



CLARK COUNTY • DEPARTMENT OF AIR QUALITY
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Marci Henson Director

GENERAL PERMIT TO CONSTRUCT AND/OR OPERATE

for

GASOLINE DISPENSING OPERATIONS GDO Category 0

ISSUED ON: March 16, 2020

EXPIRES ON: March 15, 2025

**Issued by the Clark County Department of Air Quality in accordance with Section 12.11
of the Clark County Air Quality Regulations.**

A handwritten signature in blue ink that reads "Theodore A. Lendis".

Theodore A. Lendis, Permitting Manager

AUTHORITY

This general permit was issued in accordance with Air Quality Regulations (AQR) Sections 12.11 (“General Permits for Minor Stationary Sources”) and 12.1 (“Permit Requirements for Minor Sources”).

The Control Officer shall provide public notice for any proposed new general permit, for any revision of an existing general permit (excluding administrative revisions described in AQR 12.1.6(c)), and for renewal of an existing general permit.

The public participation requirements in AQR 12.1.5.3 shall apply to any public notice required by AQR 12.11.3(f).

An opportunity for public comment on this general permit during a 30-day period was provided on January 13, 2020. All written and oral comments, and all other documents on the administrative record, were considered before taking final action on this general permit on March 16, 2020.

APPLICABILITY CRITERIA

Any facility operating a gasoline dispensing operation that is otherwise subject to the Minor Source Permit requirements of AQR 12.1 may be eligible for coverage under this general permit if the facility meets the requirements specified herein and obtains authority to operate under this general permit. A minor source that does not meet the applicability criteria of this general permit will be considered ineligible for coverage, and the Control Officer shall require the applicant to obtain an individual Minor Source Permit pursuant to AQR 12.1.

This general permit is for gasoline dispensing operations (GDOs) located in Clark County, NV, that fall under NAICS code 447190, “Other-Gasoline Service Station without Convenience Store,” and NAICS code 447110, “Gasoline Station with Convenience Store,” or other businesses with gasoline dispensing (except aviation gasoline at airports) as the sole emitting activity. This general permit is for minor sources of regulated air pollutants meeting the following criteria:

- Emission units are comprised of only gasoline storage tanks, dispensers, waste collection systems, and exempt and insignificant emission units as defined by AQR 12.1.2; and
- Gasoline dispensing is limited to an aggregated throughput of all gasoline products as listed in Table 1.
- The GDO is subject to the requirements of Title 40, Part 63, Subpart CCCCCC of the Code of Federal Regulations (40 CFR Part 63).

Table 1. Qualifying Criteria by Source Class and Subclass

Source Class	Maximum Gasoline Throughput (gallons per year)	Pollutant	PTE (tons per year)
GDO Category 0	1,199,999	VOC	7.79

APPLICATION FOR AUTHORITY TO OPERATE UNDER THE GENERAL PERMIT

After this general permit has been issued, a new or existing minor source that is a member of the general permit source class may apply to the Control Officer for authority to operate under this general permit. *[AQR 12.11.4(a)]*

Applicants shall complete the application form(s) provided by the Control Officer for this general permit source class. The applicant shall, at a minimum, submit information identifying and describing the source, its processes, and its operating conditions, pursuant to AQR 12.1.3 in sufficient detail to allow the Control Officer to verify qualification for the source class and assure compliance with all general permit requirements. *[AQR 12.11.4(b)]*

The Control Officer shall act on an application for authority to operate under a general permit as expeditiously as possible, but a final decision shall be reached within 60 days of receipt of the application. *[AQR 12.11.4(c)]*

The Control Officer shall approve or deny the request for coverage based on applicability criteria specified in this general permit for Gasoline Dispensing Operations. If the application is approved, the Control Officer shall issue an authority to operate under this general permit to the source and post the issuance decision on the department's website. If the application is denied, the Control Officer shall notify the source that it may apply for a Minor Source Permit pursuant to AQR 12.1 if it intends to proceed with construction or continue to operate. *[AQR 12.11.4(c)(1)–(3)]*

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COMMON ACRONYMS AND ABBREVIATIONS

(These terms may be seen in the permit)

