DES
DEPARTMENT OF ENVIRONMENT AND SUSTAINABILITY
air quality | desert conservation PROGRAM | sustainability

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PART 70 OPERATING PERMIT

SOURCE ID: 18210

NTTR
East Highway 95 North
Indian Springs, NV 89018

ISSUED ON: August 26, 2024 **EXPIRES ON: August 25, 2029**

Current action: Administrative Revision

Revised On: August 27, 2024

Issued to:	**Responsible Official:**
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NATURE OF BUSINESS:
SIC 9711, "National Security"
NAICS 928110, "National Security"

Issued by the Clark County Department of Environment and Sustainability/Division of Air Quality in accordance with Section 12.5 of the Clark County Air Quality Regulations.

Santosh Mathew, Permitting Manager

EXECUTIVE SUMMARY

NTTR (Nellis Test and Training Range) is a military training facility at the Nellis Air Force Base Complex in Nevada. The southern ranges of NTTR are adjacent to the township of Indian Springs, Nevada and south of the Creech Air Force Base (AFB). NTTR comprises hydrographic areas 160, 161, 168, 211, and portions of 212 and encompasses approximately 2.9 million acres of land that is administered by the Bureau of Land Management for military use as an armament and high hazard testing area. NTTR and Creech AFB collectively comprises a single major source for purposes of NSR applicability. DAQ issues multiple Part 70 OPs to a single major source for administrative purposes and to facilitate compliance demonstration.

The hydrographic areas contained in the NTTR are all designated as in attainment for all pollutants except for HA 212 (the Las Vegas Valley). HA 212 is designated as in attainment for all pollutants except ozone. It was designated a moderate nonattainment area for ozone on January 5, 2023. The designation has not imposed any new requirements at this time. The source is not a categorical source as defined in AQR 12.2.2(j).

The source consists of screens, crushers, conveyors, stockpiles, unpaved haul roads, diesel engines, and a fire pump. The source also has an abrasive blasting system and a variety of above ground storage tanks that are designated as insignificant activities.

NTTR operations on the main base is under the authority of the 99th Air Base Wing Commander, located at Nellis Air Force Base. The source falls under SIC code 9711, National Security and NAICS code 928110 National Security.

Creech AFB and NTTR together is a major stationary source for NO_x and a minor source of PM_{10}, $PM_{2.5}$, CO, SO_2, VOCs, HAPs, and GHG pollutants. The table below summarizes the source potential to emit (PTE), by category, for each regulated air pollutant for all emission units addressed by this Part 70 Operating Permit (OP).

Table 1 summarizes the source potential to emit (PTE) for NTTR covered by this Part 70 Operating Permits (Part 70 OPs) separately. NTTR individually is a synthetic minor source of NO_X and minor source of PM_{10}, $PM_{2.5}$, CO, SO_2, VOC, and HAP. NTTR is also a source of GHG pollutants.

Table 1: NTTR Potential to Emit

Pollutants	PM_{10}	$PM_{2.5}$	NO_X	CO	SO_2	VOC	HAPs[1]	H_2S	Pb	GHG[2]
Internal Combustion Units	6.34	6.34	94.34	20.07	0.09	8.31	0.13	0	0	12,038.67
Mineral Processing	9.81	1.54	0	0	0	0	0	0	0	0
Total	**16.12**	**7.88**	**94.34**	**20.07**	**0.09**	**8.31**	**0.13**	**0**	**0**	**12,728.55**

[1] A major source is defined as 10 tons for any individual HAP or 25 tons for combination of all HAPs.
[2] Metric tons per year of carbon dioxide equivalent. GHG = greenhouse gas pollutants.

Table 2 summarizes the source PTE for each regulated air pollutant for the combined emission units for both NTTR and Creech AFB covered by respective Part 70 OPs when considering a single major stationary source. The source is a categorical stationary source, as defined by AQR 12.2.2(j)(12).

Table 2: Source-wide PTE for NTTR and Creech AFB Combined Operations (tpy)

Pollutants	PM_{10}	$PM_{2.5}$	NO_X	CO	SO_2	VOC	HAPs	Pb	GHG
NTTR	16.12	7.88	94.34	20.07	0.09	8.31	0.13	0	12,728.55
Creech AFB	4.05	4.05	113.36	29.15	0.86	28.69	9.37	0	25,517.12
Total	20.17	11.93	207.70	49.22	0.95	37.00	9.50	0	38,245.67

DAQ will continue to require the permittees to estimate their GHG PTE in terms of each individual pollutant (CO_2, CH_4, N_2O, SF_6, etc.) during subsequent permitting actions, and the corresponding TSDs will include these PTEs for informational purposes.

The current permitting action is an initial Part 70 OP for NTTR. Pursuant to AQR 12.5.2, all terms, conditions, and the attachments are federally enforceable unless explicitly denoted otherwise.

NTTR is subject to 40 CFR Part 60, Subpart OOO; 40 CFR Part 60, Subpart IIII; and 40 CFR Part 63, Subpart ZZZZ.

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Common Acronyms and Abbreviations

(These terms may be seen in the permit)

Acronym	Term
AQR	Clark County Air Quality Regulation
ATC	Authority to Construct
CARB	California Air Resources Board
CFR	Code of Federal Regulations
CO	carbon monoxide
CO_2	carbon dioxide
DAQ	Division of Air Quality
DES	Clark County Department of Environment and Sustainability
DOM	date of manufacture
EPA	U.S. Environmental Protection Agency
EU	emission unit
GHG	greenhouse gas
HAP	hazardous air pollutant
hp	horsepower
kW	kilowatts
MMBtu/hr	Millions of British Thermal Units per Hour
MSP	Minor Source Permit
NAICS	North American Industry Classification System
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_X	nitrogen oxides
NRS	Nevada Revised Statutes
NSPS	New Source Performance Standard
NTTR	Nevada Test and Training Range
OP	Operating Permit
$PM_{2.5}$	particulate matter less than 2.5 microns in diameter
PM_{10}	particulate matter less than 10 microns in diameter
ppm	parts per million
PSD	Prevention of Significant Deterioration
PTE	potential to emit
RICE	reciprocating internal combustion engine
SIP	State Implementation Plan
SIC	Standard Industrial Classification
SO_2	sulfur dioxide
VMT	vehicle miles traveled
VEE	Visible Emissions Evaluation
VOC	volatile organic compound

