

**Air Quality Management Division
Division Director Staff Report
Board Meeting Date: December 18, 2025**

DATE: November 24, 2025

TO: District Board of Health

FROM: Francisco Vega, P.E., Division Director
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SUBJECT: **Air Quality Management** – EPA Asks D.C. Circuit to Vacate 2024 PM_{2.5} NAAQS, September 2025 EPA Small Business Newsletter, Divisional Update, Program Reports, Monitoring and Planning, Permitting and Compliance.

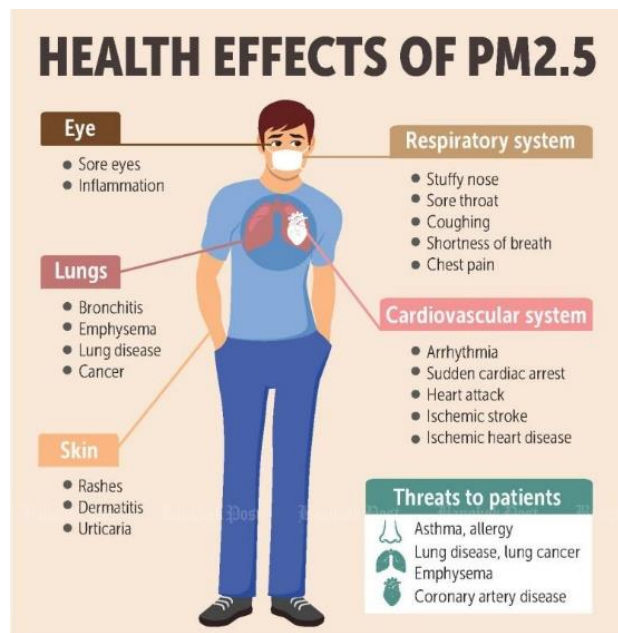
1. Program Update

a. EPA Asks D.C. Circuit to Vacate 2024 PM_{2.5} NAAQS

The U.S. Environmental Protection Agency (EPA) filed a motion asking the U.S. Court of Appeals for the D.C. Circuit to vacate the agency's February 7, 2024 Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS) Reconsideration Rule on grounds that the reconsideration process violated the Clean Air Act (CAA) and exceeded EPA's statutory authority; or in the alternative, because EPA "failed to consider an important aspect of the problem" (a legal iteration of the "arbitrary and capricious" standard) by refusing to consider the costs associated with revising the NAAQS mid-cycle.

Important background and key details are summarized below.

- **The 2024 Rule:** In February 2024, the EPA finalized a rule that strengthened the primary annual PM_{2.5} standard from 12.0 micrograms per cubic meter (µg/m³) to a stricter 9.0 µg/m³. This standard was based on extensive scientific evidence linking fine particulate matter (soot) exposure to serious health problems, including premature death, asthma, and heart attacks. The agency projected the tighter standard could prevent thousands of premature deaths and save billions in health benefits annually.



- **EPA's Current Position:** The EPA is now arguing it "no longer seeks to defend the 2024 Rule" and has found issues in its initial implementation. The agency claims that they failed to conduct a "thorough review" of the underlying scientific criteria and related standards as required by the CAA. It also argues it unreasonably exercised its discretion by refusing to consider the costs of adopting the revised standards, despite Supreme Court precedent stating costs are not a factor in setting health-based standards (NAAQS).
- **Legal Case:** The EPA's request is part of an ongoing legal challenge, consolidated under *Commonwealth of Kentucky, et al., v. U.S. Environmental Protection Agency, et al.*, where several states and industry groups initially sued to overturn the standard. Oral arguments in that case were held in December 2024, and the current EPA has now aligned its position with the original petitioners.
- **Potential Outcome:** If the D.C. Circuit Court grants the EPA's motion to vacate, the PM_{2.5} standard would revert to the previous 2020 level of 12 µg/m³. The EPA is pushing for a ruling before the February 7, 2026, deadline for states to designate areas as being in attainment with the stricter 2024 standard.
- **Public Health Response:** Reverting to the 2020 PM_{2.5} standard from the stricter 2024 standard would allow higher levels of fine particulate pollution, leading to an increase in serious health problems, including thousands of additional premature deaths and numerous respiratory and cardiovascular illnesses. Public health and environmental advocacy groups, such as Earthjustice and the Clean Air Task Force, have strongly opposed the move, calling it a "blatant attempt to avoid legal requirements for a rollback" and a threat to public health. They plan to continue defending the stricter standard in court.