AQR	Clark County Air Quality Regulation
ATO	Authority to Operate Certificate
CARB	California Air Resources Board
CFR	Code of Federal Regulations
DAQ	Clark County Department of Air Quality
EPA	U.S. Environmental Protection Agency
GDO	Gasoline Dispensing Operation
O&M	operations and maintenance
PTE	potential to emit
PV	pressure/vacuum
VOC	volatile organic compound

1.0 EQUIPMENT

1.1 EMISSION UNITS

The stationary source operating under the authority of this general permit shall be limited to the emission units listed in the Authority to Operate Certificate (ATO). *[AQR 12.11.4(b) & 12.1.4.1(b)]*

1.2 INSIGNIFICANT UNITS AND ACTIVITIES

The potential to emit (PTE) of all insignificant units and activities shall be considered in determining if a stationary source is required to obtain a permit. When added to the source PTE, emissions from these units and/or activities will not subject the source to major source requirements for any pollutant. All exempt and insignificant units and activities shall remain subject to any other applicable requirements. *[AQR 12.1.2(a)&(d) & AQR 12.1.4.1(f)(2)]*

2.0 CONTROLS

2.1 CONTROL REQUIREMENTS

General Conditions [AQR 12.11.3(d)(3) & AQR 12.1.4.1(c)&(f)]

1. The permittee shall implement control measure requirements on gasoline dispensing equipment. [40 CFR Part 63, Subpart CCCCCC]
2. The permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Preventative measures to be taken include, but are not limited to, the following: [40 CFR Parts 63.11116 & 63.11117]
 - a. Minimize gasoline spills;
 - b. Clean up spills as expeditiously as practicable;
 - c. Cover all open gasoline containers and all gasoline storage tank fill pipes with a gasketed seal when not in use;
 - d. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators; and
 - e. Only load gasoline into storage tanks using a submerged fill tube where the greatest distance from the bottom of the storage tank to the point of the fill tube opening is no more than six inches.

Non-oxygenated (Non-ethanol) Gasoline [AQR 12.11.12(a)]

3. From October 1 to March 31 every year in the Las Vegas Valley, the Eldorado Valley, the Ivanpah Valley, the Boulder City limits, and any area within three miles of these areas, no gasoline intended as a final product for fueling motor vehicles shall be supplied or sold by any person; sold at retail; sold to a private or a municipal fleet for consumption; or introduced into any motor vehicle by any person unless the gasoline has at least 3.5 percent oxygen content by weight. [AQR 53.1.1 & AQR 53.2.1]
4. If a gasoline storage tank in the Las Vegas Valley, the Eldorado Valley, the Ivanpah Valley, the Boulder City limits, and any area within three miles of these areas receives its last gasoline delivery with less than 3.5 percent oxygen content by weight before September 15, gasoline dispensed from that tank will be exempt from enforcement of AQR 53.2.1 until the first delivery date after October 1. [AQR 53.5.1.1]

Other

5. The permittee shall not cause, suffer, or allow any source to discharge air contaminants (or other materials) in quantities that will cause a nuisance, including excessive odors. [AQR 40 & AQR 43]

3.0 LIMITATIONS

3.1 OPERATIONAL LIMITS

1. A permittee issued an ATO for a source class GDO, Category 0, shall limit the throughput of gasoline (aggregate of all gasoline products) to 1,199,999 gallons per year. [AQR 12.11.11(a)]

3.2 EMISSION LIMITS

1. The permittee shall not allow the actual emissions from the stationary source to exceed the PTE listed in Table 3-1 corresponding to the general permit class listed on the ATO. [AQR 12.11.11(a) & 12.1.4.1(c)]

Table 3-1. Potential to Emit (tons per year)

General Permit Class	Pollutant	PTE
GDO Category 0	VOC	7.79

2. The permittee shall not discharge into the atmosphere, from any emission unit, any air contaminant in excess of an average of 20% opacity for a period of more than six consecutive minutes. [AQR 26.1]

4.0 COMPLIANCE DEMONSTRATION REQUIREMENTS

4.1 MONITORING

General Conditions [AQR 12.11.3(d)(2)]

