

RENO EVENING GAZETTE

PROOF OF PUBLICATION

STATE OF NEVADA }
COUNTY OF WASHOE } ss.

DOROTHY YOCOM

being first duly sworn, deposes and says: That she is the legal clerk of THE RENO EVENING GAZETTE, a daily newspaper published at Reno, in Washoe County, in the State of Nevada.

That the notice... **BILL 251**

.....
of which a copy is hereto attached, was first published in said newspaper in its issue dated the
... **10** day of ... **July**, 19 **70** and
.....
..... **July 17**


the full period of ... **2** days, the last publication thereof being in the issue dated the ... **17** day
of ... **July**, 19 **70**

Signed *Dorothy Yocom*

Subscribed and sworn to before me this
... **17** day of ... **July**, 19 **70**

Richard J. Taylor
Notary Public.

NOTICE OF COUNTY ORDINANCE
Notice is hereby given that Bill No. 251, Ordinance No. 175, entitled "An Ordinance adopting District Board of Health's air pollution control regulations of September 18, 1969, creating air pollution control officers and deputies and defining their duties, providing for open fire permits and defining exclusions therefrom, prescribing penalties for violations thereof and providing other matters properly relating thereto; and repealing Ordinance No. 129 and all other ordinances or parts of ordinances in conflict therewith," was adopted on July 6, 1970, by Commissioners Cunningham, Seaver, McKisick, and Coppa, all voting aye, Commissioner McKenzie being absent.
Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.
H. K. BROWN, County Clerk
334900-BH No. 251 July 1970

 **RICHARD J. TAYLOR**
Notary Public — State of Nevada
Washoe County
My Commission Expires Jan. 23, 1971

SUMMARY: An ordinance adopting District Board of Health of Reno, Sparks and Washoe County, Air Pollution Control Regulations of September 18, 1969.

BILL NO. 251

ORDINANCE NO. 175

AN ORDINANCE ADOPTING DISTRICT BOARD OF HEALTH'S AIR POLLUTION CONTROL REGULATIONS OF SEPTEMBER 18, 1969; CREATING AIR POLLUTION CONTROL OFFICERS AND DEPUTIES AND DEFINING THEIR DUTIES; PROVIDING FOR OPEN FIRE PERMITS AND DEFINING EXCLUSIONS THEREFROM; PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ORDINANCE NO. 129 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1.

The Air Pollution Control Regulations, September 18, 1969, edition adopted by the District Board of Health of Reno, Sparks and Washoe County shall be and hereby is adopted by reference, incorporated herein and made a part hereof as if set forth in full.

SECTION 2. Repealing.

- A. Bill No. 105, Ordinance No. 129 of Washoe County entitled: "AN ORDINANCE CONCERNING AIR POLLUTION, ITS REGULATION, CONTROL AND PROHIBITION; PROVIDING FOR THE ISSUANCE OF A PERMIT FOR THE INSTALLATION OF FUEL BURNING EQUIPMENT AND DEFINING EXCLUSIONS THEREFROM; CREATING AN AIR POLLUTION CONTROL OFFICER AND DEPUTIES AND DEFINING THEIR DUTIES; PRESCRIBING PENALTIES FOR VIOLATION THEREOF AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ORDINANCE NO. 79 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith." is hereby repealed and shall be of no force and effect from and after the effective date of this Ordinance.
- B. Those provisions of any other ordinance of Washoe County or parts of ordinances in conflict or inconsistent herewith are hereby repealed but only to the extent of such conflict or inconsistency.

SECTION 3. Effective date.

This Ordinance shall be in full force and effect from and after its passage, approval and publication as prescribed by NRS 244.105.

Proposed on the 25th day of June, 1970.

Proposed by Commissioner Coppa.

Passed on the 6th day of July, 1970.

Vote:

Ayes: Commissioners: Cunningham, Sauer, McKissick, Coppa.

Nays: Commissioners: None.