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, 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>.

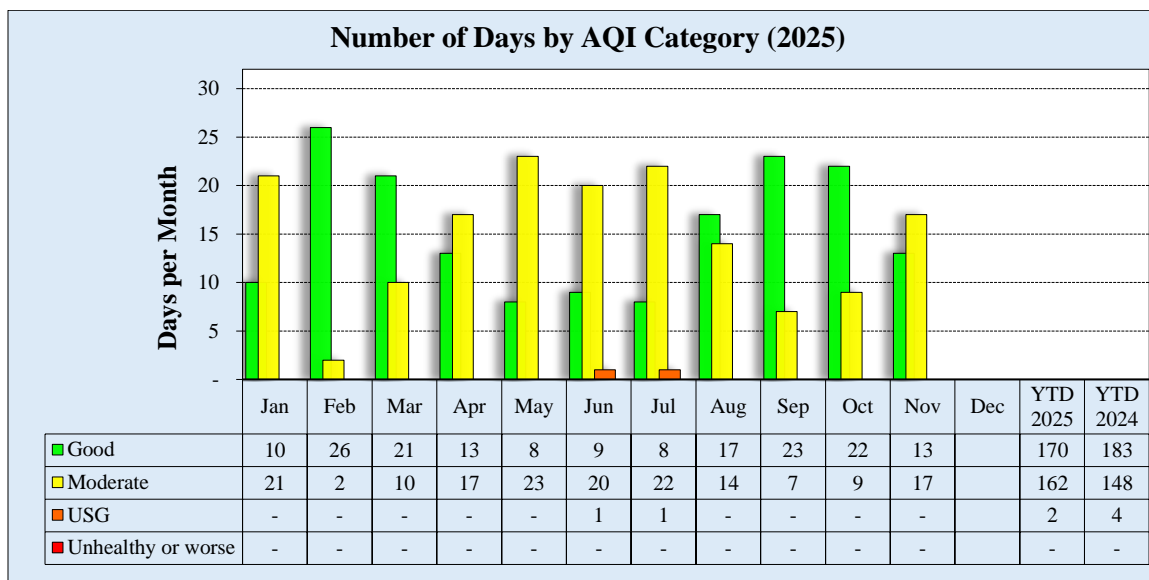
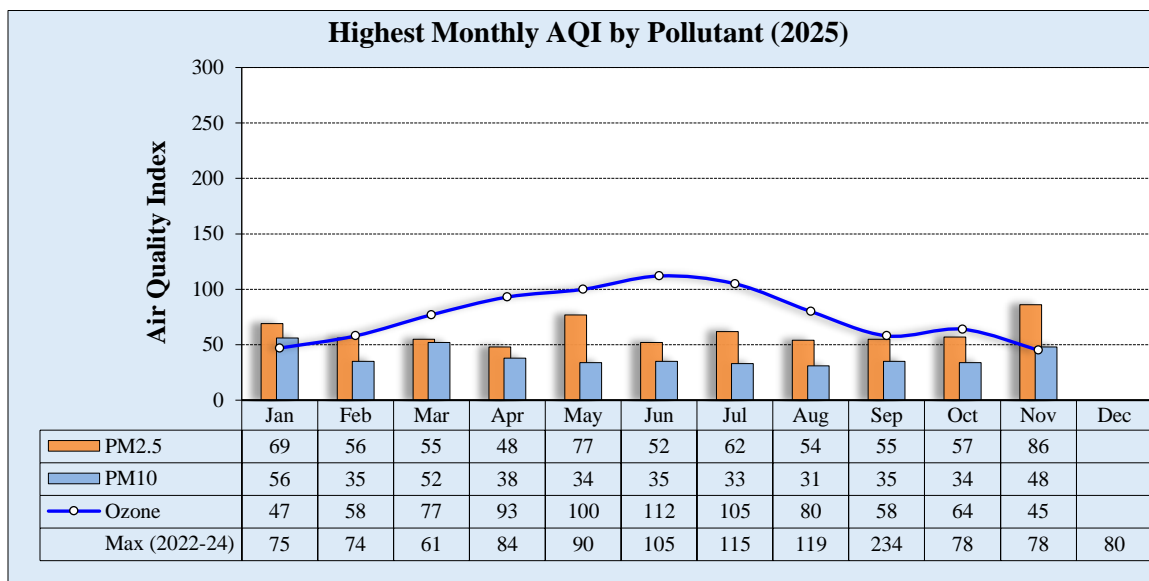


