

Authority to Construct Permit Application for a 40 CFR Part 70 Source

Clark County Department of Environment & Sustainability
Division of Air Quality

Submit Application and Payment to:
Division of Air Quality
4701 W. Russell Road, Suite 200
Las Vegas NV 89118

For DAQ Use Only

Invoice No.:

Date:

Section A: Permit Application Type (check one):

- ATC with PSD Review (AQR 12.2)
- ATC with Nonattainment Review (AQR 12.3)
- ATC (AQR 12.4; not subject to AQR 12.2 or 12.3)
- ATC as part of a Part 70 OP Significant Revision (AQR 12.4.3.2(d))
- ATC as part of a Part 70 OP Minor Revision (AQR 12.4.3.2(e))
- Administrative Revision of Existing ATC (AQR 12.4.4.1(b))
- Significant Revision of Existing ATC (AQR 12.4.4.1(c))

Application Description: Describe the action being proposed, e.g., new process, change to equipment, change to permit conditions, Voluntarily Accepted Emission Limit (VAEL), etc.

Applications for a Part 70 source ATC shall include the information requested in Sections B–F.

Complete the fields in Sections B–F even if there is no change from the previous application.

Section B: Source Information

Source ID No (existing permits only):

Source Name (as listed on Clark County/State of Nevada business license):

City/County Business License #:

Source Location Information

Number:	Direction:	Street Name:	Cross Streets:

City:	State: NV	ZIP:

Phone Numbers

Office:	Fax:

North American Industry Classification System (NAICS) / Source Industry Classification Code

Primary NAICS:	Additional NAICS:

Source Description: Describe the nature of your business, including processes and products.

Section C: Company Information (AS LISTED ON THE SECRETARY OF STATE'S BUSINESS CERTIFICATE/FILING)

Has any of this information changed since the previous application? YES NO (Existing Permit Holders Only)
If YES, submit the Transfer of Ownership/Change of Name form and fee (SS-PER-020-01).

Company Name:

Nevada Secretary of State Business Certificate/Filing No.:

If this is a new source, attach a printout of your company's business listing on the Nevada Secretary of State website or other formal documentation that includes your company's full legal name.

Company Location Information

Physical Address

Number:	Direction:	Street Name:	Street Type:	Suite:	P.O. Box:
City:			State:	ZIP:	

Mailing Address

Number:	Direction:	Street Name:	Street Type:	Suite:	P.O. Box:
City:			State:	ZIP:	

Phone Numbers

Office:	Fax:
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Section D: Responsible Official (RO) Information

Has any of this information changed since the previous application? YES NO **(Existing Permit Holders Only)**

If YES, submit separately the Declaration of Responsible Official form (RO-PER-003). See AQR 12.4.2(h) for the applicable definition of an RO.

Name:		Title:			
Number:	Direction:	Street Name:	Street Type:	Suite:	P.O. Box:
City:			State:	ZIP:	
Email:		Primary Communication Method: <input type="checkbox"/> Email <input type="checkbox"/> USPS			

Phone Numbers

Office:	Extension:	Cell:	Fax:
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Section E: Plant Manager/Environmental Representative Information (Optional)

Name:		Title:			
Number:	Direction:	Street Name:	Street Type:	Suite:	P.O. Box:
City:			State:	ZIP:	
Email:		Primary Communication Method: <input type="checkbox"/> Email <input type="checkbox"/> USPS			

Phone Numbers

Office:	Extension:	Cell:	Fax:
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Section F: Billing Contact (Accounts Payable) Information (Optional)

Name:		Title:			
Email:		Primary Communication Method: <input type="checkbox"/> Email <input type="checkbox"/> USPS			

Phone Numbers

Office:	Extension:	Cell:	Fax:
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Section G: Application Instructions

