Nolen
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 21st day of November, 1990,
7 which was a regular meeting of said Council; that at said
8 regular meeting, the proposed ordinance was read by
9 title to the City Council as amended and adopted by the following
10 vote:

11 VOTING "AYE": Councilmen Adamsen Higginson, Miller, and Mayor Lurie
12 VOTING "NAY": NONE
13 ABSENT: Councilman Nolen

14
15 APPROVED:
16 By 
17 RON LURIE, MAYOR *OK 11-26-90 KAW*

18 ATTEST:
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20 KATHLEEN M. TIGHE, CITY CLERK

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**City of North Las Vegas
Residential Wood Combustion
Ordinance
(Fireplace)
No. 1020**

ORDINANCE NO. 1020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 13, UNIFORM BUILDING CODE BY CREATING A NEW SECTION 13.16.150 ENTITLED "FIREPLACES"; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES, RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWTH.

THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS DOES HEREBY ORDAIN:

SECTION 1: Fireplaces. Chapter 13 of the North Las Vegas Municipal Code is hereby amended by creating a new section designated as Section 13.16.150 which shall read as follows:

13.16.150: Fireplaces in New Construction and New Fireplaces in Existing Construction. Effective October 1, 1991, no fireplace shall be constructed in any residential dwelling unit in North Las Vegas unless it is one of the following:

- A. A fireplace equipped with gas logs with a nationally recognized listing approved by the Building Official;
- B. A dedicated natural gas burning factory-built fireplace with a nationally recognized listing approved by the Building Official;
- C. A dedicated woodburning factory-built fireplace that conforms to the "Phase II Environmental Protection Agency Standards for Wood Heaters," as presented by NSPS, 40 CFR Part 60, Subpart AAA (emitting less than 7.5 grams per hour of particulate matter), as verified by a nationally recognized listing approved by the Building Official;
- D. A masonry fireplace that includes the installation of a woodburning insert which meets the standards described in Paragraph (C) of this Subsection and which is installed in accordance with the insert manufacturer's instructions; or
- E. A decorative electrical appliance with a nationally recognized listing approved by the Building Official.

SECTION 2: The City Council of the City of North Las Vegas has been informed by its legal department as to the constitutionality of this ordinance, and based upon such information, we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the Constitution or by laws providing for equal rights of citizens or persons.

SECTION 3: Severability. If any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such sections, paragraph, clause, or provision, shall in no way affect the validity and enforceability of the remaining provisions of this ordinance.

SECTION 4: Repealer. All ordinances, parts of ordinances or chapters, sections, subsections or paragraphs or resolutions previously adopted by the North Las Vegas City Council which are in conflict herewith are hereby repealed.

SECTION 5: Effective Date. This ordinance shall become effective after its passage by the City Council of the City of North Las Vegas, and after such passage by the City Council, shall be published once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

SECTION 6: Publication. The City Clerk shall cause this ordinance, immediately following its adoption, to be published once by title, together with the names of the Councilmen voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED, ADOPTED AND APPROVED THIS 18TH DAY OF SEPTEMBER, 1991

AYES: MAYOR SEASTRAND, COUNCILMEN GOYNES, KINGAID, ROBINSON AND HARDY

NAYES: NONE

ABSENT: NONE

APPROVED:

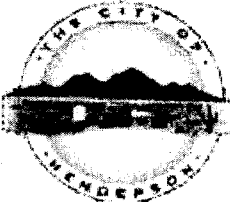
/s/ James K. Seastrand

JAMES K. SEASTRAND, MAYOR

ATTEST:

/s/ Eileen M. Sevigny
EILEEN M. SEVIGNY, CITY CLERK

**City of Henderson Residential
Wood Combustion Ordinance
(Fireplace)
No. 1697**

| | | |
|--|--|---|
|  City Government Services Community Outreach What's New Doing Business Common Questions Contact/More Info Search | Contents - Search - No Frames | |
| | Home | <u>Chapter 15.40 FIREPLACES</u> |
| | Henderson Municipal Code <u>Preface</u> CHARTER <u>Title 1 GENERAL PROVISIONS</u> <u>Title 2 ADMINISTRATION AND PERSONNEL</u> Title 3 (RESERVED) <u>Title 4 BUSINESS REGULATIONS AND LICENSES*</u> <u>Title 5 HEALTH AND SANITATION</u> <u>Title 6 CIVIL SERVICE*</u> <u>Title 7 ANIMALS</u> <u>Title 8 PUBLIC PEACE AND SAFETY</u> Title 9 (RESERVED) <u>Title 10 VEHICLES AND TRAFFIC</u> <u>Title 11 STREETS AND SIDEWALKS</u> Title 12 (RESERVED) <u>Title 13 UTILITIES</u> Title 14 (RESERVED) <u>Title 15 BUILDINGS AND CONSTRUCTION</u> <u>Title 16 TRAILER PARKS</u> <u>Title 17 TRAVEL TRAILER PARK</u> | <hr/> <p style="text-align: center;">Section 15.40.010 Fireplaces in new construction and new fireplaces in existing construction.</p> <p>Effective upon publication of the ordinance codified in this section, no fireplace shall be constructed in any residential dwelling unit in Henderson unless it is one of the following:</p> <p>A. A fireplace equipped with gas logs with a nationally recognized listing approved by the building official;</p> <p>B. A dedicated natural gas burning factory-built fireplace with a nationally recognized listing approved by the building official;</p> <p>C. A dedicated woodburning factory-built fireplace that conforms to the Phase II Environmental Protection Agency Standards for Wood Heaters, as presented by NSPS, 40 CFR Part 60, Subpart AAA (emitting less than 7.5 grams per hour of particular matter), as verified by a nationally recognized listing approved by the building official;</p> <p>D. A masonry fireplace that complies with Section 3102.7 of the Uniform Building Code, 1994 edition; or</p> <p>E. A decorative electrical appliance with a nationally recognized listing approved by the building official. (Ord. 1697 § 1, 1996)</p> |



CITY OF HENDERSON
CITY CLERK'S OFFICE
240 WATER STREET
HENDERSON, NV 89015

A Place To Call Home.