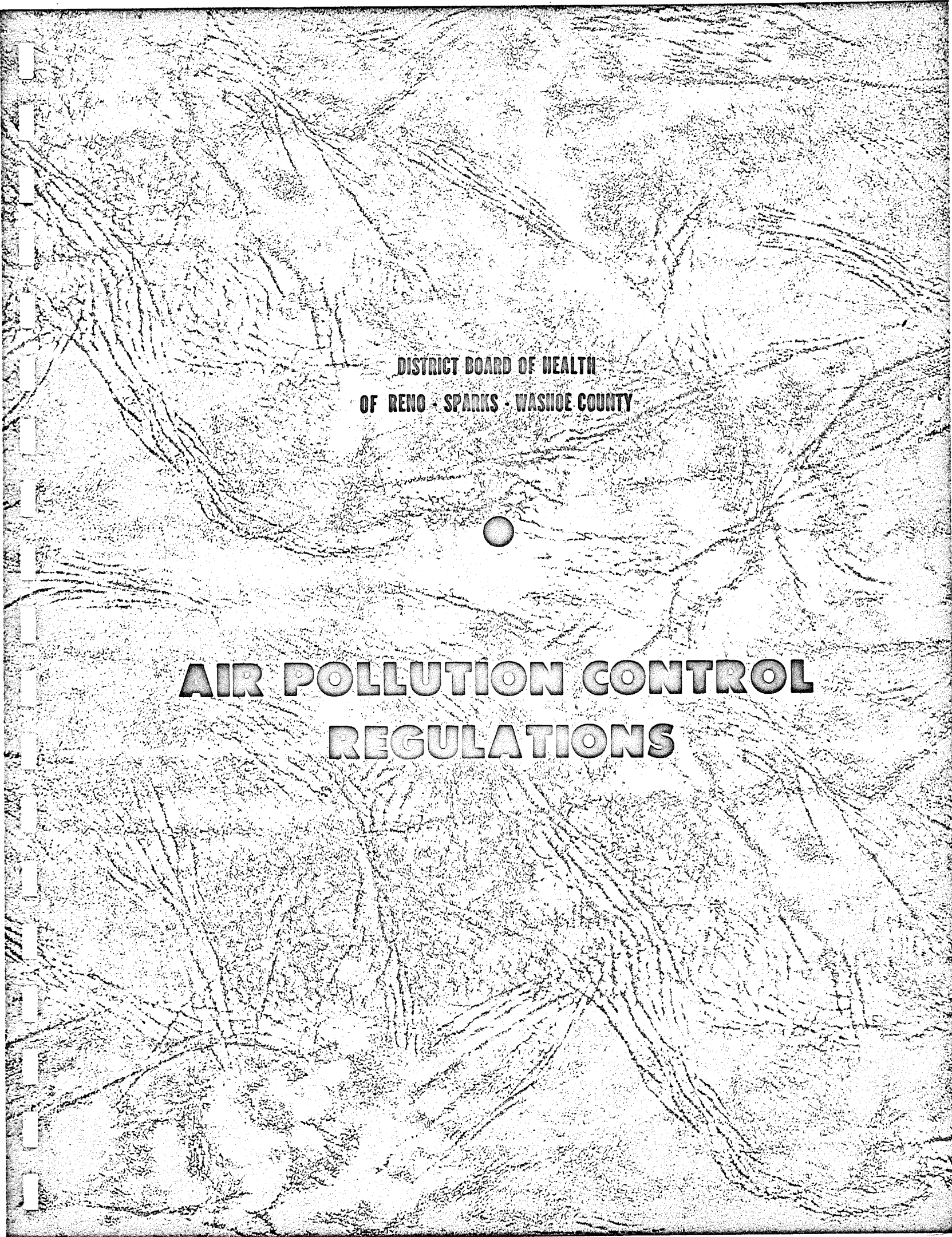
Absent: Commissioners: McKenzie.

J. B. P.
Chairman of the Board

ATTEST:

H. Brown
County Clerk

This Ordinance shall be in force and effect from and after the 17th day of August, 1970.



DISTRICT BOARD OF HEALTH
OF RENO · SPARKS · WASHOE COUNTY

**AIR POLLUTION CONTROL
REGULATIONS**

DISTRICT BOARD OF HEALTH
OF RENO - SPARKS - WASHOE COUNTY

AIR POLLUTION CONTROL REGULATIONS

September 18, 1969

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SECTION 1. DEFINITIONS:

Except as otherwise specifically provided in these Regulations and except where the context otherwise indicates, words used in these Regulations are defined as follows:

- 1.01 "Air Contaminants" means any smoke, soot, fly ash, dust, cinders, dirt, noxious or obnoxious acids, fumes, oxides, gases, vapors, odors, toxic or radioactive substance, waste, particulate, solid, liquid or gaseous matter, or any other materials in the outdoor atmosphere, but excluding uncombined water.
- 1.02 "Air Pollution" means the presence in the outdoor atmosphere of one or more air contaminants or any combination thereof in sufficient quantities and of such characteristics and of duration, which are, or may tend to be injurious to human health and welfare, plant or animal life, or property, or that interfere with the comfortable enjoyment of life or property or the conduct of business.
- 1.03 "Atmosphere" means the air that envelops or surrounds the earth. Where air pollutants are emitted into a building not designed specifically as a piece of air pollution control equipment, such emission into the building shall be considered as emission into the atmosphere.
- 1.04 "Board of Health" means the District Board of Health of Reno, Sparks and Washoe County created pursuant to NRS 439.370.
- 1.05 "Combustion Contaminants" means particulate matter discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.
- 1.06 "Combustible Refuse" means combustible waste material containing carbon in a free or combined state, other than liquids or gases.
- 1.07 "Condensed Fumes" means minute solid particles generated by the condensation of vapors from solid matter after volatilization from the molten state, or may be generated by sublimation, distillation, calcination or chemical reaction, when these processes create airborne particles.

