

**Air Quality Management Division
Division Director Staff Report
Board Meeting Date: March 26, 2026**

DATE: March 6, 2026

TO: District Board of Health

FROM: Francisco Vega, P.E., Division Director
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SUBJECT: **Air Quality Management** – EPA Repeals Endangerment Finding and Vehicle GHG Requirements, New Study Finds That No Amount of Wildfire Smoke is Safe, September 2025 EPA Small Business Newsletter, Divisional Update, Program Reports, Monitoring and Planning, Permitting and Compliance.

1. Program Update

a. EPA Repeals Endangerment Finding and Vehicle GHG Requirements

On February 12, 2026, the Environmental Protection Agency (EPA) finalized a rule to rescind the 2009 Greenhouse Gas (GHG) Endangerment Finding and repeal associated emission standards for motor vehicles. The decision, published in the Federal Register on February 18, 2026, is scheduled to take effect on April 20, 2026.

The following data and legal determinations characterize the final rule:

Regulatory Scope and Impact

- **Repeal of Standards.** The rule rescinds the 2009 "Endangerment Finding" and "Cause or Contribute Finding." It repeals federal GHG emission standards for light-, medium-, and heavy-duty on-highway vehicles and engines for model years 2012 and beyond.
- **Compliance Requirements.** The action terminates all requirements for manufacturers to measure, control, and report GHG emissions. It eliminates "off-cycle" credits and incentives for specific vehicle technologies, such as start-stop systems.
- **Economic Estimates.** The EPA's Regulatory Impact Analysis (RIA) projects a net savings of approximately \$1.3 trillion in compliance and vehicle costs. According to GAO reports, estimated net savings range from \$89 billion to \$680 billion at a 7% discount rate, and up to \$920 billion at a 3% discount rate.
- **Unaffected Regulations.** The decision does not modify standards for "criteria pollutants" (e.g., NOx, particulate matter), air toxics, fuel economy testing (CAFE), or fuel economy labeling requirements.



Legal and Statutory Basis

- Interpretation of Section 202(a). The EPA concluded that Section 202(a) of the Clean Air Act (CAA) does not authorize the regulation of emissions for the purpose of addressing global climate change. The agency redefined "air pollution" under the CAA to apply only to pollutants with local or regional health and welfare effects.
- Major Questions Doctrine. The agency invoked this legal doctrine, asserting that regulating GHG emissions is a matter of "vast economic and political significance" that requires explicit congressional authorization, which the agency determines is absent in the current statute.
- Judicial Precedent. The ruling cites recent Supreme Court decisions, including *West Virginia v. EPA* (2022) and *Loper Bright Enterprises v. Raimondo* (2024), the latter of which ended "Chevron deference", as the basis for seeking the "single, best reading" of the CAA.
- Preemption. The final rule asserts that the CAA continues to preempt state-level emission standards for new motor vehicles and state common-law claims regarding out-of-state emissions, even in the absence of federal GHG standards.

Functional Findings

- Futility Determination. The EPA determined that the elimination of all U.S. motor vehicle GHG emissions would result in a "de minimis" impact on global climate indicators through the year 2100. The agency concluded that the previous regulations were therefore "costly and futile" in achieving their stated environmental goals.

For additional information, please visit the webpage below.

<https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-rescission-greenhouse-gas-endangerment>

b. New Study Finds That No Amount of Wildfire Smoke is Safe

A study published in the journal *Science Advances* reveals that long-term exposure to wildfire smoke is far more dangerous to human health than previously thought, causing about 24,100 deaths every year across the United States. By looking at data over a fourteen (14) year period, researchers found that even small increases in smoke pollution led to a higher risk of death. Unlike some pollutants that might only be harmful at high levels, the researchers discovered there is no "safe" amount of smoke; as the air gets smokier, the number of deaths rises steadily.



While wildfire smoke affects many parts of the body, the study found it is particularly damaging to the brain and heart. Deaths related to neurological conditions (like Alzheimer's or stroke) and heart disease saw the biggest spikes when smoke levels were high. The researchers even compared smoke-related deaths to unrelated accidents to prove that wildfire smoke itself, not just

general environmental changes, was the direct cause. Ultimately, the study warns that as climate change makes wildfires more frequent, the health risks to everyone living downwind will continue to grow.

Washoe County residents are at heightened risk because the region has recently recorded some of the nation's most dangerous air quality, including a 2024 ranking as the 6th worst in the U.S. for short-term particle pollution due to Western wildfires. This study's finding that there is no "safe" level of smoke is particularly alarming for the Truckee Meadows, where smoke often becomes trapped in the valley for weeks, exposing the community to the exact chronic health risks, including neurological and heart disease, detailed in the research.

c. 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>.