FACSIMILE TRANSMITTAL SHEET

| | |
|-------------------------|--|
| TO: Russ | FROM: Paula |
| ENTITY | DATE |
| FAX NUMBER: 383-9994 | TOTAL NO. OF PAGES INCLUDING COVER: |
| PHONE NUMBER: | SENDER'S FAX NUMBER: 702-565-3273 |
| RE: | SENDER'S PHONE NUMBER: 702-565-2057 |

X URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Russ, Please give me a call as soon as possible. I need more information regarding your request and I to was not awake and forgot to get your phone number. Thanks

Adopted 10-15-96

OTC 1697

C-2**BILL NO. 1341 - AMEND TITLE 15
UNIFORM BUILDING CODE - FIREPLACES**

Mayor Groesbeck introduced Bill No. 1341 and City Manager Speight read the Bill by title:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND TITLE 15, UNIFORM BUILDING CODE, BY CREATING A NEW SECTION ENTITLED "FIREPLACES"; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES, RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH.

City Attorney Shauna Hughes said this item comes through Councilmember Cyphers, by virtue of her membership on the Clark County Health District Board. It was brought to Councilmember Cyphers' attention that Henderson is the only remaining jurisdiction in the valley which does not prohibit the building of fireplaces and new construction of wood-burning fire stoves. This amendment would require that all fireplaces built in new buildings, with very limited, difficult to obtain exceptions, would be powered with gas.

Councilmember Cyphers explained the Health District asked the City to come on line with the rest of the valley in following the requirements. In the winter months there is a problem with the air quality and the County does routinely request residents to not use their wood-burning fireplaces.

Councilmember Hafen clarified the ordinance does not totally prohibit wood-burning fireplaces as long as they meet the requirements. He said there is not a great change other than the wood-burning fireplaces do have to meet federal requirements.

Ms. Hughes said there are much more stringent regulations now with respect to construction of a wood-burning fireplace.

Councilmember Hafen said there is a way to install wood-burning fireplaces as long as they meet the requirements. He did not want to prohibit construction of wood-burning fireplaces, as long as they meet federal standards.

Ms. Hughes said the language regarding Councilmember Hafen's concern is found in Section D, and states that a masonry fireplace that complies with Section 3102.7 of the Uniform Building Code, 1994 edition, which outlines the more stringent requirements allowing wood-burning fireplaces under certain circumstances.

(Motion)

Councilmember Clark moved to refer Bill No. 1341 to the Regular Meeting with a "do-pass" recommendation. The roll call vote favoring passage was: Those voting AYE: Clark, Cyphers, Groesbeck, Hafen, and Wood. Those voting NAY: None. Those Absent: None. Mayor Groesbeck declared the motion carried.

UB-66**BILL NO. 1341 - ORD. NO. 1697
AMEND TITLE 15 - UNIFORM BUILDING CODE - FIREPLACES**

Mayor Groesbeck Introduced Bill No. 1341 and City Manager Speight read the Bill by title:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND TITLE 15, UNIFORM BUILDING CODE, BY CREATING A NEW SECTION ENTITLED "FIREPLACES"; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES, RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH.

[Motion] Councilmember Hafen moved for adoption of Ordinance No. 1697, Introduced as Bill No. 1341. The roll call vote favoring passage was: Those voting AYE: Clark, Cyphers, Groesbeck, Hafen, and Wood. Those voting NAY: None. Those Absent: None. Mayor Groesbeck declared the motion carried.

APPENDIX R

Section 3:

**October 15, 2002
Clark County Air Quality
Management Board Public
Meeting to Authorize a 30-Day
Comment Period beginning
October 15, 2002, and to Set a
Public Hearing on November 19,
2002 for the Draft Amendments
to the Clark County PM₁₀ SIP**

AGENDA

CLARK COUNTY AIR QUALITY MANAGEMENT BOARD

2:00 P.M. October 15, 2002

CLARK COUNTY COMMISSION CHAMBERS, GOVERNMENT CENTER

500 SOUTH GRAND CENTRAL PARKWAY, LAS VEGAS, NEVADA

This meeting has been properly noticed and posted in the following locations:

CC Government Center
500 S. Grand Central Pkwy.
Las Vegas, NV
(Principal Office)

Third Street Building
309 S. Third St.
Las Vegas, NV

Winchester Park & Center
3130 S. McLeod Dr
Las Vegas, NV

CC Dept. of Air Quality Mgmt.
651 Shadow Lane
Las Vegas, NV

CC Courthouse
200 S. 3rd Street
Las Vegas, NV

Paradise Park
Pool & Center
4770 Harrison Ave.
Las Vegas, NV

Desert Breeze
Park & Community Ctr
8275 Spring Mtn. Rd
Las Vegas, NV

Agenda Also Available At:

City of Las Vegas
400 E. Stewart Ave.
Las Vegas, NV

City of Henderson
200 Water St.
Henderson, NV

City of Mesquite
10 E. Mesquite Blvd.
Mesquite, NV

City of No. Las Vegas
2200 Civic Center Dr.
No. Las Vegas, NV

City of Boulder City
400 California Ave.
Boulder City, NV

Clark County
Reg. Govt. Center
101 Civic Way
Laughlin, NV

The main agenda is available on Clark County's Internet Web Site, <http://www.co.clark.nv.us>.

Today's meeting will be shown Tuesday, **October 15, 2002**, at 7:30 p.m., following the Board of County Commissioners' meeting, on Clark County Community Channel (C4)

Cox Communications Channel 4

For more programming information, call the Public Communications office at 455-6888.

CALL TO ORDER

Approval of Minutes of the Regular Meeting of August 20, 2002. *(Available in the County Clerk's Office, Commission Division)*

1

Approval of Agenda with the Inclusion of Any Emergency Items and Deletion of Any Items

2

BUSINESS ITEMS

Receive reports from the Director of Air Quality Management on air quality performance and operations during the months of August and September 2002.

3

Ratify the grant application submitted to the State of Nevada, Department of Motor Vehicles by the Clark County Department of Air Quality Management in the amount of \$879,151 for programs related to the improvement of air quality in the Clark County nonattainment areas; accept the grant monies if awarded; and approve and authorize the chair to sign an interlocal contract with the Nevada Department of Motor Vehicles to transfer the funds to Clark County.

