

**Air Quality Management Division
Division Director Staff Report
Board Meeting Date: April 23, 2026**

DATE: April 3, 2026
TO: District Board of Health
FROM: Francisco Vega, P.E., Division Director
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SUBJECT: **Air Quality Management** – Nevada, Other States Face Off in Endangerment Finding Suits, Divisional Update, Program Reports, Monitoring and Planning, Permitting and Compliance.

1. Program Update

a. Nevada, Other States Face Off in Endangerment Finding Suits

Nevada has joined a coalition of nearly forty (40) states, cities and counties in filing a lawsuit challenging the Environmental Protection Agency's (EPA) repeal of the 2009 Greenhouse Gas (GHG) Endangerment Finding and associated emission standards for motor vehicles. Nevada Attorney General Aaron Ford signed the state onto the legal challenge on March 19, 2026, arguing that the EPA's decision to revoke the scientific basis for regulating greenhouse gases is illegal and endangers public health.



The litigation centers on a fundamental disagreement regarding statutory interpretation and the role of executive agencies. Proponents of the lawsuit argue that the EPA has a legal obligation to maintain the finding based on judicial precedent, while the EPA maintains that the current administration's interpretation of the Clean Air Act does not grant the agency broad authority to regulate these gases for climate-related purposes. This case will likely clarify the extent of federal versus state jurisdiction in environmental oversight, a decision that will have long-term implications for regulatory consistency across the United States.

For Washoe County, the outcome of this legal challenge may significantly influence the regional regulatory landscape. A finalized repeal of the finding would shift the primary responsibility for air quality and climate mitigation from the federal government to state and local authorities. While this could offer greater autonomy to tailor environmental policies to its specific high-desert climate and economic needs, it may also result in a lack of uniform federal standards, potentially complicating interstate cooperation on issues such as wildfire smoke management and regional heat mitigation.

This action is in response to the March 6, 2026, action in which twenty-five (25) states filed a motion to intervene in the D.C. Circuit Court of Appeals as respondents. The legal challenge will proceed through the U.S. Court of Appeals for the D.C. Circuit, where both the state coalitions and the federal government will present arguments regarding the scientific and statutory basis for the EPA's decision. Legal briefs in the case are scheduled for review throughout the summer of 2026, with oral arguments anticipated in late autumn. A judicial decision is expected in early 2027, with a final Supreme Court appeal likely by mid-2027.