- 1.08 "Control Equipment" means any equipment or contrivance or any combination thereof which has the function of controlling the emissions from a process, fuel-burning or refuse-burning equipment and thus reduces the creation of, or the emission of air contaminants into the atmosphere or both.
- 1.09 "Control Officer" means the person that has been designated as the head of the Division of Air Pollution Control to enforce the Air Pollution Control Regulations.
- 1.10 "District Health Officer" means the person appointed by the District Board of Health to administer activities of the City-County District Health Department in matters directly pertaining to health, disease, sanitation and other matters directly related thereto.
- 1.11 "Dusts" means minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, or any combination thereof.
- 1.12 "Emission" means the act of passing into the atmosphere an air contaminant or a gas stream which contains an air contaminant; or the material so passed to the atmosphere.
- 1.13 "Gas" means matter which has no definite shape or volume.
- 1.14 "Health District" means a health district created pursuant to NRS 439.370, and includes the incorporated cities of Reno and Sparks and the County of Washoe.
- 1.15 "Hearing Board" means five members appointed by the Board of Health pursuant to NRS 445.500 to perform the functions set forth in the Nevada Revised Statutes and these Regulations.
- 1.16 "Mist" means a suspension of any finely divided liquid in any gas or atmosphere.
- 1.17 "Mobile Equipment" means a vehicle that is movable under its own power such as an automobile, truck, motorcycle, motor-bus, etc.
- 1.18 "Multiple-Chamber Incinerator" is any article, machine, equipment, contrivance, structure or part of a structure used to dispose of combustible refuse by burning,

consisting of three or more refractory lined combustion furnaces in series, physically separated by refractory walls, interconnected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned. In addition, there shall be an approved auxiliary burner in the primary and secondary combustion chamber, and an approved flue gas washer on all new installations providing the nearest property line is within 100 feet of the incinerator.

- 1.19 "Odor" means that property of an air contaminant that affects the sense of smell.
- 1.20 "Open Fire" means the burning of any combustible refuse wherein the products of combustion are discharged directly into the atmosphere without passing through a stack or chimney.
- 1.21 "Particulate Matter" means any material, except uncombined water, that exists in a finely divided form as a liquid or solid.
- 1.22 "Person" means any individual, firm, association, organization, partnership, business trust, public or private corporation, company, department or bureau of the state, municipality or any officer, agent or employee thereof, or any other legal entity whatsoever which is recognized by the law as the subject of rights and duties.
- 1.23 "Process Weight" means the total weight of all materials introduced into any specific process which process may cause any discharge into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. "The Process Weight Per Hour" will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.
- 1.24 "Ringelmann Chart" means the chart published by the U. S. Bureau of Mines on which are illustrated graduated shades of grey or black for use in estimating the light obscuring capacity of smoke.
- 1.25 "Smoke" means small gas-borne particles resulting from incomplete combustion, consisting predominately

of carbon, ash, and other combustible material present in sufficient quantity to be observable, or, a suspension in gas of solid particles in sufficient quantity to be observable.

- 1.26 "Source" means any physical arrangement, condition, or structure which may emit air contaminants.
- 1.27 "Stack or Chimney" means any flue, conduit, or duct arranged to conduct an effluent to the open air.
- 1.28 "Standard Conditions" means when applied to gases, a gas temperature of 60 degrees Fahrenheit and a gas pressure of 14.7 pounds per square inch absolute.

SECTION 2. BOARD OF HEALTH - POWERS AND DUTIES**2.01** The Board of Health shall:

- (a) Adopt rules and regulations or amend existing rules and regulations, to reduce the release into the atmosphere of air contaminants originating within the territorial limits of the Health District in order to control air pollution.
- (b) Appoint by resolution of the Board of Health an Air Pollution Control Hearing Board consisting of five (5) members who are not employees of the state or any political subdivision of the state. One (1) member of the Hearing Board shall be an attorney admitted to practice law in Nevada, and one (1) member shall be a professional engineer registered in Nevada.
- (c) Institute in a court of competent jurisdiction legal proceedings to compel compliance with these Regulations and the Nevada Statutes pertaining to the emission of air contaminants into the atmosphere within the territorial limits of the Health District.
- (d) Advise, consult and cooperate with municipalities, counties, other states, the Federal Government and other interested persons or groups in regard to matters of common interest in the field of air quality control.

SECTION 3. CONTROL OFFICER - POWERS AND DUTIES

- 3.01** The Control Officer, or his designated agent, shall enforce and have the power and authority in his name, or in the name of the Board of Health, to enforce the provisions of these Regulations and the policies of the Board of Health in relation thereto; to issue a Notice of Violation when he has reasonable cause to believe that a person is violating these Regulations; to issue a warning and give any violator an opportunity to correct the cause of the violation before the filing of a formal complaint, or, in the event the Control Officer has served upon the violator a Notice of Violation and said violator has not corrected the violation within a reasonable time, to request the District Attorney or other proper agency,

person or prosecuting authority in Washoe County to institute a criminal action against the violator, or request the Board of Health to institute abatement proceedings against said violator.

- 3.02 The Control Officer at any reasonable time may require from any person such information or analyses as will disclose the nature, extent, quantity, or degree of air contaminants which are or may be discharged by any source of such air contaminants, and type or nature of control equipment in use, and may require that such disclosures be certified by a professional engineer registered in the State. In addition to such report, the Control Officer may designate an authorized agent to make an independent study and report as to the nature, extent, quantity, and degree of any air contaminants which are or may be discharged from the source. An authorized agent so designated is authorized to inspect any article, machine, equipment, or other contrivance necessary to make the inspection and report.