1.0 EMISSION UNITS AND APPLICABLE REQUIREMENTS

1.1 INTERNAL COMBUSTION UNITS

1.1.1 **Internal Combustion Units**

The stationary source covered by this Part 70 OP includes the emission units and associated appurtenances summarized in Table 1-1. *[AQR 12.5.2.3 and 473 NSR ATC (June 4, 2012), Section IV-A, Condition 1(a), 473 Part 70 renewal (February 20, 2020); 473 Minor Revision (11/29/2021); Part 70 OP Application October 5, 2023 and AQR 12.5.2.3]*

Table 1-1: Internal Combustion Units

EU	Description	Manufacturer	Rating	Model #	Serial #	Location
G025	Fire Pump	Clarke	51 hp	JU4H-UF10		Bldg. 2417
	Engine – Diesel; DOM: 2007	John Deere		4045DFR120	PE4045D660770	
G153	Genset – Emergency	Cummins	80 kW	DSFAE-7563802	A090228444	Bldg. 2265
	Engine – Diesel; DOM: 2009		145 hp	QSB5-G3NR3	46975118	
G154	Genset – Emergency	Cummins	80 kW	DSFAE-7591952	B090231997	Bldg. 2265
	Engine – Diesel; DOM: 2009		145 hp	QSB5-G3NR3	46979136	
G165	Genset – Emergency	Cummins	30 kw	C30D6	A200709790	Bldg. 2298
	Engine – Diesel; DOM: 2020		69 hp	4BT3.3-G5	72051322	
NTTR1	100 Continuous-duty Generators not to exceed 600 hp – limited to 280,000 gallons of diesel fuel per year; DOM 2015 or newer	Various	<600 hp	Various	Various	NTTR
NTTR2	100 Continuous Duty Generators above 600 hp and not to exceed 1,000 hp, limited to 10,000 gallons of diesel fuel per year; DOM 2015 or newer	Various	600 hp - 1,000 hp	Various	Various	NTTR

1.1.2 **Controls**

1.1.2.1 Control Devices

No add-on control devices have been identified.

1.1.2.2 Control Requirements

1. The permittee shall only combust diesel fuel with a maximum sulfur content of 15 ppm and either a minimum cetane index of 40 or a maximum aromatic content of 35% by volume in each of the diesel-fired emergency generators and fire pumps. G025, G153, G154, G165, NTTR 1, and NTTR 2) *[Part 70 OP Application October 5, 2023, AQR 12.5.2.3, and AQR 12.4 ATC 473 (06/07/2022)]*

2. The permittee shall operate and maintain each of the diesel-fired emergency generator sets and each of the fire pumps in accordance with the manufacturer's O&M manual for emissions-related components (EUs: G025, G153, G154, G165, NTTR 1, and NTTR 2). *[AQR 12.5.2.6]*

1.1.2.3 Other

1. The permittee shall not discharge from any source whatsoever quantities of air contaminants or other material that cause a nuisance. *[AQR 40]*

1.1.3 **Limitations and Standards**

1.1.3.1 Operational Limits

1. The permittee shall limit the operation of the emergency generators (EUs: G153, G154, and G165) for testing and maintenance purposes to 100 hours/year. The permittee may operate the emergency generators up to 50 hours/year for nonemergency situations, but those hours count towards the 100 hours provided for testing and maintenance. Except as provided below (1.a–e inclusive), the emergency generators cannot be used for peak shavings or nonemergency demand response, or to generate income for a facility by supplying power to an electric grid or to otherwise supply power as part of a financial arrangement with another entity: *[40 CFR Part 60.4211, 40 CFR Part 60.4243, 40 CFR Part 63.6640]*

    a. The engine is dispatched by the local balancing authority and/or local transmission and distribution operator.

    b. The dispatch is intended to mitigate local transmission and/or distribution limitations to avert potential voltage collapse or line overloads that could lead to interruption of power supply in a local area or region.

    c. The dispatch follows reliability, emergency operation, or similar protocols that follow specific NERC, regional, state, public utility commission, or local standards or guidelines.

    d. The power is provided only to the facility itself or to support the local transmission and distribution system.

    e. The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission, or local standards or guidelines that are being followed for the dispatching engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

2. The permittee shall limit the operation of each diesel-fired fire pump (EU: G025) for testing and maintenance purposes to 100 hours/year. The permittee may operate the fire pump(s) up to 50 hours/year for nonemergency situations, but those hours count towards the 100 hours provided for testing and maintenance. *[40 CFR Part 60, Subpart IIII]*

3. The permittee shall limit the combined total diesel fuel consumption for engines (EU: NTTR1) operated on the NTTR to a maximum of 280,000 gallons in any consecutive 12-month period for units less than 600 hp. *[473 NSR ATC (June 4, 2012), Section IV-C, Condition 3(f)]*

4. The permittee shall limit the combined total diesel fuel consumption for engines (EU: NTTR2) operated on the NTTR to a maximum of 10,000 gallons in any consecutive 12-month period for units greater than 600 hp and less than 1,000 hp. *[473 Part 70 renewal (February 20, 2020)]*

5. The permittee shall limit the total number of engines (EUs: NTTR1 and NTTR2) operated on the NTTR to 100 units at all times. *[473 NSR ATC (June 4, 2012), Section IV-C, Condition 3(g)]*

1.1.3.2 Emission Limits

1. The permittee shall not allow the actual emissions from the internal combustion units to exceed the PTE listed in Tables 1-2 and 1-3 in any consecutive 12-month period, except for emission units intended only for use in emergencies. *[AQR 12.5.2.6(a); AQR 12.4 ATC 473 (June 7, 2022)]*

