

SENATE BILL NO. 12—COMMITTEE ON NATURAL RESOURCES
(ON BEHALF OF THE DIVISION OF ENVIRONMENTAL PROTECTION)

PREFILED DECEMBER 13, 2010

Referred to Committee on Natural Resources

SUMMARY—Repeals certain reporting requirements for the emission of greenhouse gases. (BDR 40-469)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets **fomitted-material** is material to be omitted.

AN ACT relating to air pollution; repealing certain reporting requirements for the emission of greenhouse gases; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires certain facilities that generate electricity to report
2 greenhouse gas emissions to the State Environmental Commission for inclusion in a
3 registry of greenhouse gas emissions. (NRS 445B.370) In 2009, the United States
4 Environmental Protection Agency adopted regulations that contain similar
5 reporting requirements. (40 C.F.R. §§ 98.1 et seq.) This bill repeals NRS 445B.370
6 to eliminate the duplicate reporting requirements for facilities that are required to
7 report greenhouse gas emissions under the federal regulations adopted by the
8 Environmental Protection Agency.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 445B.370 is hereby repealed.
2 **Sec. 2.** Any regulations adopted by the State Environmental
3 Commission pursuant to NRS 445B.370 are void. The Legislative
4 Counsel shall remove those regulations from the Nevada
5 Administrative Code as soon as practicable after the effective date
6 of this act.
7 **Sec. 3.** This act becomes effective upon passage and approval.



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TEXT OF REPEALED SECTION

445B.370 Regulations of Commission: Reporting of emissions of greenhouse gases by certain entities; requirements for participation in registry of greenhouse gas emissions.

1. In addition to any regulation adopted pursuant to NRS 445B.210 to prevent, abate and control air pollution, the Commission shall, by regulation:

(a) Mandate the reporting of all greenhouse gases emitted by each affected unit in this State for inclusion in a registry of greenhouse gas emissions; and

(b) Except as otherwise provided in subsection 3, establish the requirements for participation in the registry.

2. The regulations may include, without limitation, provisions setting forth:

(a) The requirements and procedures for reporting emissions of greenhouse gases;

(b) Methods for determining the emissions of greenhouse gases that must be reported for inclusion in the registry;

(c) Methods for independently verifying the information reported for inclusion in the registry; and

(d) The reporting period, except that the period must not exceed 1 year.

3. The requirements for participation in the registry established pursuant to paragraph (b) of subsection 1 must not prohibit a person who does not own or operate an affected unit from voluntarily participating in the registry.

4. As used in this section:

(a) “Affected unit” means a unit for the generation of electricity that:

(1) Has a maximum design output capacity of not less than 5 megawatts;

(2) Emits a greenhouse gas; and

(3) Generates electricity for sale.

↪ The term does not include a unit that uses renewable energy, as defined in NRS 704.7811, to generate electricity.

(b) “Registry of greenhouse gas emissions” or “registry” means a repository or ongoing account of verified greenhouse gas emissions.

