

**Air Quality Management Division  
Division Director Staff Report  
Board Meeting Date: March 28, 2024**

**DATE:** March 21, 2024

**TO:** District Board of Health

**FROM:** Francisco Vega, P.E., Division Director  
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**SUBJECT:** **Air Quality Management** - EPA Publishes Final PM NAAQS Reconsideration Rule, Federal Funding Cut for State and Local Air Agencies, January 2024 EPA Small Business Newsletter, January 2024 EPA Small Business Newsletter, Divisional Update, Program Reports, Monitoring and Planning, Permitting and Compliance

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**1. Program Update**

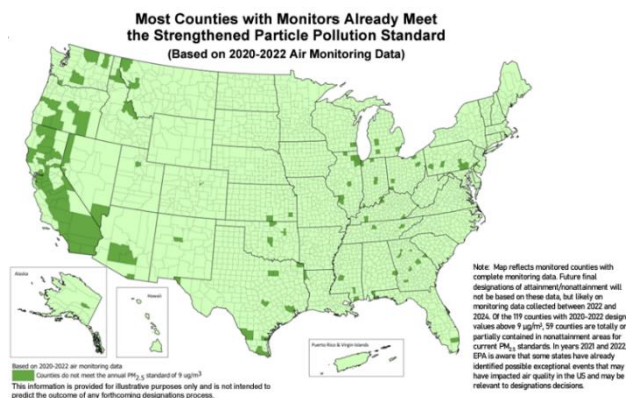
**a. EPA Publishes Final PM NAAQS Reconsideration Rule**

On March 6, 2024, the Environmental Protection Agency (EPA) published its final rule lowering the primary annual National Ambient Air Quality Standards (NAAQS) for fine particulate matter (PM<sub>2.5</sub>) from 12 micrograms per cubic meter (µg/m<sup>3</sup>) to a more protective level of 9 µg/m<sup>3</sup> and adopts changes to several other important aspects of the PM NAAQS, including monitoring requirements and the Air Quality Index.

This final rule, which was announced by EPA on February 7, 2024, will become effective on May 6, 2024, 60 days after it was published in the Federal Register. After the rule becomes effective, EPA will begin the process of implementing the revised PM<sub>2.5</sub> NAAQS. Within two years after the effective date, EPA must designate areas as meeting (attainment areas) or not meeting (nonattainment areas) the new PM<sub>2.5</sub> NAAQS considering the most recent air quality monitoring data and input from states. Within three years after the effective date, states must submit State Implementation Plan revisions to show they have the basic air quality management program components in place to implement the revised PM<sub>2.5</sub> NAAQS. Areas designated as nonattainment will then have planning obligations to demonstrate attainment and must submit nonattainment area State Implementation Plans within 18 months after the effective date of the designations outlining how they will meet the new standard within six years. Under this timeline, the earliest that states would likely need to come into attainment with the revised PM<sub>2.5</sub> NAAQS is 2032.

EPA projects this more protective standard to result in monetized net public health benefits as high as \$46 billion in 2032, which includes the avoidance of 4,500 premature deaths, 800,000 cases of asthma symptoms and 290,000 lost workdays in that year. Based on monitoring data

for 2020 through 2022, EPA projects that 119 counties nationwide will exceed the 9.0  $\mu\text{g}/\text{m}^3$  standard; this number includes 59 counties that are already nonattainment for PM<sub>2.5</sub> and does not take into account data that may be excluded based on exceptional events demonstrations. The agency further projects that 99 percent of the nation's counties will be in attainment by 2032.



Notwithstanding the longer timeline for states to come into compliance with the rule, the revised PM<sub>2.5</sub> NAAQS will immediately begin applying to stationary source permitting under the New Source Review (NSR) construction permitting program. States will use the attainment designations for the prior PM<sub>2.5</sub> NAAQS to determine whether a source must pursue Prevention of Significant Deterioration (PSD) permitting for

attainment areas or Nonattainment New Source Review (NNSR) for nonattainment areas. Applicants will need to demonstrate that their new or modified major source will not cause or contribute to a violation of the new PM<sub>2.5</sub> NAAQS.

In the final rule, EPA also revised the PM<sub>2.5</sub> monitoring network design criteria to include an environmental justice factor that accounts for the proximity of populations at increased risk of PM<sub>2.5</sub>-related health effects to air pollution sources of concern. EPA currently determines how many monitors, at minimum, are required in an area based on two factors: the population of the area, as well as the expected air quality status of the area relative to the NAAQS. Under the final rule, areas with additional required State or Local Air Monitoring Stations (SLAMS), a monitoring station is to be sited in an at-risk community where there are anticipated effects from sources in the area.