EPA's Asbestos and Small Business Ombudsman Program

A MONTHLY NEWSLETTER FOR THE REGULATED SMALL BUSINESS COMMUNITY

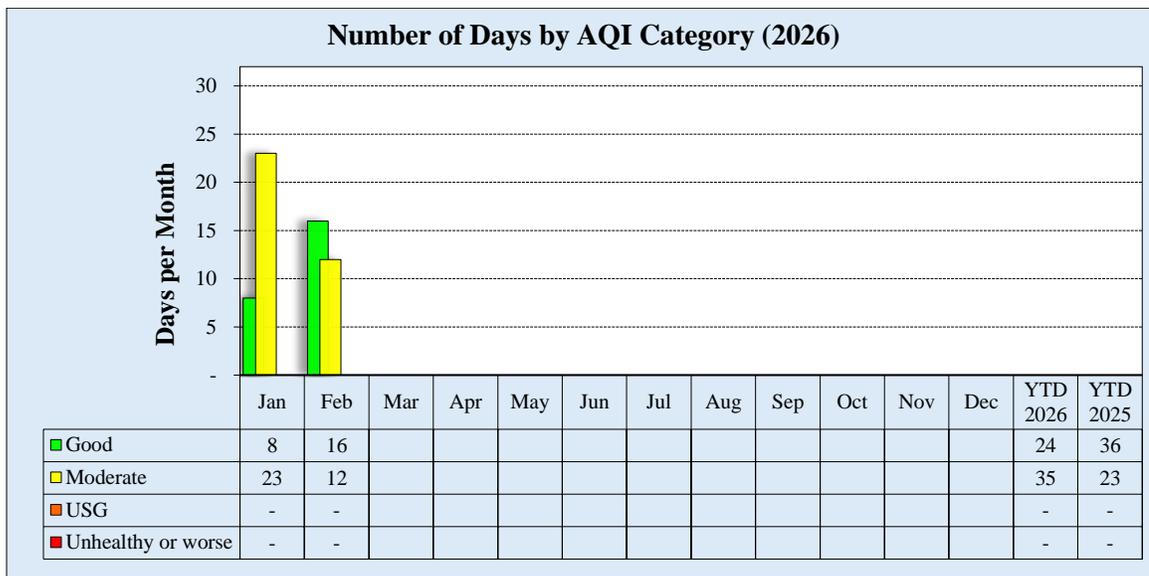
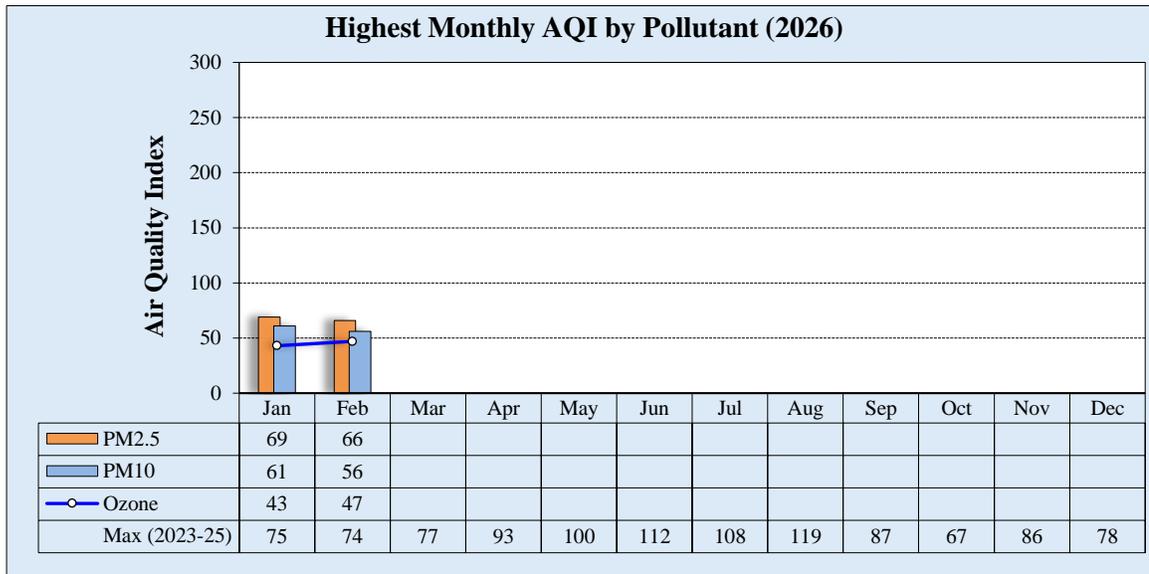
September 2025 Newsletter