September 2025 Newsletter
<https://www.epa.gov/system/files/documents/2025-09/smallbizepa-september-2025.pdf>

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

November 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)	0.049 ppm	11/2	Lemmon Valley	-
PM _{2.5} (24-hour)	27.8 µg/m ³	11/27	Sparks	-
PM ₁₀ (24-hour)	52 µg/m ³	11/26	Sparks	-

RTC Washoe Receives \$21.5 Million Federal Grant to Modernize Bus Fleet

The Regional Transportation Commission (RTC) of Washoe County has been awarded a \$21.5 million Federal Transit Administration Low or No-Emission Vehicle Program grant to replace aging buses with new diesel-electric hybrid models. This investment will improve service reliability, reduce emissions, and lower long-term maintenance costs.

Support from Nevada's federal delegation helped secure the award, reinforcing the importance of upgrading transit infrastructure and advancing cleaner transportation options in the region. The competitive Low-No Program assists transit agencies nationwide in deploying low- and zero-emission vehicles.



Open Burning Season Announced: Truckee Meadows Fire & Rescue (TMFR) will allow open pile burning from November 3, 2025, through April 30, 2026, with weather conditions permitting and a valid 2025–2026 burn permit. This extended season replaces the previous single-month burn windows. Prior to 2019, outdoor open burning was prohibited from Nov-Feb. Residents must obtain an online permit, verify daily burn status on the TMFRPD website or hotline, and follow acreage and location requirements.

TMFR issues Outdoor Open Burning Codes each day. They only allow burning when weather conditions are safe and do not cause buildup of PM_{2.5} in the valleys. Similar to AQM's woodstove program, open burning decisions are made to ensure the air we breathe is healthy. More open burning information can be found at <https://tmfrpd.us/>.

Craig A. Petersen
Supervisor, Monitoring and Planning

b. Permitting and Compliance

November

In November 2025, staff reviewed fifty-three (53) sets of plans submitted to the Reno, Sparks, or Washoe County Building Departments to ensure the activities complied with Air Quality requirements. Of the fifty-three (53) sets of plans assigned in November, fifty-three (53) were completed within the jurisdictional timeframes. Of the six hundred four (604) plans reviewed in calendar year 2025, five hundred ninety-eight (598) 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	-	-	-	-
Total	604	2.7	99%	6

In November 2025, staff conducted forty (40) routine inspections of stationary sources and two (2) permit to construct inspections. Staff were assigned six (6) new asbestos abatement projects – monitoring the removal of approximately eight thousand eight hundred fifty-seven (8,857) square feet of asbestos containing materials. Staff received four (4) facility demolition projects to monitor. Further, there were ten (10) new construction/dust projects comprising an additional ninety-seven (97) acres of soil disturbance. Staff documented forty-four (44) construction site inspections. During the month, compliance staff also responded to fourteen (14) complaints.

Permits and Registrations Processed	2025		2024	
	November	YTD	November	Annual Total
Reissuance of Existing Air Permits	47	644	73	1,069
New Stationary Source Permits	2 (New and Major Modifications)	40	0 (New and Major Modifications)	42
Dust Control Permits	10 (97 acres)	183 (2,606 acres)	14 (412 acres)	186 (2,411 acres)
Wood Stove (WS) Certificates	24	254	10	247
WS Dealers Affidavit of Sale	12 (7 replacements)	73 (41 replacements)	16 (7 replacement)	106 (46 replacements)
WS Notice of Exemptions	547 (1 stoves removed)	6,920 (39 stoves removed)	646 (7 stoves removed)	7,166 (64 stoves removed)
Asbestos Assessments	46	606	40	634
Asbestos Demo and Removal (NESHAP)	10	130	9	154

Complaints	2025		2024	
	November	YTD	November	Annual Total
Asbestos	0	11	1	11
Diesel Idling	0	0	0	2
Dust	8	83	7	121
Nuisance Odor	1	21	0	18
Permit to Operate	0	4	0	0
Burn Code	1	3	2	12
General	4	56	4	47
TOTAL	14	178	14	211
Enforcement	November	YTD	November	Annual Total
Warnings	4	37	0	41
Notice of Violations	1	20	2	24
TOTAL	5	57	2	65

Joshua C. Restori
Supervisor, Permitting & Compliance