1. An owner or operator of an existing or new Part 70 source shall obtain an Authority to Construct (ATC) Permit from the Control Officer before beginning actual construction or continuing with any of the following:
 - a. Operating a new Part 70 source;
 - b. "Major modification," as defined in AQR 12.2 or 12.3;
 - c. Modification that increases the Part 70 source's potential to emit (PTE) by an amount equal to or greater than the minor New Source Review (NSR) significant level in AQR 12.4.2.1;
 - d. Construction, modification, or reconstruction of an affected facility that becomes newly subject to a standard, limitation, or other requirement under 40 CFR Part 60;
 - e. Construction or reconstruction of a new source or of an affected source that becomes newly subject to a standard, limitation, or other requirement under 40 CFR Part 63, including, but not limited to, construction or modification that requires preconstruction review under 40 CFR Part 63.5; or
 - f. Modification to a solid waste incinerator unit, as defined by an applicable standard under 40 CFR Part 60.
2. When the owner or operator of a Part 70 source must revise the existing Part 70 Operating Permit before construction, modification, or reconstruction, as specified in AQR 12.4.1.1(c), the Control Officer shall follow AQR 12.5.2.13 or 12.5.2.14, as applicable, to process the ATC Permit application and revise the Part 70 Operating Permit.
3. For construction, modification, or reconstruction that meets the AQR 12.5.2.14(c)(1) criteria for a significant permit revision, the owner or operator may submit an ATC Permit application that fulfills both AQR 12.4.3.1(a) requirements and the requirements for an application for a significant revision to an existing Part 70 Operating Permit in AQR 12.5.2.14(c)(2). The owner or operator and the Control Officer may then follow the AQR 12.5.2.14(c) process for significant permit revisions to obtain authorization to construct and operate under a revised Part 70 Operating Permit and/or an ATC Permit.
4. For modifications that increase the Part 70 source's PTE by an amount less than the minor NSR significance level defined in AQR 12.4.2.1 and meet the AQR 12.5.2.14(a)(1) criteria for a minor permit revision:
 - a. The owner or operator may submit an application for an ATC Permit that fulfills both the AQR 12.4.3.1(a) requirements and the requirements for an application for a minor permit revision in AQR 12.5.2.14(a)(3). The owner or operator may then begin actual construction and operate under the authority provided by AQR 12.5.2.14(a)(6), and the Control Officer may follow the AQR 12.5.2.14 minor permit revision process to issue an authorization to construct and operate under a revised Part 70 Operating Permit and/or an ATC Permit.
 - b. An authorization to construct and operate per AQR 12.5.2.14(a)(6) remains in effect until the Control Officer takes final action on the minor permit revision application under AQR 12.5.2.14(a)(5)(A), (B), or (C), or issues a separate ATC Permit.
 - c. The Control Officer may modify the AQR 12.5.2.14(a)(6) authorization to construct and operate before taking final action on the minor permit revision application by revising the draft minor permit revision under AQR 12.5.2.14(a)(5)(D).
5. When an owner or operator and the Control Officer follow the procedures in G.2, G.3, or G.4 then, in accordance with AQR 12.4.5.2(b), the revised Part 70 Operating Permit serves as both the Operating Permit and the ATC Permit for the affected and constructed emission units at the source when the Control Officer does not issue a separate ATC Permit.

Section H: Application Supplemental Documents

Information worksheets for common source types and emission units are posted on the DES website under [Applications/Forms → Stationary Source Permitting Forms → Emission Unit/Control Device Worksheets & Tools](#). Applicants can use these documents to provide some of the technical information requested below.

1. To complete this application, provide the following information related to the construction or project, as set forth in AQR 12.4.3.1:
 - a. Description of all emissions of regulated air pollutants from all affected and construction emission units, and a projected operating schedule for each unit;