SECTION 4. NOTICE OF VIOLATION OF REGULATION

- 4.01 When the Board of Health or the Control Officer has reasonable cause to believe that a person is violating any rule or regulation, a Notice of Violation shall be served upon such person by registered or certified mail or personally. The Notice of Violation shall state:

- (a) With particularity, the act being done that constitutes the violation.
- (b) In its entirety, the certain rule or regulation being violated.

- 4.02 A reasonable time for compliance shall be allowed if a person receiving a Notice of Violation provides a written response within 10 days after receipt of the Notice of Violation setting forth the nature of and time needed for corrective action and makes such periodic reports as may be necessary to demonstrate reasonable progress toward final compliance.

SECTION 5. HEARING BOARD - POWERS AND DUTIES**5.01 Members and Term**

Members of the first Hearing Board shall serve the following terms: Two shall be appointed for a term of one (1) year; two shall be appointed for a term of two (2) years; and one (1) shall be appointed for a term of three (3) years. Each member appointed to succeed the members first appointed upon the expiration of the above described terms shall serve for a term of three (3) years.

5.02 Officers

The Hearing Board shall select a Chairman, Vice-Chairman and such other officers as it deems necessary, and subject to the approval of the Board of Health, may adopt a manual of procedures to govern its operation.

5.03 Petitions

- (a) Any person believing himself aggrieved by a decision or action of the Board of Health, or the Control Officer, may, within ten (10) days of the rendering of said decision or action, request in writing, by the filing of a petition, that the Hearing Board hold a hearing.
- (b) Each petition prior to filing shall include such information as the Control Officer or the Chairman of the Hearing Board deems necessary to facilitate the equitable and speedy determination of the matter to be presented to the Hearing Board. In addition to other matters required by this section, petitions for variances shall state briefly:
- (1) The section or order complained of.
 - (2) The facts showing why compliance with this section or order is unreasonable.
 - (3) For what period of time the variance is sought and why.
 - (4) The damage or harm resulting, or which would result, to the petitioner from compliance with such section or order.

- (5) The requirements which the petitioner can meet and the date when the petitioner can comply with such requirements.
 - (6) The advantages and disadvantages to the residents of the district resulting from requiring compliance or resulting from granting a variance.
 - (7) Whether or not the subject equipment or process is registered with the Control Officer.
- (c) The Hearing Board shall within thirty (30) days after receipt of such petition hold a hearing to determine whether:
- (1) The act set forth in the Notice of Violation constitutes a violation of these Regulations;
 - (2) A variance is justified; and
 - (3) A reasonable time has been allowed for compliance with these Regulations.

5.04 Board of Actions

Upon making the determinations required by Section 5.03, the Hearing Board may issue a cease and desist order. The order may be conditional and require a person to refrain from the particular act, unless certain conditions are met. However, no order of the Hearing Board shall restrict or otherwise limit the type of design of equipment to be used in reducing the release of air contaminants, except equipment used to dispose of combustible refuse.

5.05 Meetings

The Hearing Board shall meet within thirty (30) days after receipt of a request by the Board of Health, the Control Officer, a petitioner pursuant to subsection 5.03, or on its own initiative.

5.06 Subpoenas

The Chairman, or in his absence, the Vice-Chairman of the Hearing Board may issue subpoenas to compel

attendance of any person at a hearing and may require the production of books, records and other documents and materials at a hearing.

5.07 Majority and Decisions

A majority of the total membership must concur in all decisions of the Hearing Board and all decisions shall be in writing and of public record.

All decisions of the Hearing Board shall become effective not less than thirty (30) days after they are issued, unless:

- (1) A rehearing is granted, which will have the effect of staying the decisions.
- (2) It is determined that an emergency exists which justifies an earlier effective date.

5.08 Injunctive Relief

Upon the failure or refusal of a person to comply with a cease and desist order of the Hearing Board, an action may be filed in the Second Judicial District Court of the State of Nevada to restrain and enjoin the persons from engaging in further acts violating such order.

5.09 Modifications of Actions

The Hearing Board may revoke or modify a cease and desist order or a variance only after first holding a hearing of which at least thirty (30) days' public notice has been given.

5.10 Judicial Review

Any person aggrieved by a decision of the Hearing Board may, at any time within thirty (30) days after the filing of the decision, petition the Second Judicial District Court for review of the Hearing Board's decision. The review shall be trial de novo.

Any hearing held in a district court pursuant to the above petition shall take precedence over all other matters in the court, with the exception of criminal matters.

SECTION 6. EMISSION PROHIBITED6.01 Visible Air Contaminants

Except as otherwise provided, it is unlawful for any person to discharge, or cause to be discharged, into the atmosphere from any single source of emission whatsoever, any air contaminant for a period or periods aggregating more than three (3) minutes in any one hour, except for incinerators, which shall not emit for more than one (1) minute in any one hour, any emission which is:

- (1) As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines; or
- (2) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subsection (1) of this section.

Where the presence of uncombined water is the only reason for failure of an emission to meet the limitations of subsection 6.01, that section shall not apply.