4

Ratify six grant applications submitted to the State of Nevada, Department of Motor Vehicles by the Clark County Department of Air Quality Management in the amount of \$939,000 for programs related to the improvement of air quality in the Clark County nonattainment areas; accept grant monies if awarded; and approve and authorize the chair to sign an interlocal contract with the Nevada Department of Motor Vehicles to transfer the funds to Clark County.

5

Receive draft revisions to Sections 90, 92, and 93 of the Air Quality Regulations; authorize release of the draft revisions for public review; authorize a 30-day public comment period beginning November 15, 2002; set a public hearing on December 17, 2002, and take any other action deemed appropriate.

6

Receive draft revisions to the June 2001 PM₁₀ State Implementation Plan; authorize release of the draft revisions for public review; authorize a 30 day public comment period beginning October 15, 2002; set a public hearing on November 19, 2002, and take any other action deemed appropriate.

7

Comments By the General Public

A period devoted to comments by the general public about matters relevant to the Board's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three minutes. Please step up to the speaker's podium, clearly state your name and address and please spell your last name for the record. If any member of the Board wishes to extend the length of a presentation, this will be done by the Chairman, or the Board by majority vote.

All comments by speakers should be relevant to Board action and jurisdiction.

THE REGULAR MEETINGS OF THE CLARK COUNTY AIR QUALITY MANAGEMENT BOARD HELD ON THE THIRD TUESDAY OF EACH MONTH, ARE VIDEO-TAPED BY THE UNIVERSITY OF NEVADA, LAS VEGAS. TODAY'S MEETING WILL BE SHOWN TUESDAY, (OCTOBER 15, 2002) AT 7:30 P.M., FOLLOWING THE BOARD OF COUNTY COMMISSIONERS' MEETING, ON CLARK COUNTY COMMUNITY CHANNEL (C4) COX COMMUNICATIONS CHANNEL 4. FOR MORE PROGRAMMING INFORMATION, CALL THE PUBLIC COMMUNICATIONS OFFICE AT 455-6888.

THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE AIR QUALITY MANAGEMENT BOARD. IN ORDER TO MAINTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD SHOULD BE SUBMITTED TO THE COUNTY CLERK. IF MATERIALS ARE TO BE DISTRIBUTED TO THE BOARD, PLEASE PROVIDE SUFFICIENT COPIES FOR DISTRIBUTION TO THE COUNTY MANAGER, COUNTY COUNSEL, AND COUNTY CLERK.

THE CLARK COUNTY COMMISSION CHAMBERS ARE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. WITH TWENTY-FOUR (24) HOUR ADVANCE REQUEST, A SIGN LANGUAGE INTERPRETER MAY BE MADE AVAILABLE (PHONE: 455-3530 OR TDD 385-7486) OR RELAY NEVADA TOLL FREE (800) 326-6868, TT/TDD. ASSISTIVE LISTENING DEVICES ARE AVAILABLE UPON REQUEST AT THE STAFF TABLE.

AIR QUALITY MANAGEMENT BOARD
AGENDA ITEM
 October 15, 2002

| | |
|--|---------------------|
| ISSUE: Draft Revisions to the June 2001 PM ₁₀ State Implementation Plan | Back-up: |
| PETITIONER: Christine Robinson, Director, Air Quality Management | Clerk Ref. # |
| <p>RECOMMENDATION:</p> <p>That the Clark County Air Quality Management Board receive draft revisions to the June 2001 PM₁₀ State Implementation Plan; authorize release of the draft revisions for public review; authorize a 30 day public comment period beginning October 15, 2002; set a public hearing on November 19, 2002, and take any other action deemed appropriate.</p> | |

FISCAL IMPACT:

None by this action

BACKGROUND:

The Clark County Board of County Commissioners adopted the Clark County PM₁₀ State Implementation Plan on June 19, 2001. The Plan has been received by the U.S. EPA and is under review for approval action. To date, The U.S. EPA has determined the Mobile Source Emissions budget contained in the Plan is suitable for transportation conformity purposes, and has also issued a completeness finding for the plan. In the course of this review, the U.S. EPA has identified the need to incorporate adopted local regulations on fireplace and wood stoves into the SIP. These are incorporated in Attachment A.

Deadlines set forth on pages 4-125 and 4-126 for the Air Quality Regulations have been amended. Factors affecting the rule development schedule include:

- The reorganization of all air regulatory programs into the Clark County DAQM
- Difficulty in developing an alternative opacity test method for construction activities
- Identification of the need for a new test method for graveled road shoulders
- Resolving rule clarity and enforceability issues related to the current regulations

The revised deadlines of March 31, 2003 are shown in amended Pages 4-125 and 4-126.

Respectfully Submitted,



CHRISTINE ROBINSON
 Director, Air Quality Management

SRS:CR/ck

Cleared for Agenda

October 15, 2002

| |
|----------------------------|
| Agenda Item # <i>17</i> |
|----------------------------|

APPENDICES

- Appendix A: Design Value Determinations
- Appendix B: Emission Inventories Methodology, Emission Factors, and Emission Estimates
- Appendix C: Estimation of Valley-Wide PM₁₀ Emissions using UNLV 1995 Wind Tunnel-Derived Emission Factors, 1998-1999 Emission Factors, Revised Vacant Land Classifications, and GIS-Based Mapping of Vacant Lands
- Appendix D: PM₁₀ Emission Inventory of Sources Surrounding Five Ambient Monitoring Sites, in the Las Vegas Valley
- Appendix E: Inventory Projections Methodology and Calculations
- Appendix F: Control Measure Development Process
- Appendix G: Air Quality Regulations and Section 94 Handbook
- Appendix H: Clark County Health District (CCHD) Resolutions
- Appendix I: Letter from Nevada Department of Motor Vehicles and Public Safety
- Appendix J: Documentation on Street Sweeping Equipment and Paved Road Cleanup Programs
- Appendix K: Rollback Methodology
- Appendix L: Controlled Emission Inventory Development
- Appendix M: Reasonable Further Progress Inventory for 2003
- Appendix N: Mobile Source Emissions Budget.
- Appendix O: Documentation on the Public Review Process for the Draft PM₁₀ State Implementation Plan (SIP)
- Appendix P: Documentation on Comments Received on the March 2001 Draft PM₁₀ State Implementation Plan and the Responses to the Comments
- Appendix Q: Documentation on the Public Hearing Comments and the Responses (June 19, 2001)
- Appendix R: Documentation on Residential Wood Combustion Control Measures

test were conducted, the U. S. EPA test for soil surface characterization had not been developed. Because both undisturbed native desert and disturbed areas account for a major part of the PM₁₀ emissions that are generated during high wind conditions, a refinement of the emission factors for these sources is warranted. Clark County Department of Comprehensive Planning anticipates moving forward with additional studies to develop refined emission factors in 2003, with completion of the studies expected by the end of 2005.