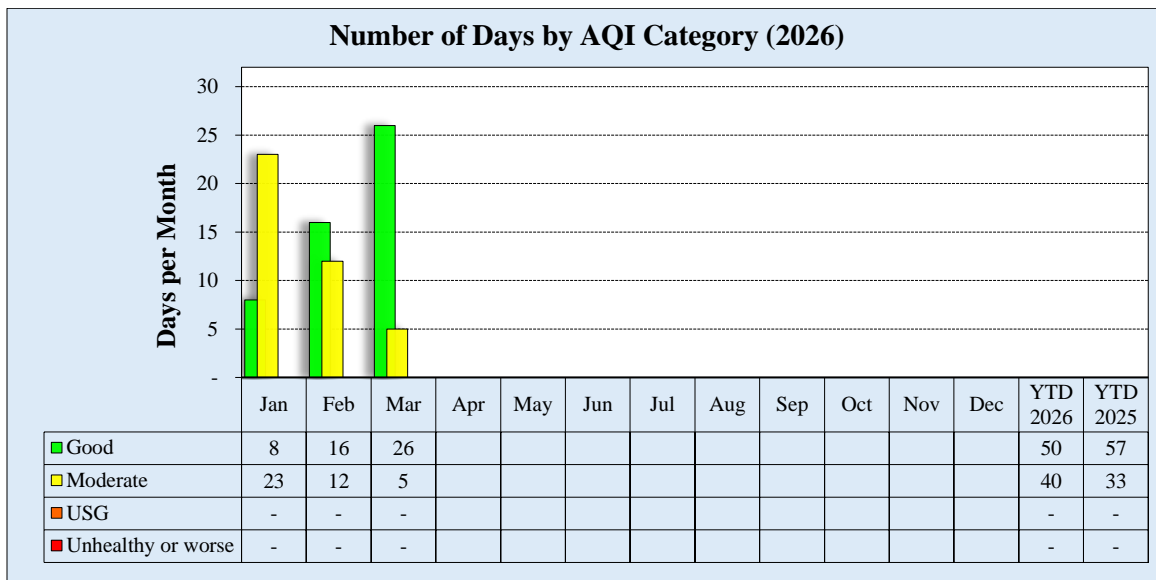
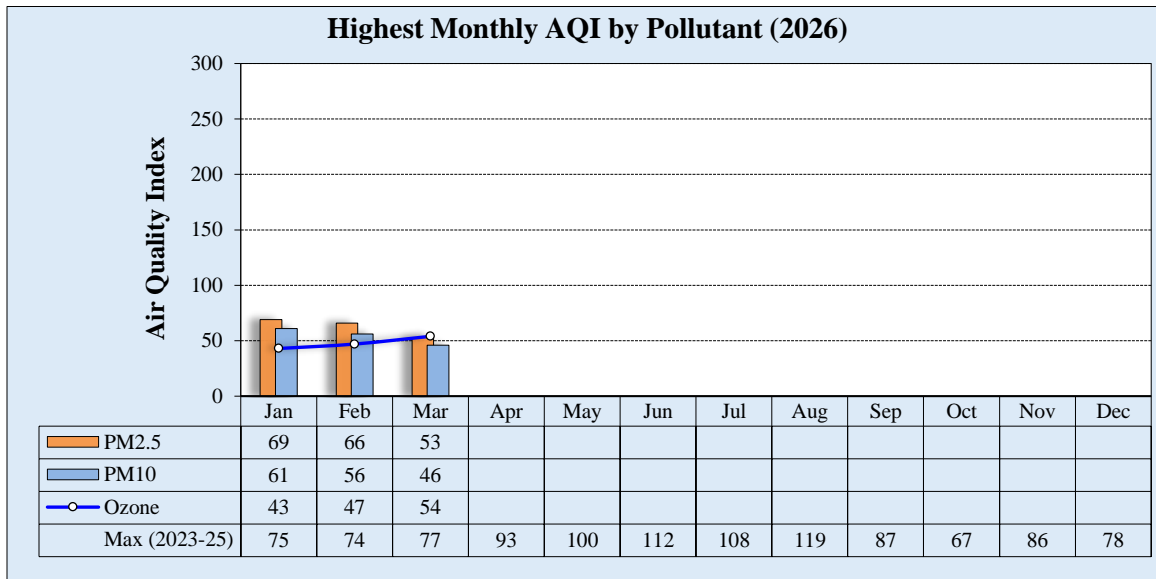
For additional information, please visit the webpages below.

<https://www.apha.org/news-and-media/news-releases/apha-news-releases/epa-sued-over-illegal-repeal-of-climate-protections>, and
<https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-rescission-greenhouse-gas-endangerment>

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**

March 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)	0.056 ppm	3/18	Spanish Springs	-
PM _{2.5} (24-hour)	10.2 µg/m ³	3/18	Sparks	-
PM ₁₀ (24-hour)	50 µg/m ³	3/17	Sparks	-

Air Quality Awareness Week: Air Quality Awareness Week is May 4 through May 8, 2026. It will highlight resources that increase air quality awareness and encourage people to take action and incorporate air quality knowledge into their daily living. It will also provide an opportunity for people to learn about what causes poor air quality and how they can prepare for, and respond to, events and environments with poor air quality, not just during the month of May, but year-round. To celebrate, AQMD will be providing information on social media each day to empower the citizens of Washoe County on the topic of air quality. Daily topics will showcase AQMD's award-winning Keep It Clean programs. In addition, AQMD is planning a grand opening event for our new ambient air monitoring station at Verdi Elementary School on May 6, 2026.

Funding Opportunity: AQMD was successful in receiving an additional \$24,500 in one-time funding through the Clean Air Act Section 103 grant. \$18,500 of the funds will be used to replace the URG-3000N carbon speciation sampler located at AQMD's downtown "Reno4" air monitoring station. This sampler is part of EPA's Speciation Trends Network (STN) and is one of approximately 50 STN sites in the nation, and the only STN site in Nevada. The sampler measures organic carbon and elemental carbon in PM_{2.5}. These help us understand where PM_{2.5} pollution is coming from, such as vehicles, industry, wood smoke, or natural atmospheric processes. The remaining \$6,000 will be used for staff travel and training to EPA's National Ambient Air Monitoring Conference.



