

Summary Meeting Minutes

Workshop to Solicit Comments on Proposed Regulations NAC Chapter 590 LCB File R038-21

April 6, 2022 10:30 AM

Nevada Department of Agriculture Headquarters
405 S 21st Street, Sparks, NV 89431

Workshop held virtually via Zoom

- 1. Call to Order:** The meeting was called to order at 10:33 am. Persons in attendance via Zoom:
 - Cadence Matijevich, Nevada Department of Agriculture (NDA)
 - William Striejewske, Nevada Department of Agriculture (NDA)
 - Mikayla Jones, Nevada Department of Agriculture (NDA)
 - Adelina Helton, Nevada Department of Agriculture (NDA)
 - Jeffrey Kinder, Nevada Department of Conservation and Natural Resources/Division of Environmental Protection (DCNR/NDEP)
 - Jeff Collins, Nevada Department of Conservation and Natural Resources/Division of Environmental Protection (DCNR/NDEP)
 - Jonathan McRae, Nevada Department of Conservation and Natural Resources/Division of Environmental Protection (DCNR/NDEP)
 - Cassie Mullen, Renewable Fuels Association (RFA)
 - Jim Verburg, Western States Petroleum Association (WSPA)
 - William Horne, Strategies 360/ Western States Petroleum Association (WSPA)
 - Peter Krueger, Nevada Petroleum Marketers & Convenience Store Association (NPMCSA)
 - Marilyn Herman, Herman & Associates
 - Sandy Young, Nevada National Security Site
 - Joseph Sorena, Chevron
 - Alexandria Cannito, Lewis and Roca
 - Marc Ventura, Phillips 66
 - Peter Cosentino Jr., Oilmatic LLC
 - Valerie Drake, Sage Petroleum
 - Janie Kilgore, POET, LLC
 - Daniel Inouye, Washoe County Air Quality Management Division (WCAQMD)
 - Francisco Vega, Washoe County Air Quality Management Division (WCAQMD)
- ¹Roshell G, no affiliation given
²(925) 276-3681

¹ No other information is available for this attendee. The individual was contacted during the workshop with Zoom chat, but no response was received.

² No other information is available for this attendee. The phone number was addressed verbally, and a Zoom chat was sent referencing the number and asking for more information, but no response was received.

2. Public Comment:

Jonathan McRae, DCNR/NDEP, commented that federal regulations (40 CFR § 40) require that parties wishing to store E15 must verify that their storage tanks are compatible for this purpose. There is concern that the regulatory body for underground storage tanks (DCNR/NDEP) may see issues with this in the future. According to their database, there are 1901 pre-1998 installed tanks in Nevada. They feel that these tanks are most susceptible to problems with E15, and Mr. McRae wanted that to be on the public record.

3. Discussion of Proposed Regulations

a. LCB File No. 038-21. Regarding the Amendment of regulations that pertain to Chapter 590 of the Nevada Administrative Code.

Dr. Striejewske provided an overview of the proposed regulations and the purpose and need for the regulations.

Joseph Sorena, Chevron, asked about referencing a prior version of the Federal Register as it pertains to vapor pressure (R038-21 section 2, page 2). Dr. Striejewske explained the conversations undertaken by the NDA, the NDA's assigned Deputy Attorney General, and the Legislative Counsel Bureau's drafter, and that the action taken by the Washington, D.C. Court of Appeals (vacating extension of the 1 psi vapor pressure waiver to E15) resulted in the language in the draft. Dr. Striejewske further indicated that the NDA plans to revisit this section of the regulation when the situation is settled federally.

Dr. Striejewske noted an entry in the Zoom chat from Marilyn Herman, Herman & Associates, asking essentially the same question as Mr. Sorena. Dr. Striejewske asked if his reply to Mr. Sorena answered her question and did not receive a response.

Peter Krueger, NPMCSA, asked about public outreach, and what the NDA envisions going forward with informational outreach concerning E15. Dr. Striejewske responded that handouts, social media, etc., will be explored and employed as much as positive and necessary. Mr. Krueger commented that his organization would help as much as possible.

4. Public Comment: There was no general public comment provided.

5. Adjournment: The meeting was adjourned at 11:02 am.