It is unlawful for any person to cause, let, permit, suffer or allow discharge of exhaust from any motor vehicle, in which the shade is darker than No. 2 on the Ringelmann Chart or opacity equivalent to said shade for a period or periods aggregating not more than two (2) minutes in any one hour.

6.02 Nuisance-Odorou s or Gaseous Emissions of Air Contaminants

It is unlawful for any person to discharge, or cause to be discharged, from any source whatsoever, any quantity of odorous or gaseous emission, material, or air contaminant of any kind or description, which is, or tends to be, offensive to the senses, or injurious or detrimental to repose, health, and safety, or which in any way unduly interferes with or prevents the comfortable enjoyment of life or property by any considerable number of persons or the general public.

6.03 Particulate Matter

Except as otherwise provided in subsection 6.06 and Section 18, it is unlawful for any person to discharge, or cause to be discharged, into the atmosphere from any source, particulate matter in excess of 0.3 grain per cubic foot of gas at standard conditions.

6.04 Specific Contaminants

It is unlawful for any person to discharge, or cause to be discharged, into the atmosphere any one or more of the following contaminants, in any state or combination thereof, exceeding in concentration at the point of discharge:

- (1) Sulfur compounds calculated as sulfur dioxide (SO₂): 0.2 percent, by volume.
- (2) Combustion contaminants: 0.3 grain per cubic foot of gas calculated to 12 percent of carbon dioxide (CO₂) at standard conditions. In measuring the combustion contaminants from incinerators used to dispose of combustible refuse by burning, the carbon dioxide produced by combustion of any liquid or gaseous fuels shall be excluded from the calculation to 12 percent of carbon dioxide.

6.05 Scavenger Plants

Where a separate source of air pollution is a scavenger or recovery plant, recovering pollutants which would otherwise be emitted into the atmosphere, the Control Officer may grant a permit to operate where the total emission of pollutants is substantially less with the plant in operation than when closed, even though the concentration exceeds that permitted by subsection 6.04. The Control Officer shall report immediately in writing to the Board of Health, the granting of any such permit, together with the facts and reasons therefore.

6.06 Dusts and Fumes

It is unlawful for any person to discharge, or cause to be discharged, in any one (1) hour from any source whatsoever, dust or fumes in total quantities in excess of the amount shown in the following table:

To use the following table, take the process weight per hour as such is defined in Section 1.23. Then find this figure on the Table, opposite which is the maximum number of pounds of contaminants which may be discharged into the atmosphere in any one (1) hour. As an example, if "A" has a process which emits contaminants into the atmosphere and which process

takes 3 hours to complete, he will divide the weight of all materials in the specific process, in this example, 1500 pounds by 3, giving a process weight per hour of 500 pounds. The table shows that "A" may not discharge more than 1.77 pounds in any one (1) hour during the process. Where the process weight per hour falls between figures in the left hand column, the exact weight of permitted discharge may be interpolated.

T A B L E

Process Wt/hr (lbs)	Maximum Weight Disch/hr (lbs)	Process Wt/hr (lbs)	Maximum Weight Disch/hr (lbs)
50	.24	3400	5.44
100	.46	3500	5.55
150	.66	3600	5.61
200	.852	3700	5.69
250	1.03	3800	5.77
300	1.20	3900	5.85
350	1.35	4000	5.93
400	1.50	4100	6.01
450	1.63	4200	6.08
500	1.77	4300	6.15
550	1.89	4400	6.22
600	2.01	4500	6.30
650	2.12	4600	6.37
700	2.24	4700	6.45
750	2.34	4800	6.52
800	2.43	4900	6.60
850	2.53	5000	6.67
900	2.62	5500	7.03
950	2.72	6000	7.37
1000	2.80	6500	7.71
1100	2.97	7000	8.05
1200	3.12	7500	8.39
1300	3.26	8000	8.71
1400	3.40	8500	9.03
1500	3.54	9000	9.36
1600	3.66	9500	9.67
1700	3.79	10000	10.0
1800	3.91	11000	10.63
1900	4.03	12000	11.28
2000	4.14	13000	11.89
2100	4.24	14000	12.50

T A B L E
(continued)

Process Wt/hr (lbs)	Maximum Weight Disch/hr (lbs)	Process Wt/hr (lbs)	Maximum Weight Disch/hr (lbs)
2200	4.34	15000	13.13
2300	4.44	16000	13.74
2400	4.55	17000	14.36
2500	4.64	18000	14.97
2600	4.74	19000	15.58
2700	4.84	20000	16.19
2800	4.92	30000	22.22
2900	5.02	40000	28.3
3000	5.10	50000	34.3
3100	5.18	60000	40.0
3200	5.27	or	
3300	5.36	more	

6.07 Exceptions

The provisions of subsection 6.01 to 6.06 inclusive, do not apply to:

- (1) Smoke from fires set or permitted by the Control Officer or his designated representative, if such fire is set or permission given in the performance of the official duty of such officer, and such fire in the opinion of such officer is necessary;
 - (a) For the purpose of the prevention of a fire hazard which cannot be abated by any other means, or;
 - (b) The instruction of public employees in the methods of fighting fire.
- (2) Smoke from fires set pursuant to permit on property used for industrial purposes for the purpose of instruction of employees in the methods of fighting fire.
- (3) Agricultural operations in the growing of crops or raising of fowl or animals.
- (4) When such fire is used for the preparation of food for human consumption for recreational purposes.

