



## RECLASSIFICATION OF THE LAS VEGAS VALLEY TO SERIOUS OZONE NONATTAINMENT—PERMIT REQUIREMENTS

### Attention: Stationary Source Owners and Operators in Las Vegas Valley (HA-212)

On December 19, 2024, EPA advanced the Clark County HA 212 (Las Vegas Valley) airshed classification to the “serious” nonattainment category under the 2015 ozone National Ambient Air Quality Standards (NAAQS) for failing to comply with the standard by August 2024. This reclassification becomes effective on January 21, 2025, and will bring the following changes to permit requirements for existing, new, and modified sources of ozone precursors, including volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>) [40 CFR Part 51, Appendix S]:

1. The major source threshold for VOC and NO<sub>x</sub> emissions, previously a potential to emit (PTE) of 100 tons per year (tpy) under the “moderate” classification, is lowered to 50 tpy.
2. The significant emissions increase threshold, which determines whether a modification is subject to Nonattainment New Source Review (NNSR), is lowered from 40 to 25 tpy of VOC and/or NO<sub>x</sub>.
3. The NNSR emissions offset ratio, which was 1.15:1 under moderate nonattainment, is raised to 1.2:1 under serious nonattainment and will apply to all NNSR for new major sources and major modifications to existing major sources.

### Existing major sources with a PTE greater than 100 tpy of VOC and/or NO<sub>x</sub>:

NNSR will apply to a source making a modification that results in a significant increase in VOC and/or NO<sub>x</sub> emissions (i.e., 25 tpy or more). This will require offsets of 1.2:1 (instead of 1.15:1) for the source’s allowable emissions after the modification, minus the source’s actual emissions before the modification. The modification will also require installation of lowest achievable emission rate (LAER) controls. LAER is the most stringent emissions limitation achieved in practice; it does not consider economic impacts.

### Existing sources with a PTE between 50 and 100 tpy of VOC and/or NO<sub>x</sub> and minor for all other pollutants:

The source must choose one of the following options:

1. Voluntarily reduce its PTE below 50 tpy of VOC and/or NO<sub>x</sub>, which requires applying for a permit revision in compliance with the application submittal requirements in AQR 12.1. The source will then remain a minor (non-Title V) source, and subsequent modifications will be subject to the rules for existing sources with a PTE less than 50 tpy of VOC and/or NO<sub>x</sub>.
2. Apply for a Title V (major source) permit within 12 months of the designation’s effective date of January 21, 2025. Offsets and LAER are not triggered by the conversion of an existing minor source permit to a Title V permit. If the source later makes a major modification that results in a significant increase in VOC and/or NO<sub>x</sub> emissions (25 tpy or more), that modification will be subject to NNSR review, LAER will be required, and the source will have to offset the difference between the allowable emissions after the modification and the actual emissions before the modification at the new, higher offset ratio of 1.2:1.

**Existing sources with a PTE of less than 50 tpy of VOC and/or NO<sub>x</sub>:**

No offsets or changes in permit type will be required. However, if a source makes a modification:

1. That increases the source PTE over the new major source threshold of 50 tpy of VOC and/or NO<sub>x</sub> and the emissions increase from the modification is less than 50 tpy, the source must submit an AQR 12.4 authority to construct application and then complete a Title V permit application.
2. That results in an emissions increase (project emissions) greater than 50 tpy of VOC and/or NO<sub>x</sub> emissions, it will be considered a new major source under NNSR and shall have to meet the same requirements as a new major source. These include submitting an AQR 12.4 application satisfying AQR 12.3 requirements and then completing a Title V permit application.

Synthetic minor sources with a PTE between 40–50 tpy of VOC and/or NO<sub>x</sub> will be considered synthetic minor 80 (SM80) sources, subject to federally enforceable limits and additional compliance demonstrations to ensure their emissions stay below the 50-tpy threshold.



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