Table 1-2: Internal Combustion Units Not Subject to a Fuel Cap

EU	Rating	Condition[1]	PM_{10}	$PM_{2.5}$	NO_x	CO	SO_2	VOC	HAP
G025	51 hp	500 hr/yr	0.01	0.01	0.13	0.05	0.01	0.02	0.01
G153	145 hp	500 hr/yr	0.01	0.01	0.23	0.03	0.01	0.01	0.01
G154	145 hp	500 hr/yr	0.01	0.01	0.23	0.03	0.01	0.01	0.01
G165	69 hp	500 hr/yr	0.01	0.01	0.11	0.06	0.01	0.04	0.01
B001[2]	500 hp	2,080 hr/yr	0.15	0.15	4.96	0.68	0.01	1.31	0.01

[1]The quantities in this column are not intended as enforceable permit limits unless stated otherwise in this permit
[2]All the applicable requirements for this unit are in Section 1.2 of this permit.

Table 1-3: Internal Combustion Units Subject to a Fuel Cap

EU	Condition	PM_{10}	$PM_{2.5}$	NO_x	CO	SO_2	VOC	HAP
NTTR1	280,000 gal/yr	6.08	6.08	86.44	18.62	0.03	6.86	0.07
NTTR2	10,000 gal/yr	0.07	0.07	2.24	0.60	0.01	0.06	0.01

2. The permittee shall not discharge into the atmosphere, from any internal combustion unit in this section, any air contaminant in excess of an average of 20% opacity for a period of more than 6 consecutive minutes. *[473 NSR MSP (October 30, 2010), Section VI-B, Condition 1(a); AQR 12.4 ATC 473 (June 7, 2022)]*

1.1.4 **Compliance Demonstration Requirements**

1.1.4.1 Monitoring

Visible Emissions

See Section 2.0.

Generators/Engines/Fire Pumps

1. The permittee shall demonstrate compliance with the hourly emissions limitations for the internal combustion emission units by maintaining a log of the maintenance and testing activities that includes the date, the type of fuel consumed, and the start and stop time of each generator and each fire pump. *[AQR 12.5.2.6(d)(1)]*

2. The permittee shall operate each diesel-fired emergency generator engine and each fire pump with a nonresettable hour meter and monitor each one during testing, maintenance, and nonemergency operation. If the generators or fire pumps are used for an emergency, the permittee shall monitor monthly their operation and document the nature of the emergency. *[AQR 12.5.2.6(d)(1)]*

3. The permittee shall monitor the sulfur content and cetane index or aromatic content of the fuel burned in the engines and fire pump (EUs: G025, G153, G154, G165, NTTR 1, and NTTR 2) by retaining a copy of vendor fuel specifications. *[40 CFR 60.4207(b); AQR 12.4 ATC 473 (06/07/2022)]*

4. The permittee shall demonstrate compliance with the emission limits for the engines (EUs: NTTR1 and NTTR2) on the NTTR by maintaining records of the fuel consumption for these units. The reported actual emissions shall be based on the appropriate emission factors and actual operations of each unit. *[AQR 12.5.2.6(d)(1)]*

5. The permittee shall label and maintain a list of all engines that meet the exemption criteria for national security. *[40 CFR Part 1068.225]*

1.1.4.2 Testing

No performance testing has been identified for the generators, engines, and fire pumps (EUs: G025, G153, G154, G165, NTTR 1, and NTTR 2).

1.1.4.3 Recordkeeping

1. 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 12.5.2.6(d)(2)]*

Opacity

   a. Dates and time when visible emissions checks and observations are performed, and the steps taken to make any necessary corrections to bring opacity into compliance;

Inspections/Maintenance/General

   b. Equipment inspections and maintenance;

c. Manufacturer's O&M manual for each diesel-fired generator and each fire pump;

NTTR Operational Limits

d. Monthly gallons of diesel fuel consumed for generators under each fuel cap (EUs: NTTR1 and NTTR2);

e. Monthly total number of engines operated under each fuel cap (EUs: NTTR1 and NTTR2);

f. Monthly, consecutive 12-month total diesel fuel consumed for engines less than 600 hp operating under the fuel cap (EU: NTTR1) (reported semiannually);

g. Monthly, consecutive 12-month total diesel fuel consumed for engines 600 hp or greater and less than 1,000 hp operating under the fuel cap (EU: NTTR2) (reported semiannually);

h. Records of the make, model, and horsepower rating of all engines operated on the NTTR that are part of the fuel cap;

i. Records of all engines operated under the fuel cap that are subject to the requirements of 40 CFR Part 60, Subpart IIII;

j. Records of all engines that meet national security exemption criteria, as specified in 40 CFR Part 1068, Subpart C;

Emergency Generators

k. Date and duration of operation of each diesel-fired emergency generator and each fire pump for testing, maintenance, and nonemergency use;

l. Monthly duration of operation of each emergency generator and fire pump for emergency use, including documentation justifying use during the emergency;

m. Sulfur content and cetane index or aromatic content of diesel fuel used to power each emergency generator and fire pump, as certified by the supplier;

Nonroad Engines

n. Records of location changes for nonroad engines, if applicable;

Emissions

o. Deviations from permit requirements that result in excess emissions (reported as required in Section 5 of this permit);

p. Deviations from permit requirements that do not result in excess emissions (reported semiannually);

q. Calendar year annual combined emissions for engines less than 600 hp operating under the fuel cap (EU: NTTR1) (reported annually);

r. Calendar year annual combined emissions for engines 600 hp or greater and less than 1,000 hp operating under the fuel cap (EU: NTTR2) (reported annually);

s. Calendar year annual emissions for each emission unit in this section not operating under the fuel cap (reported annually); and

t. Audit results and corrective actions as required by 40 CFR Part 60, Appendix F.

2. 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.

