

**Air Quality Management Division
Division Director Staff Report
Board Meeting Date: January 22, 2026**

DATE: January 6, 2026

TO: District Board of Health

FROM: Francisco Vega, P.E., Division Director
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SUBJECT: **Air Quality Management** – States/Groups Urge DC circuit to Deny EPA’s Motion to Vacate 2024 PM2.5 NAAQS, September 2025 EPA Small Business Newsletter, Divisional Update, Program Reports, Monitoring and Planning, Permitting and Compliance.

1. Program Update

a. States/Groups Urge DC circuit to Deny EPA’s Motion to Vacate 2024 PM2.5 NAAQS

A coalition of eighteen (18) state and local governments, alongside public health and environmental organizations, is formally opposing the Environmental Protection Agency’s (EPA’s) recent attempt to strike down its own 2024 air quality standards for fine particulate matter (PM2.5). The coalition argues that the EPA’s motion to vacate these protections is procedurally improper and threatens public health stability.



The 2024 PM2.5 National Ambient Air Quality Standards (NAAQS) regulate "fine particulate matter", microscopic soot and dust primarily from power plants, industrial processes, and vehicle exhaust. Because these particles are 2.5 micrometers or smaller, they can bypass the body’s natural defenses, entering the lungs and bloodstream. Standards that are scientifically proven to be

protective of public health mean reduced rates of asthma, heart disease, and premature mortality, particularly in "fenceline" communities near industrial hubs.

The EPA filed a motion on November 24, 2025, claiming that the process used to establish these stricter standards was illegal. The coalition of state and local governments has intervened, arguing that the EPA’s request should be rejected based on three key points:

- Procedural Delay: The EPA’s motion is "untimely." It was submitted nearly a year after all legal arguments were finalized and the case was fully briefed. Moving to cancel a rule at this late stage is highly unusual in federal court.

- Lack of Precedent: The states highlight that there is no historical precedent for a court granting an agency's request to vacate a rule this far into litigation, especially when that request is opposed by other government entities.
- Scientific Integrity: The coalition maintains that the 2024 standards are grounded in rigorous peer-reviewed science and comply with the Clean Air Act's mandate to protect public health with an "adequate margin of safety."

Currently, the case is in abeyance. The states are asking the U.S. Court of Appeals to lift this pause and issue a merits ruling, a definitive decision on whether the 2024 standards are legally valid. A ruling in favor of the states would provide the regulatory certainty needed for long-term infrastructure and environmental planning, whereas a vacancy would revert standards to older, less stringent levels.

For further information on Particulate Matter and PM NAAQS, please visit the link below.
<https://www.epa.gov/pm-pollution/national-ambient-air-quality-standards-naaqs-pm>

b. September 2025 EPA Small Business Newsletter

Please visit the link below to view the September 2025 EPA small business monthly newsletter which highlights environmental regulation, compliance assistance, resources,


EPA's Asbestos and Small Business Ombudsman Program
A MONTHLY NEWSLETTER FOR THE REGULATED SMALL BUSINESS COMMUNITY

and upcoming events. Contact 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>.