4.8.2.6 Commitment to Track Silt Loadings on Paved Roads

Clark County Department of Comprehensive Planning will conduct additional measurements of silt loadings on paved roads in order to update the paved roads emission inventory and evaluate the effectiveness of control measures for reducing silt loading on paved roads. Silt loading measurements will begin in the fourth quarter of 2001 and be conducted quarterly through June of 2006.

4.8.2.7 Commitment to Establish Test Methods for Section 94

If an acceptable test method has not been developed and adopted into Section 94 by September 1, 2001, Clark County will fund additional research up to \$100,000 to develop an acceptable test method. It is Clark County's intention that a contractor will be selected by November 1, 2001. If a test method that is acceptable to U. S. EPA under its BACM and enforceability criteria has not been incorporated into Section 94 by ~~November 1, 2002~~ March 31, 2003, the opacity test method for unpaved roads in Section 91 will be presented to the governing board for adoption in December of 2002 for all non-process, intermittent construction site fugitive dust generating activities.

**Commitment to
Research
Development of a
Better Construction
Activities Test Method**

4.8.2.8 Commitment to Update Emission Inventories

Clark County will revise the entire PM₁₀ emission inventories for the attainment year in 2003 and 2006 to coincide with the Reasonable Further Progress reports. If the emission inventories are significantly different than in this SIP, particularly if the differences would affect the attainment demonstration, the SIP will be adjusted to

reflect the revised PM₁₀ emission inventories. If the SIP inventory requires adjustment, it will be resubmitted for approval to U. S. EPA with the Reasonable Further Progress/milestone reports that include revising conformity budgets and re-evaluation of control measures if necessary. The existing approved SIP and conformity budgets will remain in place until such time as a new SIP is approved.

4.8.2.9 Commitment to Revise Air Quality Regulations

The following proposed language for revision to the Air Quality Regulations will move forward in the rule development and adoption process, with rule revisions to be brought to the Clark County ~~Health District Air Quality Management Board of Health~~ for approval at the regularly scheduled meeting in ~~August~~ March 31, of 20013.

Revisions to Air Quality
Regulations Moving
Forward in The Rule
Process

Section 90.2.1.3 –Dust Mitigation Plan Required:

Owners AND/OR OPERATORS of OPEN AREAS AND VACANT LOTS having a cumulative area of 10,000 acres or greater must submit a dust mitigation plan to the Air Quality Division for approval by ~~January 1, 2002~~ March 31, 2003 in a format prescribed by the CONTROL OFFICER.

Section 92.2.1.1 Revised Section:

No UNPAVED PARKING LOTS may be constructed after the adoption of this Subsection except as provided in Subsection 92.2.1.1 (a) and (b) below:

- (a) The requirements of Subsection 92.2.1.1 shall not be applicable to parking lots for rural public facilities such as trailheads, campgrounds, and similar facilities where paved parking lots would conflict with the rural nature of these facilities; and
- (b) The unpaved parking lot is stabilized in accordance with Subsection 92.2.1.2 (b) through (d)

APPENDIX R

Documentation on Residential Wood Combustion Control Measures

- 1. Clark County Fireplace Ordinance**
- 2. City of Las Vegas Fireplace Ordinance**
- 3. City of North Las Vegas Fireplace Ordinance**
- 4. City of Henderson Fireplace Ordinance**

**Clark County Residential Wood
Combustion Ordinance
(Fireplace)
No. 1249**

[Bracketed] material is that portion being deleted
Underlined material is that portion being added

BILL NO. 11-6-90-3

SUMMARY - An Ordinance to Amend
Title 22, Chapter 22.04, to
amend the Uniform Building
Code to restrict construction
of wood burning fireplaces.

ORDINANCE NO. 1249
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 22, CHAPTER 22.04,
TO AMEND THE UNIFORM BUILDING CODE TO RESTRICT
CONSTRUCTION OF WOOD BURNING FIREPLACES; AND
PROVIDING FOR OTHER MATTERS PROPERLY RELATING
THERE TO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK
STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 22, Chapter 22.04 of the Clark County Code
is hereby amended to add a new section which shall read as
follows:

22.04.355 Fireplaces in New Construction. Chapter 37
amended. Chapter 37 of The Uniform Building Code is amended by
adding a new section designated as Section 3708 which shall read
as follows:

Section 3708: Fireplaces in New Construction and New
Fireplaces in Existing Construction. Effective July 1, 1991, no
fireplace shall be constructed in any residential dwelling unit
in the unincorporated area of the Las Vegas Valley Hydrographic
Basin at an elevation of less than 4000 feet above sea level
unless it is one of the following:

- (a) A fireplace equipped with gas logs with a nation-
ally recognized listing approved by the Building Official;
- (b) A dedicated natural gas burning factory-built fire-
place with a nationally recognized listing approved by the
Building Official;
- (c) A dedicated woodburning factory-built fireplace

that conforms to the "Phase II Environmental Protection Agency Standards for Wood Heaters," as prescribed by NSPS, 40 CFR Part 60, Subpart AAA (emitting less than 7.5 grams per hour of particulate matter), as verified by a naturally recognized listing approved by the Building Official;

(d) A masonry fireplace that includes the installation of a woodburning insert which meets the standards described in Paragraph (3) of this Subsection and which is installed in accordance with the insert manufacturer's instructions; or

(e) A decorative electrical appliance with a nationally recognized listing approved by the Building Official.

SECTION 2. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks

PROPOSED on the 6th day of November, 1990.