For Washoe County, as can be seen from the figure above, based on data from 2020-2022 Washoe County exceeds the new NAAQS standard. The exceedance of the standard can be attributed to negative impacts from wildfires. Based on the assumption that EPA will use data from 2022-24 to determine the design value to compare to the new NAAQS, in order to not violate the PM<sub>2.5</sub> Annual NAAQS, Washoe County needs to have an annual design value in 2024 of 9.9  $\mu\text{g}/\text{m}^3$  or less. In the event that the design value for 2024 exceeds 9.9  $\mu\text{g}/\text{m}^3$ , the AQMD would seek to exclude wildfire data through an exceptional event demonstration.

For further information, please visit the link below.

<https://www.epa.gov/pm-pollution/final-reconsideration-national-ambient-air-quality-standards-particulate-matter-pm>

**b. Federal Funding Cut for State and Local Air Agencies**

Recently, Congress adopted House Resolution 1061, which is a \$460 billion, six-bill appropriations package containing FY2024 funding for EPA and several other federal agencies, thus averting a partial



government shutdown beginning March 8, 2024, and providing funding for affected agencies through the remainder of the fiscal year (ending September 30, 2024). The bill calls for cuts to state and local air grants from FY2023 levels. Specifically, it includes the following provisions (page references to the bill and accompanying report language follow each entry):

- \$9.159 billion for EPA's total budget, compared to \$10.135 billion in FY 2023 (p. 34 of report). It should be noted that a portion of the reduction in funding is due to the agency's Superfund program, which is now primarily funded by tax receipts appropriated outside of the bill;
- \$235.9 million for state and local air grants under Sections 103 and 105, compared to \$249 million in FY 2023 (p. 221 of report);
- \$90 million for DERA grants, compared to \$100 million in FY 2023 (p. 557 of bill and p. 218 of report);
- \$67.8 million in Targeted Airshed Grants, compared to \$69.9 million in FY 2023 (p. 558 of bill and p. 218 of report);
- \$7 million for Wildfire Smoke Preparedness Grants (competitive grant program), which is equal to the FY 2023 amount (p. 560 of bill and pp. 44 and 220 of report); and
- Retention of PM5 monitoring grants under Section 103, thus avoiding matching requirements, similar to previous years (p. 562 of bill).

For the Air Quality Management Division, this represents an approximate \$39,773 reduction on the EPA Section 105 grant and brings the award total to \$716,226. The division will look for efficiencies in business practices and other opportunities to reduce expenditures to account for this reduction in funding.

The report is available in the link below.

<https://docs.house.gov/billsthisweek/20240304/FY24%20INT%20Conference%20JES%20Oscan%203.1.24.pdf>

**c. January 2024 EPA Small Business Newsletter**

Please visit the link below to view the January 2024 EPA small business monthly newsletter which highlights environmental regulation, compliance assistance, resources,



and upcoming events. Contact [asbo@epa.gov](mailto:asbo@epa.gov) to subscribe to the newsletter. For more information about small business resources and Small Business Environmental Assistance Programs (SBEAPs), visit <https://www.epa.gov/resources-small-businesses>.