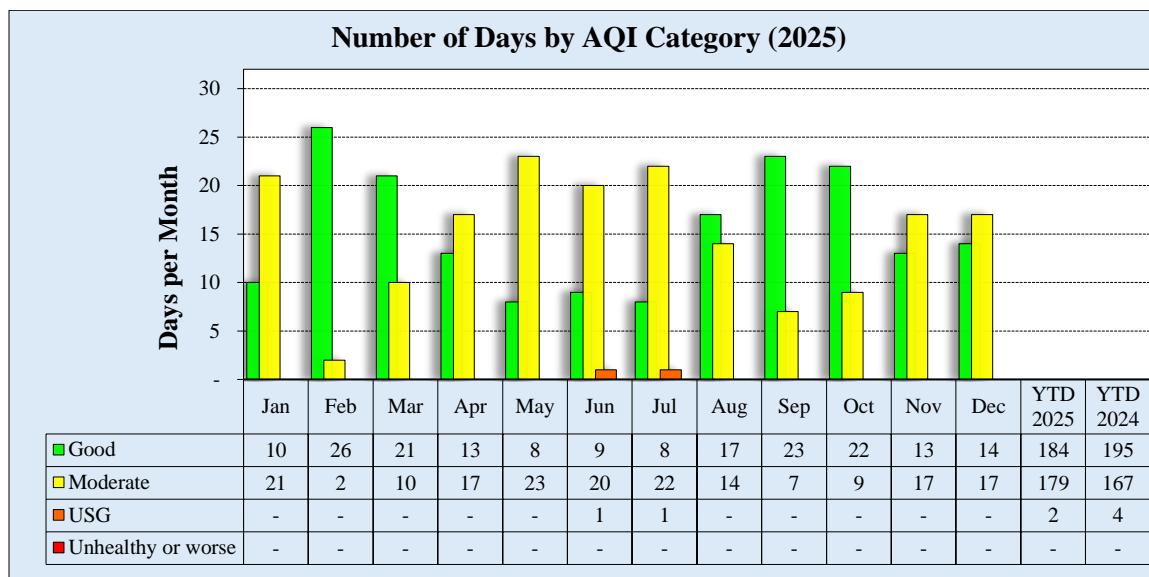
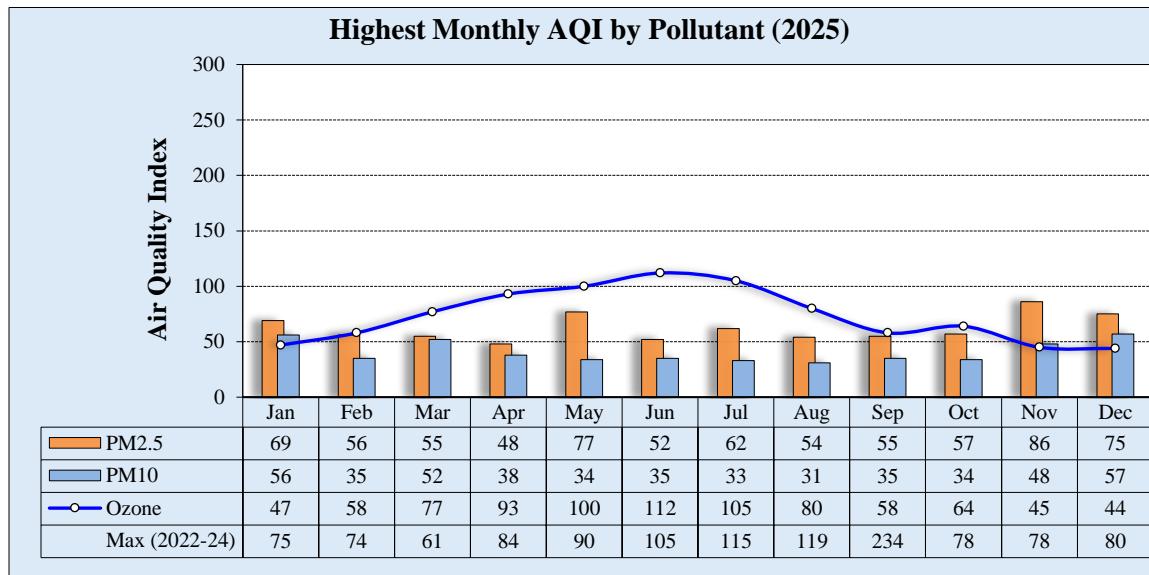
September 2025 Newsletter

<https://www.epa.gov/system/files/documents/2025-09/smallbizepa-september-2025.pdf>

Francisco Vega, P.E., MBA
Division Director

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.

2. Program Reports

a. Monitoring and Planning

December Air Quality: There were no exceedances of the ozone, PM₁₀, or PM_{2.5} National Ambient Air Quality Standards (NAAQS). The highest ozone, PM_{2.5}, and PM₁₀ concentrations for the month are listed in the table below.

Pollutant	Concentration	Date(s)	Site(s)	Notes
Ozone (8-hour)	0.048 ppm	12/26	Toll	-
PM _{2.5} (24-hour)	21.9 µg/m ³	12/15	Sparks	-
PM ₁₀ (24-hour)	68 µg/m ³	12/15	Sparks	-

Recap of 2025 Air Quality: Washoe County experienced two exceedances of the Ozone NAAQS, leading to a preliminary Ozone design value of 68 parts per billion (ppb). This nears violation of the Ozone NAAQS (70 ppb). Washoe County also experienced several days of wildfire impact from several different fires. Below is the highest ozone, PM_{2.5}, and PM₁₀ concentrations, AQI, and some air quality facts from 2025.