PROPOSED BY Bruce L. Woodbury

PASSED on the 20th day of November, 1990

VOTE:

AYES: Jay Bingham

Manuel J. Cortez

Thalia M. Dondero

Karen Hayes

William U. Pearson

Bruce L. Woodbury

NAYS: Paul J. Christensen

ABSTAINING: None

ABSENT: None

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By B. L. Woodbury
Chairman

ATTEST:

Loretta Bowman
LORETTA BOWMAN, County Clerk

This ordinance shall be in force and effect from and after
the 4th day of December, 1990

**City of Las Vegas Residential
Wood Combustion Ordinance
(Fireplace)
No. 3538**

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SECOND AMENDMENT

BILL NO. 90-63

ORDINANCE No. 3538

AN ORDINANCE RELATING TO THE CONSTRUCTION OF FIREPLACES; AMENDING THAT CERTAIN DOCUMENT ENTITLED "A SUPPLEMENTAL DOCUMENT AMENDING THE UNIFORM BUILDING CODE, 1988 EDITION," BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION 45.1 OF SAID SUPPLEMENTAL DOCUMENT, TO ADD TO THE UNIFORM BUILDING CODE A NEW SECTION 3708 TO REQUIRE ALL FIREPLACES CONSTRUCTED IN RESIDENTIAL DWELLING UNITS AFTER JULY 1, 1991, TO CONFORM TO SPECIFIED LISTING OR EPA REQUIREMENTS OR TO BE DECORATIVE ELECTRICAL APPLIANCES; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored By: Councilman Arnie Adamsen
Summary: Requires all fireplaces constructed after July 1, 1991, in residential dwelling units to conform to specified listing or EPA requirements, or their equivalent, or to be decorative electrical appliances.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY

ORDAIN AS FOLLOWS:

SECTION 1: That certain document that is entitled "A Supplemental Document Amending the Uniform Building Code, 1988 Edition," and adopted by reference as Part II of Title 16, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, to be designated as Section 45.1, reading as follows:

Section 45.1: Chapter 37 is amended to add a new section, designated as Section 3708, reading as follows:

Section 3708: (a) Fireplaces in New Construction and New Fireplaces in Existing Construction. Effective July 1, 1991, no fireplace shall be constructed in any residential dwelling unit in the City of Las Vegas unless it is one of the following:

- (1) A fireplace equipped with gas logs with a listing approved by the Building Official;
- (2) A dedicated natural gas burning factory-built

1 fireplace with a listing approved by the Building
2 Official;

3 (3) A dedicated woodburning factory-built fireplace
4 that conforms to the "Phase II Environmental Pro-
5 tection Agency Standards for Wood Heaters," as
6 prescribed in NSPS, 40 CFR Part 60, Subpart AAA
7 (emitting less than 7.5 grams per hour of par-
8 ticulate matter);

9 (4) A masonry fireplace that includes the installation
10 of a woodburning insert which meets the standards
11 described in Paragraph (3) of this Subsection and
12 which is installed in accordance with the insert
13 manufacturer's instructions;

14 (5) A low-emission fireplace that is deemed by the
15 Building Official to be equivalent to one or more
16 of the fireplaces permitted in this Subsection (a),
17 based upon third-party laboratory documentation or
18 certification by a state or federal agency; or

19 (6) A decorative electrical appliance.

20 (b) Exception: None of the terms or prohibitions
21 of this Section shall apply to or be enforced against any
22 wood heater that has been certified by the Environmental Pro-
23 tection Agency. Uncertified wood heaters shall not be
24 installed within the City of Las Vegas.

25 SECTION 2: If any section, subsection, subdivision,
26 paragraph, sentence, clause or phrase in this ordinance or any
27 part thereof, is for any reason held to be unconstitutional or
28 invalid or ineffective by any court of competent jurisdiction,
29 such decision shall not affect the validity or effectiveness of
30 the remaining portions of this ordinance or any part thereof.
31 The City Council of the City of Las Vegas, Nevada, hereby
32 declares that it would have passed each section, subsection, sub-

1 division, paragraph, sentence, clause or phrase thereof irrespec-
2 tive of the fact that any one or more sections, subsections, sub-
3 divisions, paragraphs, sentences, clauses or phrases be declared
4 unconstitutional, invalid or ineffective.

5 SECTION 3: Whenever in this ordinance any act is
6 prohibited or is made or declared to be unlawful or an offense or
7 a misdemeanor, or whenever in this ordinance the doing of any act
8 is required or the failure to do any act is made or declared to
9 be unlawful or an offense or a misdemeanor, the doing of any such
10 prohibited act or the failure to do any such required act shall
11 constitute a misdemeanor and upon conviction thereof, shall be
12 punished by a fine of not more than \$1,000.00 or by imprisonment
13 for a term of not more than six (6) months, or by any combination
14 of such fine and imprisonment. Any day of any violation of this
15 ordinance shall constitute a separate offense; provided, however,
16 that no violation shall be deemed to have occurred before the
17 Building Official has conducted an inspection for the sole pur-
18 pose of determining compliance with this ordinance. Such inspec-
19 tion shall be conducted subsequent to the final inspection of the
20 building at a time that is mutually agreeable to the builder and
21 the Building Official.

22 SECTION 4: All ordinances or parts of ordinances,
23 sections, subsections, phrases, sentences, clauses or paragraphs
24 contained in the Municipal Code of the City of Las Vegas, Nevada,
25 1983 Edition, in conflict herewith are hereby repealed.

26 PASSED, ADOPTED AND APPROVED this 21st day of November,
27 1990.

28 APPROVED:

29 By 
30 RON LURIE, MAYOR *OK 11-26-90 RAW*

31 ATTEST:

32 
KATHLEEN M. TIGHE CITY CLERK

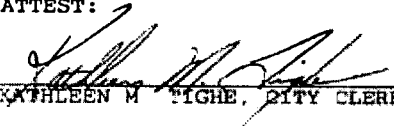
1 The above and foregoing ordinance was first proposed and
2 read by title to the City Council on the 5th day of September,
3 1990, and referred to the following committee composed of
4 Councilmen Adamsen and Nolen
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 21st day of November, 1990,
7 which was a regular meeting of said Council; that at said
8 regular meeting, the proposed ordinance was read by
9 title to the City Council as amended and adopted by the following
10 vote:

11 VOTING "AYE": Councilmen Adamsen Higginson, Miller, and Mayor Lurie
12 VOTING "NAY": NONE
13 ABSENT: Councilman Nolen

14 APPROVED:

15
16 By 
17 RON LURIE, MAYOR OK 11-26-90 RALW

18 ATTEST:

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20 KATHLEEN M. TIGHE, CITY CLERK

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**City of North Las Vegas
Residential Wood Combustion
Ordinance
(Fireplace)
No. 1020**

ORDINANCE NO. 1020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 13, UNIFORM BUILDING CODE BY CREATING A NEW SECTION 13.16.150 ENTITLED "FIREPLACES"; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES, RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWTH.

THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS DOES HEREBY ORDAIN:

SECTION 1: Fireplaces. Chapter 13 of the North Las Vegas Municipal Code is hereby amended by creating a new section designated as Section 13.16.150 which shall read as follows:

13.16.150: Fireplaces in New Construction and New Fireplaces in Existing Construction. Effective October 1, 1991, no fireplace shall be constructed in any residential dwelling unit in North Las Vegas unless it is one of the following:

- A. A fireplace equipped with gas logs with a nationally recognized listing approved by the Building Official;
- B. A dedicated natural gas burning factory-built fireplace with a nationally recognized listing approved by the Building Official;
- C. A dedicated woodburning factory-built fireplace that conforms to the "Phase II Environmental Protection Agency Standards for Wood Heaters," as presented by NSPS, 40 CFR Part 60, Subpart AAA (emitting less than 7.5 grams per hour of particulate matter), as verified by a nationally recognized listing approved by the Building Official;
- D. A masonry fireplace that includes the installation of a woodburning insert which meets the standards described in Paragraph (C) of this Subsection and which is installed in accordance with the insert manufacturer's instructions; or
- E. A decorative electrical appliance with a nationally recognized listing approved by the Building Official.

SECTION 2: The City Council of the City of North Las Vegas has been informed by its legal department as to the constitutionality of this ordinance, and based upon such information, we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the Constitution or by laws providing for equal rights of citizens or persons.

SECTION 3: Severability. If any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such sections, paragraph, clause, or provision, shall in no way affect the validity and enforceability of the remaining provisions of this ordinance.

SECTION 4: Repealer. All ordinances, parts of ordinances or chapters, sections, subsections or paragraphs or resolutions previously adopted by the North Las Vegas City Council which are in conflict herewith are hereby repealed.

SECTION 5: Effective Date. This ordinance shall become effective after its passage by the City Council of the City of North Las Vegas, and after such passage by the City Council, shall be published once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

SECTION 6: Publication. The City Clerk shall cause this ordinance, immediately following its adoption, to be published once by title, together with the names of the Councilmen voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED, ADOPTED AND APPROVED THIS 18TH DAY OF SEPTEMBER, 1991

AYES: MAYOR SEASTRAND, COUNCILMEN GOYNES, KINGAID, ROBINSON AND HARDY

NAYES: NONE

ABSENT: NONE

APPROVED:

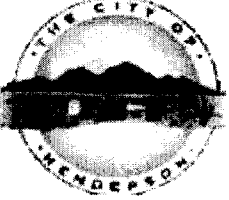
/s/ James K. Seastrand

JAMES K. SEASTRAND, MAYOR

ATTEST:

/s/ Eileen M. Sevigny
EILEEN M. SEVIGNY, CITY CLERK

**City of Henderson Residential
Wood Combustion Ordinance
(Fireplace)
No. 1697**

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|--|--|--|
|  City Government Services Community Outreach What's New Doing Business Common Questions Contact / More Info Search | Contents - Search - No Frames | Chapter 15.40 FIREPLACES |
| | Home | <hr/> Section 15.40.010 Fireplaces in new construction and new fireplaces in existing construction. |
| | Henderson Municipal Code | |
| | Preface | |
| | <u>CHARTER</u> | |
| | <u>Title 1 GENERAL PROVISIONS</u> | |
| | <u>Title 2 ADMINISTRATION AND PERSONNEL</u> | |
| | Title 3 (RESERVED) | |
| | <u>Title 4 BUSINESS REGULATIONS AND LICENSES*</u> | |
| | <u>Title 5 HEALTH AND SANITATION</u> | |
| | <u>Title 6 CIVIL SERVICE*</u> | |
| | <u>Title 7 ANIMALS</u> | |
| | <u>Title 8 PUBLIC PEACE AND SAFETY</u> | |
| | Title 9 (RESERVED) | |
| | <u>Title 10 VEHICLES AND TRAFFIC</u> | |
| | <u>Title 11 STREETS AND SIDEWALKS</u> | |
| | Title 12 (RESERVED) | |
| | <u>Title 13 UTILITIES</u> | |
| | Title 14 (RESERVED) | |
| | <u>Title 15 BUILDINGS AND CONSTRUCTION</u> | |
| | <u>Title 16 TRAILER PARKS</u> | |
| | <u>Title 17 TRAVEL TRAILER PARK</u> | |

Section 15.40.010 Fireplaces in new construction and new fireplaces in existing construction.

Effective upon publication of the ordinance codified in this section, no fireplace shall be constructed in any residential dwelling unit in Henderson unless it is one of the following:

- A. A fireplace equipped with gas logs with a nationally recognized listing approved by the building official;
- B. A dedicated natural gas burning factory-built fireplace with a nationally recognized listing approved by the building official;
- C. A dedicated woodburning factory-built fireplace that conforms to the Phase II Environmental Protection Agency Standards for Wood Heaters, as presented by NSPS, 40 CFR Part 60, Subpart AAA (emitting less than 7.5 grams per hour of particular matter), as verified by a nationally recognized listing approved by the building official;
- D. A masonry fireplace that complies with Section 3102.7 of the Uniform Building Code, 1994 edition; or
- E. A decorative electrical appliance with a nationally recognized listing approved by the building official. (Ord. 1697 § 1, 1996)



CITY OF HENDERSON
CITY CLERK'S OFFICE
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A Place To Call Home

FACSIMILE TRANSMITTAL SHEET

| | |
|-------------------------|--|
| TO: Russ | FROM: Paula |
| ENTITY | DATE |
| FAX NUMBER: 383-9994 | TOTAL NO. OF PAGES INCLUDING COVER: |
| PHONE NUMBER: | SENDER'S FAX NUMBER: 702-565-3273 |
| RE: | SENDER'S PHONE NUMBER: 702-565-2057 |

X URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Russ, Please give me a call as soon as possible. I need more information regarding your request and I to was not awake and forgot to get your phone number. Thanks

Adopted 10-15-96

OTD 1697

C-2**BILL NO. 1341 - AMEND TITLE 15
UNIFORM BUILDING CODE - FIREPLACES**

Mayor Groesbeck introduced Bill No. 1341 and City Manager Speight read the Bill by title:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND TITLE 15, UNIFORM BUILDING CODE, BY CREATING A NEW SECTION ENTITLED "FIREPLACES"; PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES, RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH.