1. The permittee shall monitor and record the daily combined throughput of gasoline in gallons, and shall each month calculate the total of the last 365 days of gasoline throughput and divide by 12.
2. The permittee shall monitor and record the daily throughput of non-oxygenated (non-ethanol) unleaded gasoline.
3. The permittee shall monitor the fuel storage and dispensing system to determine if its components are in compliance with the control requirements of this general permit. Monitoring inspections shall be recorded and consist of:
 - a. Inspecting daily for gasoline spills, and recording the times and dates the source became aware of a spill and cleaned it up;
 - b. Inspecting covers on gasoline containers and fill pipes after each respective delivery, and recording the date of fuel deliveries and corresponding inspections; and
 - c. Recording the date and approximate volume of gasoline sent to open waste collection systems that collect recyclable gasoline, if applicable.

4.2 TESTING

No testing requirements have been identified.

4.3 RECORDKEEPING REQUIREMENTS

1. The permittee is required to comply with the recordkeeping requirements of 40 CFR Part 63, Subpart CCCCC. *[40 CFR Part 63.11125]*
2. The permittee shall create and maintain the following records, all of which must be producible on-site to the Control Officer's authorized representative upon request and without prior notice during the permittee's hours of operation: *[AQR 12.11.3(d)(2), AQR 12.1.4.1(d)(2), & AQR 12.1.4.1(s)]*

Inspections/Maintenance/General

- a. Required equipment inspections and maintenance;
- b. Maintenance on storage and distribution equipment, including a general description of location and parts;

- c. Date and time that storage and distribution equipment was taken out of service;
- d. Date of repair or replacement of storage and distribution equipment/parts;

Daily Actions/Throughput

- e. Date and time of gasoline delivered, and specifically non-ethanol gasoline, if applicable;
- f. Daily total combined throughput of gasoline;
- g. Daily throughput of non-ethanol unleaded gasoline;
- h. Monthly 12-month average combined throughput of gasoline;
- i. Calendar year combined annual gasoline product throughput (reported annually);

Emissions

- j. Deviations from general permit requirements resulting in excess emissions (reported as required by Section 4.4 of this permit);
 - k. Deviations from general permit requirements not resulting in excess emissions (reported annually); and
 - l. Calendar year annual emissions for the entire source (reported annually).
3. The permittee shall include in each record above, where applicable, the date and time the monitoring or measurement was taken, the person performing the monitoring or measurement, and the emission unit or location where the monitoring or measurement was performed. Each record must also contain the action taken to correct any deficiencies, when applicable. [AQR 12.11.3(d)(2) & AQR 12.1.4.1(d)(2)(A)]
4. The permittee shall maintain all records for a period of at least five years from their creation. [AQR 12.11.3(d)(2) & AQR 12.1.4.1(d)(2)(B)]

4.4 REPORTING AND NOTIFICATION

- 1. The permittee is responsible for all applicable notification and reporting requirements contained in 40 CFR Part 63.
- 2. If the construction or modification of a source differs from what is authorized in this general permit, the source shall provide a written notice to the Control Officer that includes a list of the differences, and complete descriptions of each one, at least 30 days before commencing operations. [AQR 12.11.3(d)(2) & AQR 12.1.4.1(n)]
- 3. The permittee shall submit an annual report to the Control Officer in accordance with the following requirements. [AQR 12.11.3(d)(2) & AQR 12.1.4.1(d)(3)]