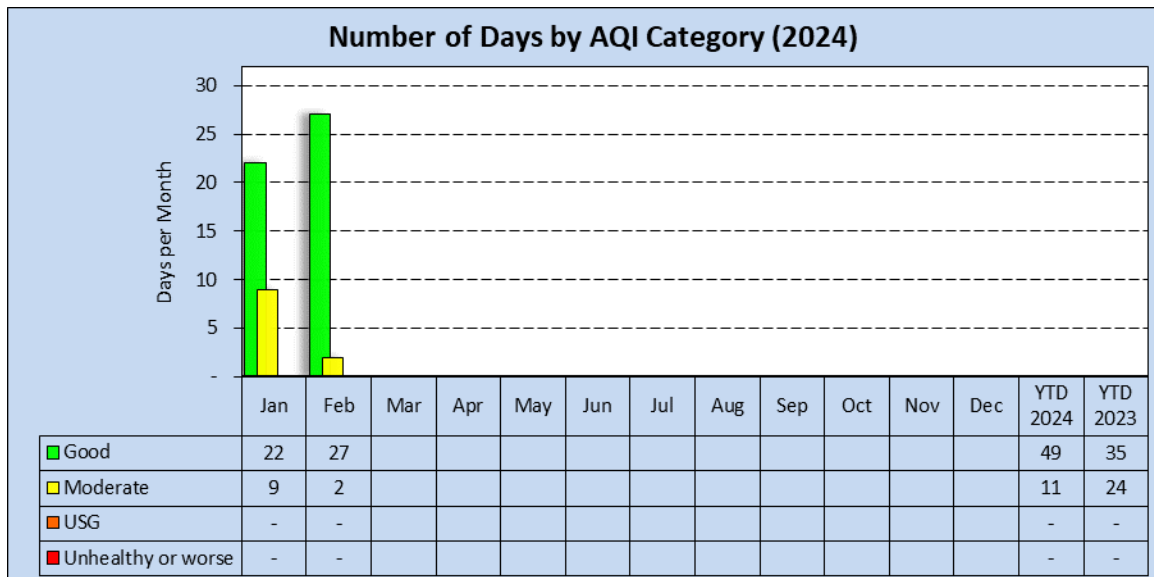
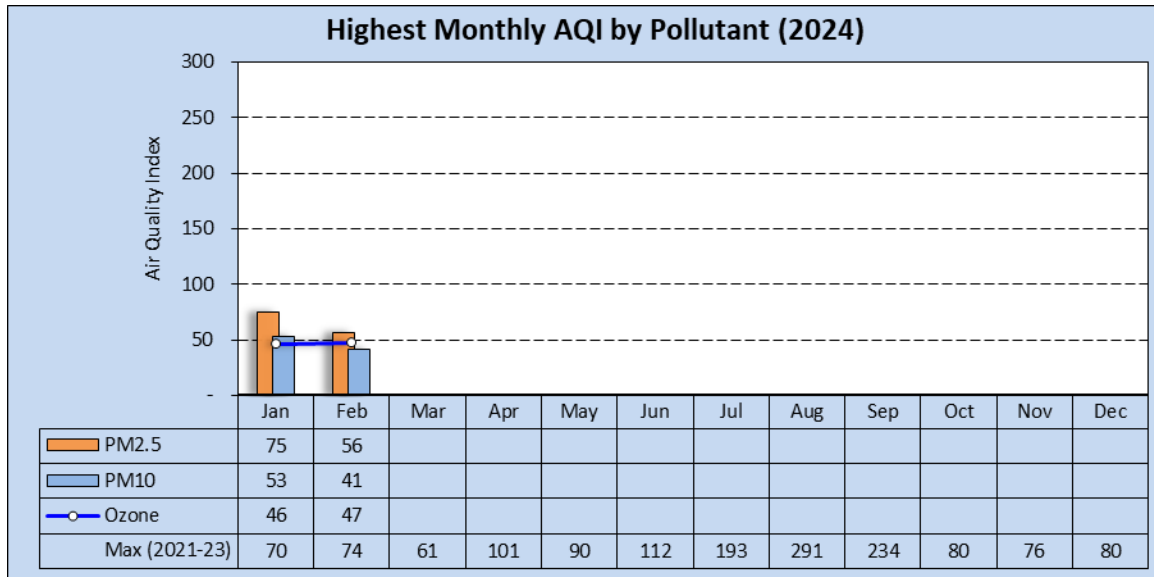
January Newsletter

<https://www.epa.gov/system/files/documents/2024-01/asbo-january-2024-smallbiz.pdf>

Francisco Vega, P.E., MBA  
Division Director

**2. Divisional Update**

- a. Below are two charts detailing the most recent ambient air monitoring data. The top chart indicates the highest AQI by pollutant and includes the highest AQI from the previous three (3) years in the data table, for comparison. The bottom chart indicates the number of days by AQI category and includes the previous year to date for comparison.



Ambient air monitoring data in these charts represent midnight to midnight concentrations to illustrate comparisons to the NAAQS. These data are neither fully verified nor validated and should be considered PRELIMINARY. As such, the data should not be used to formulate or support regulation, guidance, or any other governmental or public decision.