City Attorney Shauna Hughes said this item comes through Councilmember Cyphers, by virtue of her membership on the Clark County Health District Board. It was brought to Councilmember Cyphers' attention that Henderson is the only remaining jurisdiction in the valley which does not prohibit the building of fireplaces and new construction of wood-burning fire stoves. This amendment would require that all fireplaces built in new buildings, with very limited, difficult to obtain exceptions, would be powered with gas.

Councilmember Cyphers explained the Health District asked the City to come on line with the rest of the valley in following the requirements. In the winter months there is a problem with the air quality and the County does routinely request residents to not use their wood-burning fireplaces.

Councilmember Hafen clarified the ordinance does not totally prohibit wood-burning fireplaces as long as they meet the requirements. He said there is not a great change other than the wood-burning fireplaces do have to meet federal requirements.

Ms. Hughes said there are much more stringent regulations now with respect to construction of a wood-burning fireplace.

Councilmember Hafen said there is a way to install wood-burning fireplaces as long as they meet the requirements. He did not want to prohibit construction of wood-burning fireplaces, as long as they meet federal standards.

Ms. Hughes said the language regarding Councilmember Hafen's concern is found in Section D, and states that a masonry fireplace that complies with Section 3102.7 of the Uniform Building Code, 1994 edition, which outlines the more stringent requirements allowing wood-burning fireplaces under certain circumstances.

(Motion)

Councilmember Clark moved to refer Bill No. 1341 to the Regular Meeting with a "do-pass" recommendation. The roll call vote favoring passage was: Those voting AYE: Clark, Cyphers, Groesbeck, Hafen, and Wood. Those voting NAY: None. Those Absent: None. Mayor Groesbeck declared the motion carried.

| | |
|--------------|--|
| UB-66 | BILL NO. 1341 - ORD. NO. 1697 AMEND TITLE 15 - UNIFORM BUILDING CODE - FIREPLACES |
|--------------|--|

Mayor Groesbeck Introduced Bill No. 1341 and City Manager Speight read the Bill by title:

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(Motion)

Councilmember Hafen moved for adoption of Ordinance No. 1697, Introduced as Bill No. 1341. The roll call vote favoring passage was: Those voting AYE: Clark, Cyphers, Groesbeck, Hafen, and Wood. Those voting NAY: None. Those Absent: None. Mayor Groesbeck declared the motion carried.

APPENDIX R

Section 4:

**Clark County Air Quality
Management Board Notice of
Public Hearing on November 19,
2002 on the Draft Changes to
the PM₁₀ SIP**

NOTICE OF PUBLIC HEARING

The Clark County Air Quality Management Board will conduct a public hearing at 2:00 p.m. on November 19, 2002 at the Clark County Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada, to consider testimony regarding the proposed revisions to the June 2001 PM₁₀ State Implementation Plan (SIP) for Clark County, Nevada.

The Board of Clark County Commissioners adopted the Clark County PM₁₀ (particulate matter, such as dust particles or other pollutants that are smaller than 10 microns) SIP on June 19, 2001. The SIP has been received by the U.S. Environmental Protection Agency (EPA) and is under review for approval action. To date, the EPA has determined the Mobile Source Emissions budget contained in the SIP is suitable for transportation conformity purposes, and has also issued a completeness finding for the plan. In the course of this review, the EPA has identified the need to incorporate adopted local regulations on indoor wood-burning fireplaces and indoor wood-burning stoves into the SIP. These are incorporated in the proposed Appendix R of the SIP.

The EPA has also noted that deadlines set forth on pages 4-125 and 4-126 for revising the Air Quality Regulations have been missed. Factors affecting the rule development schedule include:

- The reorganization of all air regulatory programs into the Clark County Department of Air Quality Management (DAQM)
- Difficulty in developing an alternative opacity test method for construction activities
Identification of the need for a new test method for graveled road shoulders
- Resolving rule clarity and enforceability issues related to the current regulations

The revised deadlines of March 31, 2003 are shown in amended Pages 4-125 and 4-126.

At the hearing, testimony will be presented by staff of the DAQM regarding the proposed revisions to the PM₁₀ SIP. The public and others present will be provided the opportunity to present testimony regarding these revisions to the SIP. Questions regarding the SIP revisions or to review the SIP may be directed to Mr. Rodney Langston, DAQM at (702) 455-1661. The information will also be posted on DAQM's web site at http://www.co.clark.nv.us/air_quality/index.htm.

The Clark County Commission Chambers are accessible to individuals with disabilities. With 24-hour advance request, a sign language interpreter may be available; phone 455-3530, TDD 385-7486, or Relay Nevada toll-free (800) 326-6868 TT/TDD. Assistive listening devices are available upon request at the Clerk's table.