2025 AQI Pollutants Max Values				
Pollutant	AQI Value	Concentration	Site	Date
Ozone (8-hour avg.)	112 – USG	74 ppb	Lemmon Valley, Toll	June 19, 2025
PM _{2.5} (24-hour avg.)	86 – Moderate	27.8 µg/m ³	Sparks	November 27, 2025
PM ₁₀ (24-hour avg.)	57 – Moderate	68 µg/m ³	Sparks	December 15, 2025

- On May 7, 2025, smoke from a prescribed fire in Dog Valley, CA impacted air quality in Reno/Sparks. Hourly AQI in the morning reached Unhealthy AQI with 24-hour AQI for the day leading to Moderate – 77 AQI.
- On June 19, 2025, the Reno-Sparks area experienced an overnight (8-hr. avg. between 7 PM and 2 AM) ozone exceedance, potentially as a result of ozone from the upper atmosphere mixing to the ground level called a stratospheric ozone intrusion. June 19th saw an Unhealthy for Sensitive Groups (USG) AQI of 112.
- July 10-14, 2025 saw air quality impacts from the Green Fire near Redding, CA. The fire contributed to several Moderate AQI days for PM_{2.5} and a USG AQI day for Ozone.

Craig A. Petersen
Supervisor, Monitoring and Planning

b. Permitting and Compliance

December

In December 2025, staff reviewed sixty-five (65) sets of plans submitted to the Reno, Sparks, or Washoe County Building Departments to ensure the activities complied with Air Quality requirements. Of the sixty-five (65) sets of plans assigned in December, sixty-five (65) were completed within the jurisdictional timeframes. Of the six hundred sixty-nine (669) plans reviewed in calendar year 2025, six hundred sixty-three (663) were completed within jurisdictional timeframes.

AQMD 2025 Plan Review				
Month	Plans Received	Avg. Days to Complete	Percent Timely Completions	Untimely Reviews
January	50	1.78	100	0
February	41	1.9	100	0
March	61	1.36	100	0
April	69	1.43	100	0
May	44	3.93	93	3
June	44	3.27	100	0
July	66	2.44	100	0
August	52	3.55	98	1
September	65	3.2	100	0
October	59	4.22	97	2
November	53	2.01	100	0
December	65	3.75	100	0
Total	669	2.82	99	6

In December 2025, staff conducted twenty-eight (28) routine inspections of stationary sources and one (1) permit to construct inspection. Staff were assigned nine (9) new asbestos abatement projects – monitoring the removal of approximately sixty thousand four hundred two (60,402) square feet and seven hundred fifty-four (754) linear feet of asbestos containing materials. Staff received two (2) facility demolition projects to monitor. Further, there were thirteen (13) new construction/dust projects comprising an additional three hundred sixty-three (363) acres of soil disturbance. Staff documented fifty (50) construction site inspections. During the month, compliance staff also responded to twenty-one (21) complaints.

Permits and Registrations Processed	2025		2024	
	December	YTD	December	Annual Total
Reissuance of Existing Air Permits	53	697	62	1,069
New Stationary Source Permits	7 (New and Major Modifications)	47	3 (New and Major Modifications)	42
Dust Control Permits	13 (363 acres)	196 (2,969 acres)	18 (199 acres)	186 (2,411 acres)
Wood Stove (WS) Certificates	17	271	16	247
WS Dealers Affidavit of Sale	10 (6 replacements)	83 (47 replacements)	11 (4 replacement)	106 (46 replacements)
WS Notice of Exemptions	698 (8 stoves removed)	7,618 (47 stoves removed)	594 (4 stoves removed)	7,166 (64 stoves removed)
Asbestos Assessments	52	658	27	634
Asbestos Demo and Removal (NESHAP)	11	141	11	154

Complaints	2025		2024	
	December	YTD	December	Annual Total
Asbestos	2	13	1	11
Diesel Idling	0	0	0	2
Dust	6	89	3	121
Nuisance Odor	2	23	2	18
Permit to Operate	0	4	0	0
Burn Code	0	3	2	12
General	11	67	6	47
TOTAL	21	199	14	211
Enforcement	December	YTD	December	Annual Total
Warnings	2	39	1	41
Notice of Violations	0	20	0	24
TOTAL	2	59	1	65

Joshua C. Restori
 Supervisor, Permitting & Compliance