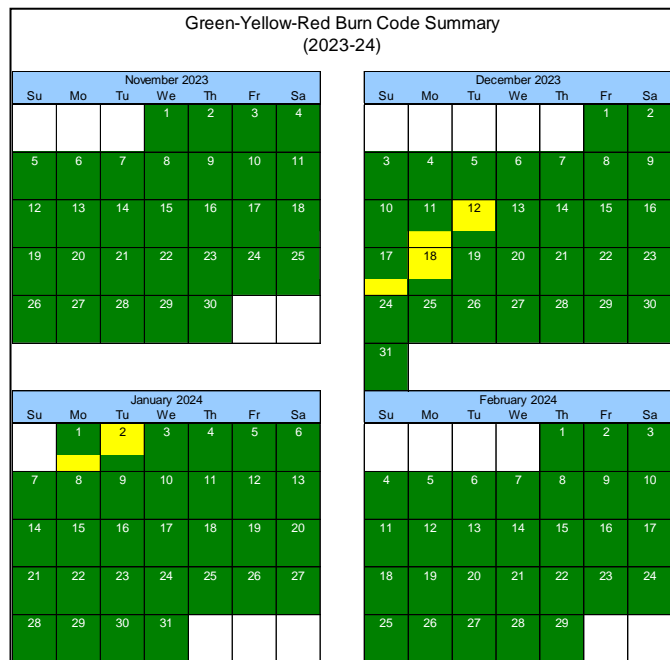
### 3. Program Reports

#### a. **Monitoring and Planning**

February Air Quality: There were no exceedances of the ozone, PM<sub>10</sub>, and PM<sub>2.5</sub> National Ambient Air Quality Standards (NAAQS). The highest ozone, PM<sub>2.5</sub>, and PM<sub>10</sub> concentrations for the month are listed in the table below.

Pollutant	Concentration	Date(s)	Site(s)	Notes
Ozone (8-hour)	0.051 ppm	2/18	Incline/Lemmon Valley	-
PM <sub>2.5</sub> (24-hour)	14.3 µg/m <sup>3</sup>	2/11	Sparks	-
PM <sub>10</sub> (24-hour)	44 µg/m <sup>3</sup>	2/12	Sparks	-

2023-2024 Burn Code Season: The most recent season is summarized in the calendar to the right. In total, 118 Greens, 3 Yellows, and 0 Reds were issued during the 2023-2024 Burn Code season. In comparison to the last 5 seasons, this season had one more Yellow than average (five-year average of two Yellows per year). This season continued the streak of zero Red Burn Codes from December 30, 2017, when the last Red was issued. It also continues our long streak without any wintertime exceedances. The last wintertime exceedance was recorded on December 31, 2013, at Sparks. AQMD regulations, New Source Performance Standards for



wood stoves, and high compliance rates with the Burn Code have led to these clean wintertime conditions. Burn Code and air quality data will be compiled in the Air Quality Trends report which is scheduled to be accepted at the June DBOH meeting.

Craig A. Petersen  
 Supervisor, Monitoring and Planning

**b. Permitting and Compliance**

**February**

Staff reviewed fifty-one (51) sets of plans submitted to the Reno, Sparks, or Washoe County Building Departments to assure the activities complied with Air Quality requirements.

In February 2024, Staff conducted thirty-eight (38) stationary source inspections and two (2) initial compliance inspections. Staff were assigned five (5) new asbestos abatement projects – monitoring the removal of approximately three thousand nine hundred thirty (3,930) square feet of asbestos containing materials. Staff received three (3) facility demolition projects to monitor. Further, there were nineteen (19) new construction/dust projects comprised of an additional four hundred fifty (450) acres. Staff documented fifty-three (53) construction site inspections. During the month, enforcement staff also responded to seven (7) complaints.

Type of Permit	2024		2023	
	February	YTD	February	Annual Total
<b>Renewal of Existing Air Permits</b>	101	178	99	1,079
<b>New Authorities to Construct</b>	7 (New and Major Modifications)	9	2 (New and Major Modifications)	42
<b>Dust Control Permits</b>	19 (450 acres)	34 (598 acres)	10 (76 acres)	193 (2,386 acres)
<b>Wood Stove (WS) Certificates</b>	21	36	24	242
<b>WS Dealers Affidavit of Sale</b>	8 (3 replacements)	23 (10 replacements)	19 (10 replacements)	124 (56 replacements)
<b>WS Notice of Exemptions</b>	399 (6 stoves removed)	844 (10 stoves removed)	340 (4 stoves removed)	6,495 (57 stoves removed)
<b>Asbestos Assessments</b>	57	105	52	731
<b>Asbestos Demo and Removal (NESHAP)</b>	8	20	18	196



Complaints	2024		2023	
	February	YTD	February	Annual Total
Asbestos	2	4	0	12
Diesel Idling	0	0	0	2
Dust	2	7	7	96
Nuisance Odor	0	0	1	7
Permit to Operate	0	0	0	0
Burn Code	1	1	0	4
General	2	4	5	40
<b>TOTAL</b>	<b>7</b>	<b>16</b>	<b>13</b>	<b>161</b>
Enforcement	February	YTD	February	Annual Total
Warnings	4	6	1	26
Notice of Violation	3	9	1	20
<b>TOTAL</b>	<b>7</b>	<b>15</b>	<b>2</b>	<b>46</b>

Joshua C. Restori  
 Supervisor, Permitting & Compliance