3. The permittee shall comply with the general recordkeeping requirements identified in Section 4.0.

1.2 MINERAL PROCESSING

1.2.1 **Emission Units**

The stationary source covered by this Part 70 OP includes the emission units and associated appurtenances summarized in Table 1-4. *[Part 70 OP Application October 5, 2023; AQR 12.5.2.3; 473 NSR ATC (June 4, 2012), Section IV-D, Condition 1(a)]*

Table 1-4: Aggregate Plant Emission Units

EU	Description	Model No.	Serial No.
A001	Material Transfer: Loader to Hopper		
A003	Portable Self-Contained Mineral Processing Unit. Includes Hopper, Crusher, Screen, and 5 Conveyors	Ultra-Max 1200-25CC	22778X
A003a	Stacker (front extended)		
A003b	Stacker (side extended)		
A015	Storage Piles (2.0 acres)		
A016	Haul Road; Unpaved; Round Trip = 8.0 miles		
A017	Truck Loading		
B001[1]	Detroit Diesel Diesel-Powered Generator; 500 hp	60 12.7L	06R0860142

[1]The PTE for this emission unit are in Table 1-2.

1.2.2 **Controls**

1.2.2.1 Control Devices

No add-on control devices have been identified.

1.2.2.2 Control Requirements

Mineral Processing Equipment

1. The permittee shall maintain the water spray system in good operating condition, as verified by a monthly inspection when the mineral processing plant is operated during that month, which shall be used at all times during material processing. This shall include, but not be limited to, crushing, screening, transfer points, drop points, and stacker points, excluding washed product processing. *[40 CFR Part 60.674(b)]*

2. The permittee shall incorporate and maintain good operating conditions at all times, along with adequate water sprays at locations where moisture is required, to ensure compliance with opacity limits. *[AQR 12.5.2.6]*

Generators/Engines

3. The permittee shall operate and maintain this diesel-fired generator engine in accordance with the manufacturer's O&M manual (EU: B001). *[AQR 12.5.2.6]*

Haul Roads/Stockpiles/Fugitive Dust

4. The permittee shall take continual measures to control fugitive dust (e.g., wet, chemical, or organic suppression, enclosures, etc.) at all mining and aggregate processing operations, material transfer points, stockpiles, truck loading stations, and haul roads throughout the facility. The Control Officer may at any time require additional water sprays or other controls at pertinent locations if an inspection indicates that opacity limits are being exceeded. *[473 NSR MSP (October 30, 2010), Section VII-B, Condition 3(a)]*

5. The permittee shall not cause or allow fugitive dust to become airborne without taking reasonable precautions. *[473 NSR MSP (October 30, 2010), Section VII-B, Condition 3(b)]*

6. The permittee shall not cause or allow the discharge of fugitive dust in excess of 100 yards from the point of origin or beyond the lot line of the property on which the emissions originate, whichever is less. *[473 NSR MSP (October 30, 2010), Section VII-B, Condition 3(c)]*

7. The permittee shall sweep and/or rinse paved roads accessing or located on the site as necessary to remove all observable deposits and to not exhibit opacity greater than 20%. *[473 NSR MSP (October 30, 2010), Section VII-B, Condition 3(d)*]

8. The permittee shall treat unpaved roads accessing or located on the site with a chemical or organic dust suppressant and/or water (as necessary), with paving, or with gravel, or apply an alternative, Control Officer-approved control measure, so as to not exhibit opacity greater than 20%. *[473 NSR MSP (October 30, 2010), Section VII-B, Condition 3(e)]*

9. The permittee shall ensure that all loaded trucks, regardless of ownership, are properly covered when they leave the NTTR site to prevent visible emissions. *[473 NSR MSP (October 30, 2010), Section VII-B, Condition 3(g)]*

10. Where a stationary source, or a portion thereof, is to be closed or idled for 30 days or more, the permittee shall implement long-term stabilization of disturbed areas in 10 days or less after the cessation of active operations. Long-term stabilization includes, but is not limited

to, one or more of the following: applying water to form a crust, applying palliatives, applying gravel, paving, denying unauthorized access, or other effective control measures to prevent fugitive dust from becoming airborne. *[473 NSR MSP (October 30, 2010), Section VII-B, Condition 3(p)]*

11. The permittee shall not allow mud or dirt to accumulate on a paved surface where trackout extends greater than 50 feet in cumulative length or accumulates to a depth greater than 0.25 inches. *[AQR 12.5.6(a)]*

12. The permittee shall immediately clean any trackout, including trackout less than 50 feet in length or 0.25 inches in depth, and maintain the surface to eliminate emissions of fugitive dust by removing all accumulations of mud or dirt on curbs, gutters, sidewalks, or paved surfaces that can cause visible emissions in excess of the emission limits and standards in this permit. *[AQR 12.5.6(a)]*

13. Except as otherwise required in this section, all trackout shall be cleaned up by the end of the workday or evening shift, regardless of length or depth. *[AQR 12.5.6(a)]*

14. The permittee shall not use blower devices or dry rotary brushes to remove deposited mud, dirt, or rock from a paved surface. Rotary brushes may be used when sufficient water is applied to limit visible emissions, consistent with the emissions limits in this permit. *[AQR 12.5.6(a)]*

15. For stockpiles over eight feet high, the permittee shall: *[AQR 12.5.6(a)]*

    a. Locate the stockpile more than 100 yards from occupied buildings, unless approved in advance by the Control Officer.

    b. Blade a road to the top of the stockpile to allow water truck access or use another means to provide equally effective dust control at the top of the stockpile.

16. The permittee shall implement one or more of the following on surfaces to maintain fugitive dust control on all disturbed soils to the extent necessary to pass the Drop Ball Test described in AQR 94.15.5: *[AQR 12.5.6(a)]*

    a. Maintain in a sufficiently damp condition to prevent loose particles of soil from becoming dislodged;

    b. Crust over by applying water;

    c. Completely cover with clean gravel;

    d. Treat with a dust suppressant; or

    e. Treat using another method approved in advance by the Control Officer.

17. The permittee shall not allow unpaved parking lots or storage areas of more than 5,000 square feet to exceed the following, as determined by AQR 92.6.3, except in areas on which clean gravel has been applied. The permittee shall demonstrate compliance as required by the Control Officer. *[AQR 12.5.6(a)]*

a. 0.33 oz/ft^2 silt loading; or

b. 6% silt content.