- a. Each annual report shall be: *[AQR 12.9]*
 - i. Based on the preceding calendar year;
 - ii. Submitted on or before March 31 of each year, even if there was no activity (if March 31 falls on a Saturday or Sunday, or on a state or federal holiday, the submittal shall be due on the next regularly scheduled business day); and
 - iii. Addressed to the attention of the Control Officer.
 - b. Each annual report shall contain, at a minimum:
 - i. As the first page of text, a signed certification containing the sentence: “I certify that, based on information and belief formed after reasonable inquiry, the statements contained in this document are true, accurate, and complete.” This statement shall be signed and dated by a Responsible Official of the company (a sample form is available from DAQ); *[AQR 12.9(g)]* and
 - ii. The calculated actual annual emissions from each emission unit, even if there was no activity, and the total calculated actual annual emissions for the source, based on the emissions calculation methodology used to establish the PTE in this general permit or on an equivalent method approved by the Control Officer prior to submittal. *[AQR 12.9(c)(2)]*
4. The permittee shall report to the Control Officer any upset, breakdown, malfunction, emergency, or deviation that causes emissions of regulated air pollutants in excess of any limits set by regulations or by this permit. The report shall be in two parts, as specified below: *[AQR 25.6.1, AQR 12.11.3(d)(2) & AQR 12.1.4.1(d)(3)(B)]*
 - a. Within 24 hours of the time the permittee learns of the event, the permittee shall notify DAQ by phone at (702) 455-5942, by fax at (702) 383-9994, or by email at AQCompliance@ClarkCountyNV.gov.
 - b. Within 72 hours of the required notification, the permittee shall submit a detailed written report to DAQ containing the information required by AQR 25.6.3.
 5. The permittee shall report deviations from general permit requirements that do not result in excess emissions, including those attributable to upset conditions as defined in this general permit, with the annual report. Such reports shall include the probable cause of such deviations, as well as any corrective actions or preventive measures taken. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(d)(3)(B)]*
 6. Any report and/or compliance certification submitted pursuant to this section or the AQRs shall contain certification by a Responsible Official of truth, accuracy, and completeness. This certification, and any other certification required under this AQR section, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(d)(3)(C)]*

5.0 ADMINISTRATIVE REQUIREMENTS

5.1 GENERAL

1. The permittee shall not operate the equipment listed in the ATO with other equipment permitted through a separate general permit pursuant to AQR 12.11 or minor source permit pursuant to AQR 12.1. The operation of additional emission units requires either a revised ATO or a minor source permit issued pursuant AQR 12.1 so that one comprehensive permit includes all emission units at any one facility. *[AQR 12.11.1]*
2. This general permit shall not exceed a term of five years from the date of issuance. *[AQR 12.11.3(d)(5)]*
3. The Control Officer may terminate this general permit at any time the Control Officer determines that emissions from sources in this source class cause or contribute to ambient air quality standard violations that are not adequately addressed by the requirements in this general permit, or that the terms and conditions of this general permit no longer meet the requirements of AQR 12.1.4.1. *[AQR 12.11.8(a)]*
4. The Control Officer shall provide written notice to all sources operating under this general permit prior to its termination. Within 180 days of receipt of the notice, the source shall submit an application to the Control Officer for an individual Minor Source Permit pursuant to AQR 12.1. *[AQR 12.11.8(b)]*
5. The Control Officer may revoke a minor source's ATO under a general permit if the source is not in compliance with any term or condition of the general permit. *[AQR 12.11.8(c)]*
6. Upon revocation of a source's ATO under this general permit, the Control Officer shall notify the source's Responsible Official by certified mail, return receipt requested. The notice shall include a statement detailing the grounds for the revocation of the ATO and a statement that the source is entitled to a hearing. The source may continue operating under the revoked ATO for a maximum of 15 days after receipt of the notice of revocation. However, the source must submit a complete application for an individual Minor Source Permit pursuant to AQR 12.1 to continue operations after 15 days of receipt of the notice of revocation. *[AQR 12.11.8(d)&(e)]*
7. If any term or condition of this general permit becomes invalid as a result of a challenge to a portion of this general permit, the other terms and conditions of this general permit shall be unaffected and remain valid. *[AQR 12.1.4.1(i)]*
8. The terms and conditions of this general permit apply to any part or activity of the stationary source that emits, or has the potential to emit, any regulated air pollutant for which operating authority has been granted through an ATO, and includes all third parties (such as lessees or contractors) conducting such activities. *[AQR 12.11.3(d)(2), AQR 12.1.4.1(c), & AQR 12.1.4.1(aa)]*