SECTION 7. OPEN FIRES - PERMITS - EXCEPTIONS**7.01 Permits**

It is unlawful for any person to burn, or cause to be burned, any combustible refuse in any open fire within the District, excluding designated campgrounds and parks, except for the following, and then only when a permit has been issued by the Control Officer or his designee:

- (1) When such fire is set for the purpose of the prevention of a fire hazard, declared by a Public Fire Chief or his designee, which cannot be abated by any other alternate means.
- (2) When such fire is set for the instruction of public employees in the methods of fighting fires.
- (3) When such fire is set in the course of any agricultural operation in the growing of crops, such as burning of weeds to clear irrigation ditches, canals, laterals.
- (4) When such fire is set in the course of a recreational outing or event by an organization, such as homecoming bonfires.
- (5) When such fire in the opinion of the Control Officer is necessary.
- (6) When such fire is set for the purpose of removing weeds from empty lots during a sixty (60) day period specified each year by the Public Fire Chief or his designee. During this sixty day period, permits may be issued by the Fire Department, with a copy to the Control Officer, provided the following stipulations are met.
 - (a) The premises are inspected by the Fire Department and they declare a fire hazard exists which cannot be abated by any other practical method, as determined by the Public Fire Chief or his designee.
 - (b) The premises are cleared of any combustible refuse other than weeds.

- (c) The permittee is required to maintain adequate combustion during burn to prevent the emission of smoke as prohibited by these Regulations.

These exceptions shall not be effective when the Control Officer determines that:

- (a) The inversion base is 1500 feet or less above the valley floor (6000 feet mean sea level).
- (b) The inversion will hold throughout the day.

7.02 Exceptions

Nothing in this Section shall prohibit or require a permit for the use of private barbecue pits, grill, or outdoor fireplaces for the preparation of food for human consumption.

SECTION 8. INCINERATOR BURNING

It is unlawful for any person to burn, or cause to be burned, any combustible refuse in any incinerator within the District as described hereafter except in a multiple chamber incinerator as described in subsection 1.18, or in equipment found by the Control Officer in advance of such use to be equally effective for the purpose of air pollution control as an approved multiple chamber incinerator.

Incinerator burning is hereby prohibited only in those areas of the District lying within the Lake Tahoe Basin, Sun Valley Water District, and all that area of Washoe County lying within a three (3) mile radius of the City limits of the City of Reno or the City of Sparks.

SECTION 9. SULFUR CONTENTS OF FUEL OIL

It is unlawful for any person to burn, or cause to be burned, within the District at any time, any commercial fuel oil having a sulfur content in excess of 1.2 percent by weight.

It is unlawful for any person to burn, or cause to be burned, within the District at any time, after July 1, 1970, any commercial fuel oil having a sulfur content in excess of 1.0 percent by weight.

The provisions of this Section shall not apply to the use of liquid fuel whenever the supply of gaseous fuel is not physically available to the user due to accident, act of God, act of War, or act of Public Enemy.

SECTION 10. REDUCTION OF ANIMAL MATTER

It is unlawful for any person to burn, or cause to be burned, operate or use, or cause to be operated or used, any article, machine, equipment, or other contrivance for the reduction of animal matter unless all gases, vapors, and gas-entrained effluents from such an article, machine, equipment or other contrivance are:

- (1) Incinerated at temperatures of not less than 1200 degree Fahrenheit for a period of not less than 0.3 seconds; or
- (2) Processed in a manner determined by the Control Officer to be equally, or more effective for the purpose of air pollution control than (1) above.

A person incinerating or processing gases, vapors, or gas-entrained effluents pursuant to this Section shall provide, properly install and maintain in calibration, in good working order and operation, devices as specified in these Regulations or as specified by the Control Officer, for indicating temperature, pressure, or other operating conditions. For the purpose of these Regulations, "reduction" is defined as any heated process, including rendering, cooking, drying, dehydrating, digesting, evaporation, and protein concentration. The provisions of this Section shall not apply to any article, machine, equipment or other contrivance used exclusively for the processing of food for human consumption.

SECTION 11 GASOLINE LOADING INTO TANK TRUCKS AND TRAILERS

It is unlawful for any person to load gasoline into any tank truck or trailer from any loading facility unless such loading facility is equipped with a vapor collection system, properly installed, in good working order and in operation or such other equipment approved by the Control Officer.

This Section shall not apply to the loading of gasoline into tank trucks and trailers from any loading facility from which not more than 10,000 gallons of gasoline are loaded in any one day.

SECTION 12 GASOLINE UNLOADING FROM TANK TRUCKS AND TRAILERS
INTO UNDERGROUND STORAGE TANKS

It is unlawful for any person to unload, or cause to be unloaded, gasoline from any tank truck or trailer into underground storage tanks unless these tanks are equipped with a permanent submerged fill pipe, the discharge opening of which is entirely submerged when the liquid level is 6 inches above the bottom of the tank. When unloading from tank truck or trailer, the hose connection to the tank fill pipe shall be tight leakproof fill connection.