18. The permittee shall control fugitive dust emissions from unpaved parking lots and storage areas of more than 5,000 feet by: *[AQR 12.5.6(a)]*

a. Paving, as defined in AQR 00;

b. Applying alternative asphalt paving as defined in AQR 92.2;

c. Uniformly applying and maintaining clean gravel to a depth of two inches; or

d. Applying and maintaining an alternative control measure with prior written approval from the Control Officer.

19. Control measures outlined in this permit, and other measures needed for maintaining dust control, shall be implemented 24 hours a day, 7 days a week. *[AQR 12.5.6(a)]*

General

20. The permittee shall not cause, suffer, or allow the source to discharge air contaminants (or other material) in quantities that will cause a nuisance, including excessive odors. *[AQRs 40 & 43]*

21. The permittee shall not cause or permit the handling, transporting, or storage of any material in a manner which allows, or may allow, controllable particulate matter to become airborne. *[AQR 41.1.2]*

1.2.3 **Limitations and Standards**

1.2.3.1 Operational Limits

1. The permittee shall limit the throughput of the crushing operation to 520,000 tons of material in any consecutive 12-month period. *[Part 70 OP Application October 5, 2023, 473 NSR MSP (October 30, 2010), Section VII-B, Condition 2(b)]*

2. The permittee shall not exceed 2.0 acres of total stockpile area at any given time (EU: A015). *[Part 70 OP Application October 5, 2023, AQR 12.5.2.6(a)]*

3. The permittee shall not exceed 23,112 vehicle miles traveled (VMT) for activities associated with mineral processing operations on unpaved roads in any consecutive 12-month period (EU: A016). *[Part 70 OP Application October 5, 2023, AQR 12.5.2.6(a)]*

4. The permittee shall limit the operation of the continuous duty diesel-fired generator engine for the crushing unit to 2,080 hours in any consecutive 12-month period (EU: B001). *[Part 70 OP Application October 5, 2023, 473 NSR MSP (October 30, 2010), Section VI-B, Condition 2(l)]*

1.2.3.2 Emission Limits

1. The permittee shall not allow the actual emissions from the aggregate plant to exceed the PTE listed in Table 1-5 in any consecutive 12-month period. *[AQR 12.5.2.6(a)]*

Table 1-5: Aggregate Plant Emissions (tons per year)

EU	Description	Condition	PM_{10}	$PM_{2.5}$
A001	Loading/Hopper		0.01	0.01
A003	Crusher	520,000	0.14	0.03
	Conveyor		0.01	0.01
	Screen		0.19	0.01
	Side Discharge Conveyor		0.01	0.01
	Front Discharge Conveyor		0.01	0.01
	Front Oversize Conveyor		0.01	0.01
	Discharge Conveyor		0.01	0.01
A003a	Stacker (Front Extend)		0.01	0.01
A003b	Stacker (Side Extend)		0.01	0.01
A017	Truck Loading		0.01	0.01
A015	Storage Piles - 2 Acres	2 Acres	0.61	0.09
A016	Unpaved Haul Roads	23,112 VMT	8.75	1.32

2. The permittee shall not exhibit fugitive emissions with an average opacity in excess of 12%, based on the average of five 6-minute averages, in accordance with the procedures specified in EPA Method 9, from crushers that commenced construction, modification, or reconstruction after April 22, 2008 (EUs: A003). *[40 CFR Part 60.672]*

3. The permittee shall not exhibit fugitive emissions with an average opacity in excess of 7%, based on the average of five 6-minute averages, in accordance with the procedures specified in EPA Method 9, from screens and transfer points on belt conveyors (except transfers to stockpiles) that commenced construction, modification, or reconstruction after April 22, 2008 (EUs: A003, A003a, and A003b). *[40 CFR Part 60.672]*

4. The permittee shall operate the diesel-powered nonemergency generator in compliance with the emission standards set forth in Table 2d of 40 CFR Part 63, Subpart ZZZZ for maximum engine power. The emission standards are provided in Table 1-6 below (EU: B001). *[40 CFR 63.6640]*

Table 1-6: Emission Standards for Nonemergency Diesel Engines

Engine Power	CO
300<HP≤500	Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15% O_2 or reduce CO emissions by 70% or more.

5. 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 6 consecutive minutes. *[AQR 26.1]*

Fugitive Dust

6. The permittee shall not cause or allow fugitive dust from trackout, which includes accumulation of mud or dirt on curbs, gutters, sidewalks, or paved surfaces, or from the handling, transport, or storage of any material in a manner that allows visible emissions of particulate matter, to: *[AQR 12.5.6(a)]*

    a. Exceed 20% opacity using the Time Averaged Method (AQR 94.15.2) or the Intermittent Emissions Method (AQR 94.15.3);

    b. Exceed 50% opacity using the Instantaneous Method (AQR 94.15.4);

    c. Extend more than 100 feet; or

    d. Cross a property line.

7. The permittee shall not allow fugitive dust emissions from unpaved parking lots or storage areas of more than 5,000 square feet to exceed: *[AQR 12.5.6(a)]*

    a. 20% opacity based on the Opacity Test Method (AQR 92.6.1); or

    b. 50% opacity based on the Instantaneous Method (AQR 92.6.2).

8. The permittee shall not allow a fugitive dust plume from an unpaved parking lot or storage area of more than 5,000 square feet to cross a property line. *[AQR 12.5.6(a)]*

1.2.4 **Compliance Demonstration Requirements**

1.2.4.1 Monitoring

Visible Emissions

See Section 2.0.