9. Any application, report, or compliance certification submitted to the Control Officer pursuant to this general permit or the AQRs shall contain a certification of truth, accuracy, and completeness with a Responsible Official's original signature. *[AQR 12.11.3(d)(2), AQR 12.1.3.6(a), & AQR 12.1.4.1(d)(3), and 40 CFR Part 3]*
10. As a condition of the issuance of the ATO, the owner or operator agrees to allow inspection of the premises to which the ATO relates, including the location where records must be kept under the conditions of this general permit, by any authorized representative of the Control Officer at any time during the permittee's hours of operation without prior notice to perform the following: *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(s)]*
 - a. Access and copy any records that must be kept under the conditions of this general permit;
 - b. Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this general permit;
 - c. Sample or monitor substances or parameters for the purpose of assuring compliance with this general permit or applicable requirements; and
 - d. Document alleged violations using such devices as cameras or video equipment.
11. The permittee shall pay fees to the Control Officer consistent with the approved fee schedule in AQR 18. *[AQR 12.11.9]*
12. This general permit does not convey property rights of any sort, or any exclusive privilege. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(t)]*
13. Anyone issued an ATO under AQR 12.11 shall post the ATO and general permit in a location that is clearly visible and accessible to the employees of the stationary source and representatives of the Control Officer, in accordance with AQR 12.13. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(v)]*
14. This general permit shall not waive, or make less stringent, any limitations or requirements contained in or issued under the Nevada State Implementation Plan, or otherwise federally enforceable. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(w)]*
15. A minor source that has applied for authority to operate under this general permit shall not initiate construction, modification, or operation until the Control Officer has issued the ATO to the minor source. *[AQR 12.11.4(d)]*
16. Commencement of operations constitutes an acknowledgment that the permittee assumes the responsibility of ensuring the source's emission units and emission control equipment have been constructed and will be operated in compliance with all applicable requirements. *[AQR 12.11.3(d)(2) & AQR 12.1.4.2]*
17. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this general permit. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(o)]*

5.2 REVISIONS AND RENEWALS

1. A minor source that has been issued an ATO may make revisions only as authorized by this general permit. Any revisions outside that scope shall require a new application for either an individual Minor Source Permit under AQR 12.1 or a different general permit issued under AQR 12.11, if one is available. *[AQR 12.11.10(a)]*
2. The Control Officer shall review and may renew this general permit every five years, or sooner if warranted. *[AQR 12.11.5(a)]*
3. A source's authority to operate under this general permit shall coincide with the five-year term of this general permit regardless of when the ATO was issued during that period, except as provided in AQR 12.11.8(b) for termination of the general permit by the Control Officer. *[AQR 12.11.5(a)]*
4. At the time this general permit is renewed, the Control Officer shall notify in writing all sources who have been granted, or who have applications pending for, authorization to operate under this general permit. The written notice shall describe the source's duty to reapply by submitting a timely application, and may include requests for information required under the proposed renewal permit. *[AQR 12.11.5(a)&(b)]*
5. To renew an ATO, the source shall submit a timely application at least 120 days, but no more than 270 days, before the date of this general permit expiration, or within a time frame specified by the Control Officer in a written notification. *[AQR 12.11.5(b) & AQR 12.1.3.1(b)]*
6. If a timely renewal application is submitted, the source may continue to comply with the previously issued ATO until a renewed ATO under the renewed general permit is granted. Failure to submit a timely renewal application terminates the source's right to operate after the expiration of this general permit without first obtaining a new ATO for the renewed general permit. *[AQR 12.11.5(b)]*
7. The permittee shall furnish to the Control Officer, in writing and within a reasonable time, any information that the Control Officer may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the ATO, or to determine compliance with this general permit. Upon request, the permittee shall also furnish to the Control Officer copies of records that this general permit requires keeping. The permittee may furnish records deemed confidential to the Control Officer with a claim of confidentiality, pursuant to AQR 12.6. *[AQR 12.1.4.1(u)]*
8. This general permit may be revised, revoked, reopened and reissued, or terminated for cause by the Control Officer. The filing of a request by the permittee for a permit revision, for termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. *[AQR 12.1.4.1(p)]*
9. A general permit may be reopened and revised under any of the following circumstances: *[AQR 12.1.4.1(q)]*

Gasoline Dispensing Operations
GDO Category 0

- a. The Control Officer determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- b. The Control Officer determines that the general permit must be revised or revoked to assure compliance with applicable requirements.