THIS MEETING WILL BE PROPERLY NOTICED AND POSTED IN THE FOLLOWING LOCATIONS:

Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada

Las Vegas City Hall
400 Stewart Avenue
Las Vegas, Nevada

Boulder City City Hall
401 California Avenue
Boulder City, Nevada

North Las Vegas City Hall
2200 Civic Center Drive
North Las Vegas, Nevada

Henderson City Hall
240 Water Street, Ste 102
Henderson, Nevada

Mesquite City Hall
10 E. Mesquite Blvd.
Mesquite, Nevada

Dated this 10th day of October, 2002

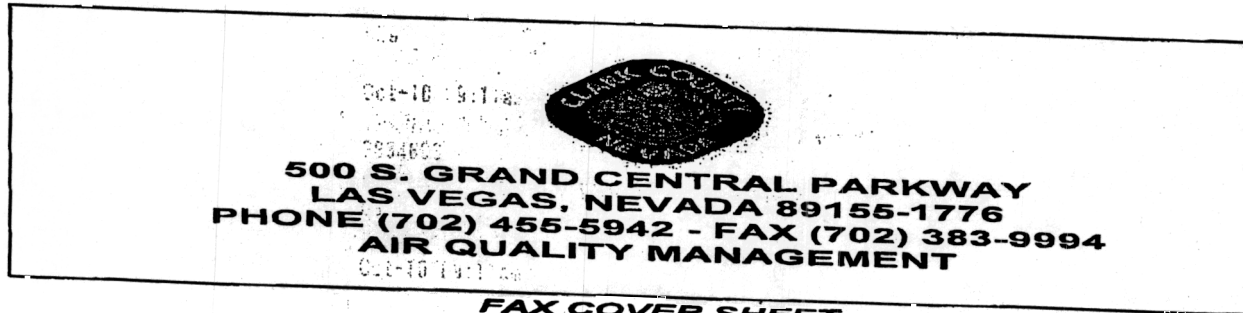
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| SENDER: | SHIRLEY BUSSE, ADMIN SECRETARY DAQM |
| DESCRIPTION: | Public Hearing Notice for SIP |

Confirming e-mail to publish three times on consecutive Sundays:
 OCT 13; OCT 20; OCT 27 -
 We need two copies of affidavit of publication
 Acct# 386-8527

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| Number of pages, including cover: | 3 |
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AIR QUALITY MANAGEMENT

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| CONTACT NAME: | MAGGIE WIMMER |
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10-18-02
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The EPA has also noted that deadlines set forth on pages 4-125 and 4-126 for revising the Air Quality Regulations have been missed. Factors affecting the rule development schedule include:

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- Difficulty in developing an alternative opacity test method for construction activities
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- Resolving rule clarity and enforceability issues related to the current regulations

The revised deadlines of March 31, 2003 are shown in amended Pages 4-125 and 4-126.

At the hearing, testimony will be presented by staff of the DAQM regarding the proposed revisions to the PM₁₀ SIP. The public and others present will be provided the opportunity to present testimony regarding these revisions to the SIP. Questions regarding the SIP revisions or to review the SIP may be directed to Mr. Rodney Langston, DAQM at (702) 455-1661. The information will also be posted on DAQM's web site at http://www.co.clark.nv.us/air_quality/index.htm.

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| | | |
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| North Las Vegas City Hall 2200 Civic Center Drive North Las Vegas, Nevada | Henderson City Hall 240 Water Street, Ste 102 Henderson, Nevada | Mesquite City Hall 10 E. Mesquite Blvd. Mesquite, Nevada |

Dated this 10th day of October, 2002

PUB: Oct. 13, 20, 27, 2002 LV Review Journal & Sun

NOTICE OF PUBLIC HEARING

10-20-02

The Clark County Air Quality Management Board will conduct a public hearing at 2:00 p.m. on November 19, 2002 at the Clark County Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada, to consider testimony regarding the proposed revisions to the June 2001 PM₁₀ State Implementation Plan (SIP) for Clark County, Nevada.

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Dated this 10th day of October, 2002

PUB: Oct. 13,20,27, 2002 LV Review-Journal & Sun

10-27-02

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Dated this 10th day of October, 2002

PUB: Oct. 13, 20, 27, 2002 LV Review-Journal & Sun

APPENDIX R

Section 5:

**Public Workshop
November 1, 2002 on the Draft
Changes to the PM₁₀ SIP**

**Public Comments and DAQM
Responses**

PUBLIC COMMENTS FROM THE NOVEMBER 1, 2002 WORKSHOP

Mr. Robert Hall

- 1 Public notice not provided in accordance with federal law. Stated that federal law required a new public comment period to allow for public comments on the responses to previous comments.
2. Stated that previous state implementation plans had been withdrawn and no clean air deadlines have been met. Stated that this constitutes a SIP Lapse under CAA 188(e).
3. The NLV Airport modifications are not included in the SIP.
- 4 No cumulative information on federal agencies actions have been compiled.

Responses to Comments

Comment 1: Federal law provides that a 30-day comment period is required prior to Board action on a State Implementation Plan (SIP) or SIP amendment. Federal requirements also mandate that agencies respond to public comments. Staff is not aware of any federal or state requirements to provide for additional opportunity to comment. Proposed modifications to the SIP were presented to the Board on October 15, 2002 more than 30-days prior to the Board action on November 19, 2002. A public workshop was held on November 1, 2002 in addition to the public hearing.

Comment 2: CAA 188(e) provides that if attainment by the date established under subsection (c) would be impracticable, that the State has complied with all requirements and commitments pertaining to that area in the implementation plan, and the State demonstrates to the satisfaction of the Administrator that the plan for that area includes the most stringent measures that are included in the implementation plan of any State or are achieved in practice in any State, and can feasibly be implemented in the area, the Administrator may extend the attainment date for a Serious Area beyond the date specified under subsection (c). The currently adopted Clark County PM₁₀ SIP meets these tests. The statute does not contain a provision that withdrawal of a SIP prevents a state from seeking an extension of time under the provisions of CAA 188(e).

Comment 3: As referenced in the June 2001 PM₁₀ SIP, page B-13, an outside contractor estimated emissions from aircraft and related activities (construction at airports) from the three airports under the jurisdiction of the Clark County Department of Aviation (McCarran, North Las Vegas, and Henderson Airports) and provided the inventory to Clark County Comprehensive Planning.¹ This inventory addressed future airport construction activities at all three airports through the year 2020. Construction

¹ *PM₁₀ Emissions Inventory – McCarran International Airport, North Las Vegas Airport, Henderson Executive Airport*, submitted to Clark County Department of Aviation, February 2000.

activities at the North Las Vegas Airport were factored into emissions inventories in the June 2001 PM₁₀ SIP, specifically addressing increased aircraft traffic and construction dust from improvements and modifications.

Comment 4: Although a cumulative "master plan" of federal activities could be a useful planning tool, this is not a requirement for federal agencies under transportation or general conformity provisions of federal law.