<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

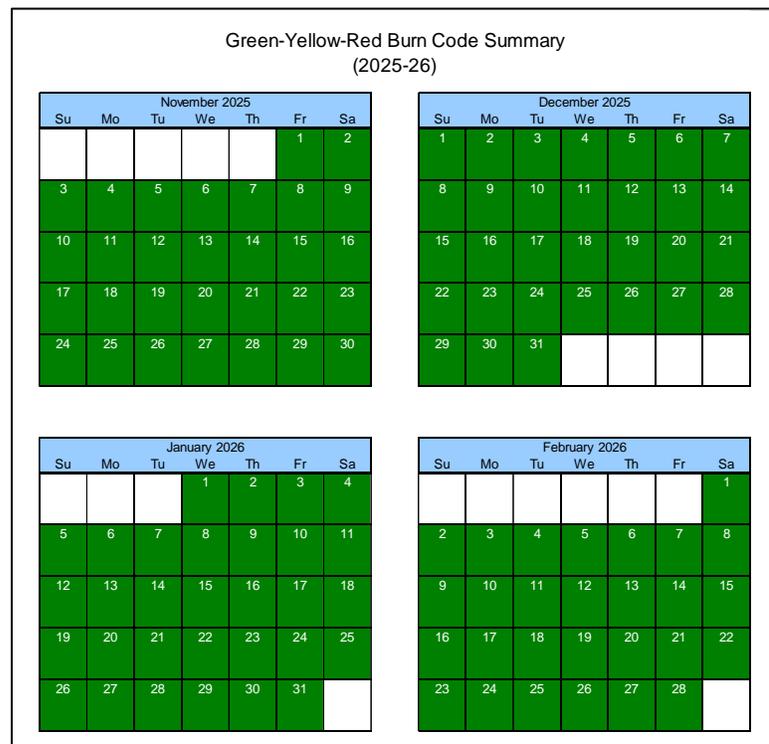
a. **Monitoring and Planning**

February 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)	0.051 ppm	2/15	Incline Village	-
PM _{2.5} (24-hour)	17.3 µg/m ³	2/22	Sparks	-
PM ₁₀ (24-hour)	65 µg/m ³	2/3	Sparks	-

2025-2026 Burn Code Season:

The most recent season is summarized in the calendar to the right. In total, 120 Green, zero Yellow, and zero Red Burn Codes were issued during the 2025-2026 season. This is the third season on record that zero Yellow or Red Burn Codes were issued. This season continued the streak of zero Red Burn Codes since 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 the Sparks monitoring station. 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

January Permitting Activity

In January 2026, staff reviewed forty-four (44) sets of plans submitted to the Reno, Sparks, and Washoe County Building Departments to ensure compliance with Air Quality requirements. All forty-four (44) plan reviews assigned during January were completed within the applicable jurisdictional timeframes. Year-to-date, staff have reviewed forty-four (44) plans in calendar year 2026, with one hundred (100) 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	-	-	-	-
March	-	-	-	-
April	-	-	-	-
May	-	-	-	-
June	-	-	-	-
July	-	-	-	-
August	-	-	-	-
September	-	-	-	-
October	-	-	-	-
November	-	-	-	-
January	-	-	-	-
Total	44	3.2	100%	0

In January 2026, staff issued five (5) Permit to Operate (PTO) renewals for existing stationary source facilities in Washoe County. All renewals were processed within the required 180-day timeframe following receipt of complete applications. Two (2) PTOs were due to expire on January 1, and both facilities submitted timely renewal applications between 270 and 180 days prior to expiration. Staff also issued two (2) Permits to Construct (PTCs) for new facilities or modifications, and all were completed within the required 180-day review period.

During the month, twelve (12) Dust Control Permits were issued, authorizing an additional forty-seven (47) acres of soil disturbance.

Staff processed a total of five hundred eight (508) 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 three (3) uncertified wood-burning devices from properties and the replacement of three (3) uncertified wood-burning devices with cleaner-burning units.

To meet the requirements of the Asbestos Program, staff reviewed applications and surveys for the issuance of fifty-four (54) Acknowledgements of Asbestos Assessment for construction projects across Washoe County. Staff also reviewed and issued twelve (12) Asbestos Demolition and Renovation notifications.

Permits and Registrations Processed	2026		2025	
	January	YTD	January	Annual Total
PTO Renewal Issued	5	5	No Data	No Data
PTC Issued	2	2	3	48
Dust Control Permit	12 (47 acres)	12 (47 acres)	14 (182 acres)	196 (2,969 acres)
Wood-burning COC	20 (3 removals)	20 (3 removals)	22	271
Wood-burning DAS	3 (3 replacements)	3 (3 replacements)	8 (2 replacements)	83 (47 replacements)
Wood-burning NOE	485 (0 removals)	485 (0 removals)	464 (3 removals)	7,618
Asbestos Assessments	54	54	39	658
Asbestos Notifications	12	12	12	141

January Compliance Activity

In January 2026, staff conducted twenty-eight (28) assigned PTO inspections and one (1) PTC approval inspection at stationary source facilities. Staff were assigned eleven (11) new asbestos abatement projects, involving the removal of approximately three hundred sixty-seven thousand seventeen (367,017) square feet and one thousand seven hundred fifty-six (1,756) cubic feet of asbestos-containing materials. In addition, staff received one (1) facility demolition project to monitor. During the month, staff documented forty-one (41) Dust Control Permit inspections.