For the purpose of Sections 11, 12 and 13, "gasoline" is defined as any petroleum distillate having a Reid vapor pressure of four pounds or greater.

SECTION 13 STORAGE OF PETROLEUM PRODUCTS

It is unlawful for any person to place, store or hold, or cause to be placed, stored or held, in any stationary tank, reservoir or other container, more than 40,000 gallons capacity any petroleum distillate having a vapor pressure of 1.5 pounds per square inch absolute or greater under actual storage conditions, unless such tank, reservoir or the container is a pressure tank maintaining working pressures sufficient at all times to prevent hydrocarbon vapor or gas loss into the atmosphere, or unless it is designed and equipped with the following vapor control device properly installed and in good working order and operation:

A floating roof, consisting of a pontoon-type or double-deck type roof, resting on the surface of the liquid contents and equipped with a closure seal, to close the space between the roof edge and the tank wall. The control equipment provided for herein shall not be used if the gasoline or petroleum distillate has a pressure of 11.0 pounds per square inch absolute or greater under actual storage conditions. All tank gauging and sampling devices shall be gas-tight except when gauging or sampling is taking place.

SECTION 14. CIRCUMVENTION

It is unlawful for any person to build, erect, install, or use, or cause to be built, erected, installed or used, any article, machine, equipment or other contrivance, the use of which, without resulting in a reduction in the total release of air contaminants into the atmosphere, reduces or conceals an emission which would otherwise constitute a violation of Regulations concerning air pollution as adopted by the District Board of Health. This Section shall not apply to the cases in which the only violation is of subsection 6.02 of these Regulations.

SECTION 15. UPSET, BREAKDOWN OR SCHEDULED MAINTENANCE

Operation of any plant or equipment so as to cause emissions of air contaminants in excess of limits set by these Regulations, which is a direct result of upset conditions or breakdown or is a direct result of the shutdown of such equipment for scheduled maintenance, is not a violation of these Regulations, provided:

- (1) The occurrence has been reported to the Control Officer at least twenty-four (24) hours before any scheduled maintenance, and the scheduled maintenance is performed where possible during times specified by the Control Officer as favorable for atmospheric ventilation; or
- (2) The occurrence has been reported to the Control Officer as soon as reasonably possible in the case of an upset or breakdown, but in no case more than two (2) hours after the occurrence; and
- (3) Repairs are made with maximum reasonable effort, including use of off-shift labor, overtime, or work periods of non-operation; and
- (4) In the event of emission of air contaminants of a nature or in quantities which would endanger public health or safety, such emission is stopped entirely or reduced to harmless levels as soon as possible; and
- (5) Upsets or breakdowns do not occur with such frequency that careless, marginal, or unsafe operation is indicated.

SECTION 16. SAMPLING AND TESTING FACILITIES

Any person operating any article, machine, equipment or other contrivance which releases or is reasonably suspected of releasing an air contaminant or contaminants, shall permit the Control Officer, or his agent, to install and maintain sampling and testing facilities as are reasonable and necessary for measurement of emissions of air contaminants. Where existing facilities for sampling or testing are inadequate, the Control Officer may require the owner or operator to provide and maintain access to such facilities as is reasonably necessary for sampling and testing purposes by the Control Officer, or his authorized agent, in order to secure information that will disclose the nature, extent, quantity, or degree of air contaminants discharged into the atmosphere from the article, machine, equipment, or other contrivance.

SECTION 17. TECHNICAL REPORTS AND FEES

Information, circulars, reports or technical work, and other reports prepared by the Control Officer when supplied to other governmental agencies or individuals or groups requesting copies of the same may be charged for by the Control Officer in a sum not to exceed the cost of preparation and distribution of such documents. All such monies collected shall be deposited in the office of the County Treasurer to the credit of the general fund.

SECTION 18. DUST AND SAND CONTROL**18.01 Prohibited**

It is unlawful for any person in the operation of any article, machine, equipment, or other contrivance, or in the use of land located both within and without the incorporated areas of Washoe County, Nevada, to cause, or permit, the release or discharge into the atmosphere, or the existence of any condition involving the circulation in the atmosphere, of particulate matter, such as sand, dust, or dust particles, which are of such size and nature as to be recognizable and traceable to their source, using accepted techniques, and which result in particle fallout rates beyond the properties of the owners, lessees, occupants, operators, or users thereof, in excess of two (2) tons per square mile for a twenty-four (24) hour period with the normal background of environmental fallout as a reference or zero point.

18.02 Correction of Condition

If loose sand, dust, or dust particles are found to exist in excess of limits prescribed in Section 18.01, the Control Officer shall notify the owner, lessee, occupant, operator, or user, of said land that said situation is to be corrected within a specified period of time, dependent upon the scope and extent of the problem, but in no case may such a period of time exceed three (3) days.

18.03 Remedial Action

The Control Officer, or his designated agent, after due notice pursuant to subsection 18.02, may enter upon the subject land where said sand or dust problem exists, and take such remedial and corrective action as may be deemed appropriate to relieve, reduce, or remedy the existent sand and dust condition, when the owner, occupant, operator or any tenant, lessee, or holder of any possessory interest or right in the subject land, fails to do so.