- b. Identification and description of all emission units, including, but not limited to, the manufacturer, model number, serial number, rating, and Source Classification Code (SCC) of each unit in sufficient detail to establish applicable requirements;
 - c. Identification and description of all points of emissions, and a process description of all activities (including design capacity) that may generate emissions of regulated air pollutants in sufficient detail to establish the basis for applicability of standards and fees;
 - d. Emission rates of all regulated air pollutants for each emission unit modified by this action, including fugitive emission rates, described in tons per year and for such shorter-term averages as needed to establish compliance using the applicable standard reference test method or other methodology;
 - e. Calculations on which the information in Section H.1.d above is based, including fuel descriptions and specifications (this shall include facility-wide PTE calculations);
 - f. Descriptions of any new or modified air pollution control equipment to be operated at the stationary source;
 - g. Citations to and descriptions of all applicable requirements;
 - h. The applicable reference test method or other methodology used for determining compliance with each applicable requirement, including monitoring criteria;
 - i. Reasonably available control technology (RACT) demonstration for pollutant(s) exceeding the minor NSR significant level(s) defined in AQR 12.4.2.1(d), including a description of how the owner/operator determined RACT and will measure compliance, as well as material usage limits, performance testing, and continuous emissions monitoring.
 - i. This includes any existing emission limitation(s) increased or removed if, without those limitation(s), an emissions unit would have been subject to the RACT demonstration requirement in a previous ATC application, and for which the Control Officer issued an ATC within the last five years without requiring the unit to comply with RACT.
 - j. If applicable, a description of how performance testing will be conducted, including test methods and testing protocols;
 - k. If applicable, the basic design parameter(s) of the source, emission units, or processes being permitted, as applicable;
 - l. If applicable, a description of how the permittee proposes to comply with the compliance assurance monitoring requirements in 40 CFR Part 64, including a plan describing how the applicant will comply with the monitoring design criteria in 40 CFR Part 64.3;
 - m. If any information or data in the application is proposed to be treated as confidential, a demonstration of compliance with the Certification of Confidentiality procedures in AQR 12.6.1;
 - n. If the applicant wishes to be subject to the enhanced public participation procedures in AQR 12.2.16.6, a declaration to that effect; and
 - o. For construction, modification, or reconstruction that increases the source's PTE by an amount equal to or greater than the minor NSR significant level defined in AQR 12.4.2.1(d) for a regulated air pollutant, but less than the major source or major modification threshold in AQRs 12.2 or 12.3, a demonstration that the construction will not cause an exceedance of the National Ambient Air Quality Standards (NAAQS), as defined in AQR 0, or an exceedance of the ambient air increments specified in AQR 12.2.3.
2. If the new or modified Part 70 source is subject to the Prevention of Significant Deterioration preconstruction review provisions of AQR 12.2, the application shall also contain the following:
 - a. The control technology review required by AQR 12.2.9;
 - b. The source impact analysis required by AQR 12.2.10;
 - c. The air quality analysis required by AQR 12.2.12;
 - d. The source information required by AQR 12.2.13;
 - e. The additional impact analyses required by AQR 12.2.14; and
 - f. Any other information that the Control Officer determines is necessary to process the application in accordance with AQRs 12.2 or 12.3.
 3. If the new or modified Part 70 source is subject to the nonattainment area preconstruction review provisions of

AQR 12.3, the application shall also contain the following:

- a. The statewide compliance demonstration required by AQR 12.3.3;
 - b. The alternatives analysis required by AQR 12.3.4;
 - c. The LAER demonstration and draft permit conditions required by AQR 12.3.5.2;
 - d. An air impact analysis, including dispersion modeling;
 - e. The information necessary to demonstrate that the applicant has satisfied or will satisfy the emissions offset requirements in AQR 12.3.6; and
 - f. Any other information that the Control Officer determines is necessary to process the application in accordance with AQR 12.2 or 12.3.
4. A justification for any exemption sought from any otherwise applicable requirement.
 5. In addition to any other application requirements, if the construction of a new Part 70 source—or the construction or reconstruction of an existing Part 70 source—creates a “new affected source” or “reconstructed affected source” that is a major source under 40 CFR Part 63, the owner or operator shall comply with the application requirements under 40 CFR Part 63.5 and Section G.1. The ATC Permit for the source shall comply with 40 CFR Part 63.5(e) requirements.

Section I: Fees and Payments

Air Quality Program Fees: AQR 18, “Permit and Technical Service Fees,” describes all fees related to this application and the resulting permit: https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/division_of_air_quality/fees_and_payments/fees_page.php.

Application Filing Fee: The application fee invoice must be paid in full before the application will be processed.

Permit Issuance: All outstanding invoices for the source and associated with the parent company of the source must be paid in full; otherwise, DAQ cannot issue the source any permits. This includes the invoice for the permit fees resulting from this application.

Payment: Invoices must be paid by check, money order, or credit card. Make checks and money orders payable to **Division of Air Quality** or **DAQ**. Credit card payments may be made in person at DAQ’s main office or online at https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/division_of_air_quality/fees_and_payments/page_payments.php.

Section J: Grant of Authority

I authorize DAQ to transmit all communications, permits, and billing invoices by the primary communication method selected in Section D of this application. I acknowledge that if I select “Email,” DAQ will transmit all listed items electronically. I further acknowledge that if I select “U.S. Postal Service,” I may incur applicable postage fees.

Section K: Certification of Truth, Accuracy, and Completeness

As the Responsible Official, I declare, under penalty of perjury under the laws of the state of Nevada, that the statements and information in this application and the attached supplemental documents and worksheets are true, accurate, and complete. My signature acknowledges that I am subject to liability for perjury under NRS Chapter 199.145.

Responsible Official Certification (original “wet” signature)

Date

Printed Name of Responsible Official

If this application is being submitted for an existing permit holder, it must be signed by an RO on file for this source.