Craig A. Petersen
Supervisor, Monitoring and Planning

b. Permitting and Compliance

March Permitting Activity

In March 2026, staff reviewed fifty-five (55) sets of plans submitted to the Reno, Sparks, and Washoe County Building Departments to ensure compliance with Air Quality requirements. Year-to-date, staff have reviewed one hundred forty-seven (147) plans in calendar year 2026, with ninety-nine (99) percent completed within the required timeframes.

AQMD 2026 Plan Review				
Month	Plans Received	Avg. Days to Complete	Percent Timely Completions	Untimely Reviews
January	44	3.2	100%	0
February	48	3.125	98%	1
March	55	3.4	98%	1
April	-	-	-	-
May	-	-	-	-
June	-	-	-	-
July	-	-	-	-
August	-	-	-	-
September	-	-	-	-
October	-	-	-	-
November	-	-	-	-
January	-	-	-	-
Total	147	3.2	99%	2

In March 2026, staff issued five (5) Permit to Operate (PTO) renewals for existing stationary source facilities in Washoe County. Two PTOs were scheduled to expire on March 1. Despite multiple attempts to assist the facilities with submitting timely applications, both facilities ultimately submitted their renewal applications after the deadline.

During the month, twelve (12) Dust Control Permits were issued, authorizing an additional ninety-four (94) acres of soil disturbance.

Staff processed a total of six hundred thirty-six (636) registrations associated with the Wood-burning Device Program, including Certificates of Compliance, Dealers Affidavits of Sale, and Notices of Exemption. Processing these registrations resulted in the removal of eleven (11) uncertified wood-burning devices from properties.

To meet the requirements of the Asbestos Program, staff reviewed applications and surveys for the issuance of fifty-one (51) Acknowledgements of Asbestos Assessment for construction projects across Washoe County. Staff also reviewed and issued five (5) Asbestos Demolition and Renovation notifications.

Permits and Registrations Processed	2026		2025	
	March	YTD	March	Annual Total
PTO Renewal Issued	5	10	No Data	No Data
PTC Issued	0	7	5	48
Dust Control Permit	12 (94 acres)	36 (409 acres)	14 (115 acres)	196 (2,969 acres)
Wood-burning COC	30 (6 removals)	71 (15 removals)	25	271
Wood-burning DAS	3 (1 replacements)	10 (4 replacements)	5 (3 replacements)	83 (47 replacements)
Wood-burning NOE	603 (4 removals)	1,567 (4 removals)	499 (6 removals)	7,618
Asbestos Assessments	51	152	63	658
Asbestos Notifications	5	26	13	141

March Compliance Activity

In March 2026, staff conducted thirty-seven (37) assigned PTO inspections and three (3) PTC approval inspections at stationary source facilities. Staff were assigned three (3) new asbestos abatement projects, involving the removal of approximately one thousand five hundred sixty-nine (1,569) square feet of asbestos-containing materials. In addition, staff received two (2) facility demolition projects to monitor. During the month, staff documented forty-nine (49) Dust Control Permit inspections.

Compliance Inspections	2026		2025	
	March	YTD	March	Annual Total
Permit to Operate	37	100	38	445
Permit to Construct	3	8	4	30
Dust Control Permit	49	128	46	542
Wood-burning Device	4	4	6	47
Asbestos Notification	21	47	17	285



During the month, staff responded to thirty-one (31) complaints filed with the AQMD.

Complaints	2026		2025	
	March	YTD	March	Annual Total
Asbestos	3	3	0	13
Diesel Idling	0	1	0	0
Dust	10	18	14	89
Nuisance Odor	5	13	0	23
Permit to Operate	0	2	1	4
Burn Code	0	5	0	3
General	13	29	3	67
TOTAL	31	71	18	199
Enforcement	March	YTD	March	Annual Total
Warnings	3	7	4	39
Notice of Violations	0	2	7	20
TOTAL	3	9	13	59

Joshua C. Restori
 Supervisor, Permitting & Compliance