Mineral Processing Equipment

1. The permittee shall visually inspect the water spray system everyday equipment is operated at all emission units controlled through water suppression, and shall monitor its effectiveness. Inspections shall include, but not be limited to, flow rates, leaks, and nozzle conditions, as applicable. *[AQR 12.5.2.6(d)(1)]*

2. The permittee shall monitor the tonnage of material processed and calculate, on a monthly basis, the throughputs as consecutive 12-month totals. *[AQR 12.5.2.6(d)(1)]*

3. The permittee is required to comply with the applicable compliance demonstration requirements of 40 CFR 60, Subpart OOO: *[40 CFR Part 60.674]*

    a. Perform monthly periodic inspections, if in operation during the month, to check that water is flowing to discharge spray nozzles; and

    b. Initiate corrective action within 24 hours and complete corrective action as quickly as practical if water is not flowing properly during inspection.

Haul Roads/Stockpiles

4. The permittee shall monitor daily the number of VMT on-site by haul trucks entering and leaving and calculate, on a monthly basis, the VMT as a consecutive 12-month total.

5. The permittee shall monitor daily the total stockpile area at each location.

Generator/Engine

6. The permittee shall operate the diesel-fired generator engine (EU: B001) with a nonresettable hour meter, monitor its duration of operation in hours, and calculate, on a monthly basis, the operating hours as a consecutive 12-month total. *[AQR 12.5.2.6(d)(1)]*

7. The permittee shall demonstrate compliance with the provisions of 40 CFR Part 63, Subpart ZZZZ for the applicable diesel-fired generator engine identified within this document through all of the following:

    a. For nonemergency engines between 300–500 hp (EU: B001), the permittee shall: *[40 CFR Part 63.6640]*

        i. Limit the concentration of CO in the exhaust to 49 ppmvd at 15% oxygen, or reduce CO emissions by 70% or more;

        ii. Install a closed crankcase ventilation system that prevents crankcase emissions to the atmosphere;

        iii. Install an open crankcase, or install a filtration emission control system that reduces emissions by filtering to remove oil mist, particulates, and metals; and

        iv. Follow manufacturer maintenance requirements for operating and maintaining the crankcase ventilation systems and replacing the crankcase filters.

1.2.4.2 Testing

1. The permittee is required to comply with the applicable performance testing requirements of 40 CFR Part 60, Subpart OOO and 40 CFR Part 63, Subpart ZZZZ. *[AQR 12.5.2.6(d)]*

2. An initial performance test has been conducted and successfully satisfied the requirements of 40 CFR Part 60, Subpart OOO.

3. Performance testing is required to be conducted on the diesel-fired generator engine (EU: B001) associated with the crushing unit in accordance with 40 CFR Part 63, Subpart ZZZZ within 180 days of the issuance of the Part 70 permit (dated February 20, 2020).

    a. This performance testing requirement has been satisfied.

4. The Control Officer may require additional performance testing to demonstrate compliance with the emission limitations outlined in this permit. *[AQR 4.5]*

5. The permittee shall comply with the general testing requirements identified in Section 3.0.

1.2.4.3 Recordkeeping

1. The permittee shall keep 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 12.5.2.6(d)(2)]*

Opacity

a. Dates and times of visible emissions checks and observations and the steps taken to make any necessary corrections to bring opacity into compliance;

Inspections/Maintenance/General

b. Equipment inspections, maintenance, and repair;

c. Inspections of the water spray system;

d. Manufacturer's O&M manual for the aggregate plant and engine;

Daily Actions/Throughput

e. Daily throughput of materials processed;

f. Daily throughput of VMT;

g. Daily hours of operation of the crusher engine;

Monthly and Annual Throughput

h. Monthly, consecutive 12-month total throughput of materials processed (reported semiannually);

i. Monthly, consecutive 12-month VMT on the unpaved roads (reported semiannually);

j. Monthly, consecutive 12-month total hours of operation of the crusher engine (reported semiannually);

Haul Roads/Stockpiles

k. Length of on-site haul road;

l. Total stockpile area at this location;

m. Log of dust control measures applied to unpaved roads;

Performance Testing

n. Performance tests results for the rock crushing equipment;

o. Performance tests results for the engine;

Emissions

p. Deviations from permit requirements that result in excess emissions (reported as required in Section 5.0 of this permit);

q. Deviations from permit requirements that do not result in excess emissions (reported semiannually); and

r. Calendar year annual emissions calculated for each emission unit in this section (reported annually).

2. 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.

3. The permittee shall comply with the general recordkeeping requirements identified in Section 4.0.

1.3 INSIGNIFICANT ACTIVITIES

Units or activities, identified in Section 11.2 of this permit, are present at this source but are insignificant pursuant to AQR 12.5.2.5. The emissions from these units or activities, when added to the PTE of the source, will not make the source major for any additional pollutant.

1.4 NONROAD ENGINES

Pursuant to Title 40, Part 1068.30 of the Code of Federal Regulations (40 CFR Part 1068.30), nonroad engines that are portable or transportable (i.e., not used on self-propelled equipment) shall not remain at a location for more than 12 consecutive months; otherwise, the engine(s) will constitute a stationary reciprocating internal combustion engine (RICE) and be subject to the applicable requirements of 40 CFR Part 63, Subpart ZZZZ; 40 CFR Part 60, Subpart IIII; and/or 40 CFR Part 60, Subpart JJJJ. Stationary RICE shall be permitted as emission units upon commencing operation at this stationary source.

Records of location changes for portable or transportable nonroad engines shall be maintained, and shall be made available to the Control Officer upon request. These records are not required for engines owned and operated by a contractor for maintenance and construction activities as long as records are maintained demonstrating that such work took place at the stationary source for periods of less than 12 consecutive months.

Nonroad engines used on self-propelled equipment do not have this 12-month limitation or the associated recordkeeping requirements.

2.0 VISIBLE EMISSIONS REQUIREMENTS

Visible Emissions [AQR 12.5.2.6(d) & AQR 12.5.2.8]

1. The Responsible Official shall sign and adhere to the *Visible Emissions Check Guidebook* and keep a copy of the signed guide on-site at all times.

2. The permittee shall conduct a visual emissions check of each diesel-fired emergency generator and each fire pump whenever it is operated for testing and maintenance, but at least quarterly.