18.04 Costs

Any costs incurred in connection with any such remedial or corrective action by the Control Officer shall be assessed against the owner of the involved property, and failure to pay the full amount of such costs shall result in a lien against said real property, which lien shall remain in full force and effect until any and all such costs shall have been fully paid, which shall include, but not be limited to, costs of collection and reasonable attorney's fee therefore.

SECTION 19 REGISTRATION OF SOURCES**19.01** Registration Requirements

Except as provided in subsection 19.04, any person who causes, lets, permits, suffers or allows the emission of air contaminants, whether or not limits are established by these Regulations for emission of such contaminants, shall file with the Control Officer, on forms provided by him, the following information:

- (1) Name and address of business.
- (2) Nature of business.

- (3) Name of local person responsible for compliance with these Regulations.
- (4) Information of fuel used for space heat, process heat, or power generation.
- (5) Information on methods of refuse disposal.
- (6) A description of the specific nature and estimated quantity of the air contaminants emitted or to be emitted, together with corresponding location or locations of the sources.
- (7) Such other information requested by the Control Officer.

19.02 Date of Registration

Emission sources existing on the effective date of the registration, as defined in subsection 19.01, shall be registered within sixty (60) days of receipt of forms from the Control Officer. All emission sources thereafter shall be registered with the Control Officer within ten (10) days prior to commencement of operation of such emission sources.

19.03 Change in Status

Each person subject to these Regulations shall maintain such registration in current status by re-registering with the Control Officer if any substantial change is made affecting the information on file furnished in compliance with these Regulations.

19.04 Exceptions

The following sources of emission of air contaminants shall be exempt from the registration provisions of this Section:

- (1) Internal combustion engines installed in mobile equipment units, or any engine used solely as a standby source of motor power.
- (2) Aircraft not otherwise included under above subsection (1).
- (3) Natural gas fired or liquefied petroleum gas fired or oil fired equipment (burning No. 1 and No. 2 fuel oil) furnaces, boilers, water

heaters or steam generators, having not over 350,000 B.T.U.'s per hour total input.

SECTION 20. RECORDS AND INFORMATION

Any records or other information furnished to or obtained by the Board of Health, the Control Officer, or his agent, or the Hearing Board concerning one or more air pollution sources, which records and information relate to production or sales figures, or to the processes or production unique to the owner or operator, or affect the competitive position of such owner or operator, shall be confidential and used only by any of the Board or Officers above named, in the administration and enforcement of these Regulations, unless such owner or operator expressly agrees to their publication or availability to the public.

SECTION 21. ADOPTION, AMENDING REGULATIONS

Before the adoption or amendment of any regulation, the Board of Health shall hold a public hearing. Notice of such hearing shall be given twenty (20) days before the date of such proposed regulation to be adopted or the proposed amendment to existing regulations.

SECTION 22. INJUNCTIVE RELIEF

In addition to any remedy at law hereunder, the Control Officer may apply to a court of competent jurisdiction for other equitable and injunctive relief to enforce compliance with, or to restrain violations of any provision of these Regulations, or to any regulation or rule made and adopted pursuant thereto.

SECTION 23. INTERFERENCE WITH PERFORMANCE OF DUTY

It shall be unlawful for any person to interfere or impede the Control Officer or his designee in the performance of his duty in his investigation of a suspected air pollution violation, or refuse to permit him to perform this duty by refusing entrance to the premises or property.

SECTION 24. PENALTIES

Any person or persons violating or failing to comply with any provision of these Regulations shall upon conviction be punished by a fine not less than twenty-five dollars (\$25.00) and not more than five hundred dollars (\$500.00), and/or imprisonment in jail for

not more than six (6) months, and each day of any such violation shall constitute a separate offense, subject to the foregoing penalties as to fine and/or imprisonment.

SECTION 25. SEVERABILITY


If any provision of these Regulations or the application thereof to any person or circumstance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of these Regulations which can be given effect without the invalid provision or application, and to this end the provisions of these Regulations are declared to be severable.

Passed and Adopted this 18th day of September,
1969, by the following vote of the District Board
of Health:

Ayes:	Members	<u>ROY G. BANKOFIER, MAYOR</u>
		<u>J. C. McKENZIE, COMMISSIONER</u>
		<u>RICHARD C. SHERETZ, M.D.</u>
		<u>FRANK C. STOKES, M.D.</u>

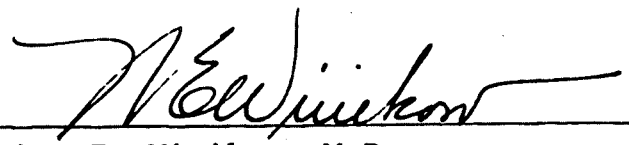
Nays:	Members	<u>NONE</u>

Absent:	<u>GEORGE A. CANN, M.D.</u>
	<u>CHARLES R. STONE, MAYOR</u>



Frank C. Stokes, M.D.
Chairman of the Board

Attest:



William E. Winikow, M.D.
Secretary, District Board of Health

These Regulations shall be in force and effect from and
after the 18th day of October, 1969.