Compliance Inspections	2026		2025	
	January	YTD	January	Annual Total
Permit to Operate	28	28	20	445
Permit to Construct	1	1	3	30
Dust Control Permit	41	41	55	542
Wood-burning Device	0	0	3	47
Asbestos Notification	15	15	26	285

In January, staff responded to seventeen (17) complaints filed with the AQMD.

Complaints	2026		2025	
	January	YTD	January	Annual Total
Asbestos	0	0	0	13
Diesel Idling	0	0	0	0
Dust	1	1	4	89
Nuisance Odor	5	5	2	23
Permit to Operate	0	0	2	4
Burn Code	4	4	0	3
General	7	7	8	67
TOTAL	17	17	16	199
Enforcement	January	YTD	January	Annual Total
Warnings	1	1	5	39
Notice of Violations	2	2	1	20
TOTAL	3	3	6	59

February Permitting Activity

In February 2026, staff reviewed forty-eight (48) sets of plans submitted to the Reno, Sparks, and Washoe County Building Departments to ensure compliance with Air Quality requirements. Forty-seven (47) plan reviews assigned during February were completed within the applicable jurisdictional timeframes. Year-to-date, staff have reviewed ninety-two (92) 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	-	-	-	-
April	-	-	-	-
May	-	-	-	-
June	-	-	-	-
July	-	-	-	-
August	-	-	-	-
September	-	-	-	-
October	-	-	-	-
November	-	-	-	-
January	-	-	-	-
Total	92	3.2	99%	1

In February 2026, staff issued zero (0) Permit to Operate (PTO) renewals for existing stationary source facilities in Washoe County. Two (2) PTOs were scheduled to expire on February 1, and both facilities submitted timely renewal applications between 270 and 180 days prior to expiration. Staff also issued five (5) Permits to Construct (PTCs) for new facilities or modifications, and four (4) were completed within the required 180-day review period.

During the month, twelve (12) Dust Control Permits were issued, authorizing an additional two hundred sixty-eight (268) acres of soil disturbance.

Staff processed a total of five hundred twenty-two (522) 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 six (6) uncertified wood-burning devices from properties.

To meet the requirements of the Asbestos Program, staff reviewed applications and surveys for the issuance of forty-seven (47) Acknowledgements of Asbestos Assessment for



construction projects across Washoe County. Staff also reviewed and issued nine (9) Asbestos Demolition and Renovation notifications.

Permits and Registrations Processed	2026		2025	
	February	YTD	February	Annual Total
PTO Renewal Issued	0	5	No Data	No Data
PTC Issued	5	7	5	48
Dust Control Permit	12 (268 acres)	24 (315 acres)	19 (641 acres)	196 (2,969 acres)
Wood-burning COC	21 (3 removals)	41 (9 removals)	21	271
Wood-burning DAS	4 (0 replacements)	7 (3 replacements)	7 (2 replacements)	83 (47 replacements)
Wood-burning NOE	479 (0 removals)	964 (0 removals)	502 (2 removals)	7,618
Asbestos Assessments	47	101	35	658
Asbestos Notifications	9	21	10	141

February Compliance Activity

In February 2026, staff conducted thirty-five (35) assigned PTO inspections and four (4) PTC approval inspections at stationary source facilities. Staff were assigned three (3) new asbestos abatement projects, involving the removal of approximately three thousand thirty-four (3,034) square feet of asbestos-containing materials. In addition, staff received one (6) facility demolition projects to monitor. During the month, staff documented thirty-eight (38) Dust Control Permit inspections.

Compliance Inspections	2026		2025	
	February	YTD	February	Annual Total
Permit to Operate	35	63	35	445
Permit to Construct	4	5	3	30
Dust Control Permit	38	79	40	542
Wood-burning Device	0	0	2	47
Asbestos Notification	11	26	36	285



During the month, staff responded to twenty-three (23) complaints filed with the AQMD.

Complaints	2026		2025	
	February	YTD	February	Annual Total
Asbestos	0	0	0	13
Diesel Idling	1	1	0	0
Dust	7	8	1	89
Nuisance Odor	3	8	0	23
Permit to Operate	2	2	0	4
Burn Code	1	5	0	3
General	9	16	4	67
TOTAL	23	40	5	199
Enforcement	February	YTD	February	Annual Total
Warnings	3	4	3	39
Notice of Violations	0	2	2	20
TOTAL	3	6	5	59

Joshua C. Restori
 Supervisor, Permitting & Compliance