3. The permittee shall conduct a daily visual check for visible emissions from the mineral processing operations while they are in operation. *[AQR 12.5.2.6(d)(1)]*

4. The permittee shall conduct a visual emissions check of the diesel-fired generator engine (EU: B001) whenever it is operated. *[AQR 12.5.2.6(d)(1)]*

5. If no plume appears to exceed the opacity standard during the visible emissions check, the date, location, and results shall be recorded, along with the viewer's name.

6. If a plume appears to exceed the opacity standard, the permittee shall do one of the following:

    a. Immediately correct the perceived exceedance, then record the first and last name of the person who performed the emissions check, the date the check was performed, the unit(s) observed, and the results of the observation; or

    b. Call a certified Visible Emissions Evaluation (VEE) reader to perform an EPA Method 9 evaluation.

        i. For sources required to have a certified reader on-site, the reader shall start Method 9 observations within 15 minutes of the initial observation. For all other sources, the reader shall start Method 9 observations within 30 minutes of the initial observation.

        ii. If no opacity exceedance is observed, the certified VEE reader shall record the first and last name of the person who performed the VEE, the date the VEE was performed, the unit(s) evaluated, and the results. A Method 9 VEE form shall be completed for each emission unit that was initially perceived to have exceeded the opacity limit, and the record shall also indicate:

            (1) The cause of the perceived exceedance;

            (2) The color of the emissions; and

            (3) Whether the emissions were light or heavy.

iii. If an opacity exceedance is observed, the certified VEE reader shall take immediate action to correct the exceedance. The reader shall then record the first and last name of the person performing the VEE, the date the VEE was performed, the unit(s) evaluated, and the results. A Method 9 VEE form shall be completed for each reading identified, and the record shall also indicate:

(1) The cause of the exceedance;

(2) The color of the emissions;

(3) Whether the emissions were light or heavy;

(4) The duration of the emissions; and

(5) The corrective actions taken to resolve the exceedance.

7. Any scenario of visible emissions noncompliance can and may lead to enforcement action.

8. The permittee shall determine compliance with the opacity limits for unpaved haul roads when required by the Control Officer in accordance with one of the following, as applicable:

a. 40 CFR Part 60, Appendix A-4, "Test Methods 6 through 10B: Method 9—Visual Determination of the Opacity of Emissions from Stationary Sources"; or

b. The test method set forth in AQR 94.12.4, "Instantaneous Method."

3.0 GENERAL TESTING

1. At the Control Officer's request, the permittee shall test (or have tests performed) to determine emissions of air contaminants from any source whenever the Control Officer has reason to believe that an emission in excess of those allowed by the AQRs is occurring. The Control Officer may specify testing methods to be used in accordance with good professional practice. The Control Officer may observe the testing. All tests shall be conducted by reputable, qualified personnel. *[AQR 4.2]*

2. At the Control Officer's request, the permittee shall provide necessary holes in stacks or ducts and such other safe and proper sampling and testing facilities, except instruments and sensing devices, as may be necessary for proper determination of the emission of air contaminants. *[AQR 4.2]*

3. The permittee shall submit to the Control Officer for approval a performance testing protocol that contains testing, reporting, and notification schedules, test protocols, and anticipated test dates no less than 45 days, but no more than 90 days, before the anticipated date of the performance test unless otherwise specified in this permit. *[AQR 12.5.2.8]*

4. The permittee shall submit to EPA for approval any alternative test methods EPA has not already approved to demonstrate compliance with a requirement under 40 CFR Part 60. *[40 CFR Part 60.8(b)]*

5. The permittee shall submit a report describing the results of each performance test to the Control Officer within 60 days of the end of the test. *[AQR 12.5.2.8]*

6. Performance testing is subject to 40 CFR Part 60.8 (as amended), Subpart A and *the Air Quality Guideline for Source Testing (9/19/2019)*. Performance testing shall be the instrument for determining initial and subsequent compliance with the emission limitations set forth in section 1.2.4 in this permit. *[AQR 12.5.2.8(a)]*

7. The Control Officer will consider approving the permittee's request for alternative performance test methods if proposed in writing in the performance test protocols. *[AQR 12.5.2.8(a)]*

8. The permittee of any stationary source that fails to demonstrate compliance with emissions standards or limitations during any performance test shall submit a compliance plan to the Control Officer within 90 days of the end of the performance test. *[AQRs 10.1 & 12.5.2.8(a)]*

9. The Control Officer may require additional performance testing when operating conditions appear inadequate to demonstrate compliance with the emissions and/or limitations in this permit. *[AQRs 4.2 & 12.5.2.8(a)]*

4.0 GENERAL RECORDKEEPING

1. The permittee shall keep records of all inspections, maintenance, and repairs, as required by this permit. *[AQRs 12.5.2.6(d) & 12.5.2.8]*

2. All records, logs, etc., or copies thereof, shall be kept on-site for a minimum of five years from the date the measurement or data was entered. *[AQRs 12.5.2.6(d) & 12.5.2.8]*

3. Records and data required by this permit to be maintained by the permittee may be audited at any time by a third party selected by the Control Officer. *[AQR 4.1]*

4. All records the permittee shall create and maintain 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. *[AQRs 12.5.2.6(d) & 12.5.2.8]*

5.0 REPORTING AND NOTIFICATIONS

1. The permittee shall certify compliance with the terms and conditions contained in this Part 70 OP, including emission limitations, standards, work practices, and the means for monitoring such compliance. *[AQR 12.5.2.8(e)]*

2. The permittee shall submit compliance certifications annually in writing to the Control Officer (4701 W. Russell Road, Suite 200, Las Vegas, NV 89118) and the EPA Region 9 Administrator (Director, Air and Radiation Divisions, 75 Hawthorne St., San Francisco, CA 94105). A compliance certification for each calendar year will be due on January 30 of the following year, and shall include the following: *[AQR 12.5.2.8(e)]*

    a. The identification of each term or condition of the permit that is the basis of the certification;

    b. The identification of the methods or other means used by the permittee for determining the compliance status with each term and condition during the certification period. These methods and means shall include, at a minimum, the monitoring and related recordkeeping and reporting requirements described in 40 CFR Part 70.6(a)(3). If necessary, the permittee shall identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the Clean Air Act, which prohibits knowingly making a false certification or omitting material information; and

    c. The status of compliance with the terms and conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the methods or means designated in (b) above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify, as possible exceptions to compliance, any periods during which compliance was required and in which an excursion or exceedance, as defined under 40 CFR Part 64, occurred.

3. The permittee shall report to the Control Officer any startup, shutdown, malfunction, emergency, or deviation that causes emissions of regulated air pollutants in excess of any limits set by regulations or this permit. The report shall be in two parts, as specified below: *[AQRs 12.5.2.6(d)(4)(B) & 25.6.1]*

    a. Within 24 hours of the time the permittee learns of the excess emissions, the permittee shall notify DAQ by phone at (702) 455-5942, by fax at (702) 383-9994, or by email at airquality@clarkcountynv.gov.

    b. Within 72 hours of the notification required in paragraph 3.a, the permittee shall submit a detailed written report to DAQ containing the information required by AQR 25.6.3.

4. With the semiannual monitoring report, the permittee shall report to the Control Officer all deviations from permit conditions that do not result in excess emissions, including those attributable to malfunction, startup, or shutdown. Reports shall identify the probable cause of each deviation and any corrective actions or preventative measures taken. *[AQR 12.5.2.6(d)(4)(B)]*

5. The owner or operator of any source required to obtain a permit under AQR 12 shall report to the Control Officer emissions in excess of an applicable requirement or emission limit that pose a potential imminent and substantial danger to public health and safety or the environment as soon as possible, but no later than 12 hours after the deviation is discovered, and submit a written report within two days of the occurrence. *[AQR 25.6.2]*

6. The permittee shall submit all compliance certifications to EPA and to the Control Officer. *[AQR 12.5.2.8(e)(4)]*

7. Any application form, report, or compliance certification submitted to the Control Officer pursuant to the permit or AQRs shall contain a certification by a Responsible Official, with an original signature, of truth, accuracy, and completeness. This certification, and any other required under AQR 12.5, 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 12.5.2.6(l)]*

8. 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 revising, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Control Officer copies of records that the permit requires keeping. The permittee may furnish records deemed confidential directly to the EPA Administrator, along with a claim of confidentiality. *[AQR 12.5.2.6(g)(5)]*

9. At the Control Officer's request, the permittee shall provide any information or analyses that will disclose the nature, extent, quantity, or degree of air contaminants that are or may be discharged by the source, and the type or nature of the control equipment in use. The Control Officer may require that such disclosures be certified by a professional engineer registered in the state. In addition to this report, the Control Officer may designate an authorized agent to make an independent study and report on the nature, extent, quantity, or degree of any air contaminants that are or may be discharged from the source. An agent so designated may examine any article, machine, equipment, or other contrivance necessary to make the inspection and report. *[AQR 4.1]*

10. The permittee shall submit annual emissions inventory reports based on the following: *[AQRs 18.6.1 & 12.5.2.4]*

    a. The annual emissions inventory must be submitted on or before March 31 of each year, even if there was no activity (if March 31 falls on a state or federal holiday, or on any day the office is not normally open for business, the submittal shall be due on the next regularly scheduled business day);

    b. The calculated actual annual emissions from each emission unit shall be reported even if there was no activity, along with the total calculated actual annual emissions for the source based on the emissions calculation methodology used to establish the PTE in the permit or an equivalent method approved by the Control Officer prior to submittal; and

    c. 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).

11. Stationary sources that emit 25 tons or more of NO_x and/or 25 tons or more of VOCs from their emission units, insignificant activities, and exempt activities during a calendar year shall submit an annual emissions statement for both pollutants. Emissions statements must include actual annual NO_x and VOC emissions from all activities, including emission units, insignificant activities, and exempt activities. Emissions statements are separate from, and additional to, the calculated annual emissions reported each year for all regulated air pollutants (i.e., the emissions inventory). *[AQR 12.9.1]*

12. The permittee shall comply with all applicable notification and reporting requirements of 40 CFR Part 60.7; 40 CFR Part 60, Subpart OOO; 40 CFR Part 63, Subpart IIII; and 40 CFR Part 63, Subpart ZZZZ. *[AQR 12.5.2.6(d)]*

13. The permittee shall submit semiannual monitoring reports to DAQ. *[AQRs 12.5.2.6(d) & 12.5.2.8]*

14. The following requirements apply to semiannual reports: *[AQRs 12.5.2.6(d) & 12.5.2.8]*

    a. The report shall include the item(s) listed in recordkeeping subsections of corresponding processes in Section 1.

    b. The report shall be based on a calendar semiannual period, which includes partial reporting periods.

    c. DAQ shall receive the report within 30 calendar days of the end of the semiannual period.

15. Regardless of the date of issuance of this OP, the source shall comply with the schedule for report submissions outlined in Table 5-1. *[AQRs 12.5.2.6(d) & 12.5.2.8]*

Table 5-1: Required Submission Dates for Various Reports

Required Report	Applicable Period	Due Date
Semiannual report for 1st six-month period	January, February, March, April, May, June	July 30 each year[1]
Semiannual report for 2nd six-month period; any additional annual records required	July, August, September, October, November, December	January 30 each year[1]
Annual Compliance Certification	Calendar year	January 30 each year[1]
Annual Emissions Inventory Report	Calendar year	March 31 each year[1]
Annual Emissions Statement[2]	Calendar year	March 31 each year[1]
Notification of Malfunctions, Startup, Shutdowns, or Deviations with Excess Emission	As required	Within 24 hours of the permittee learns of the event
Excess Emissions that Pose a Potential Imminent and Substantial Danger	As required	No less than 45 days, but no more than 90 days, before the anticipated test date[1]
Performance Testing Protocol	As required	No less than 45 days, but no more than 90 days, before the anticipated test date[1]

Required Report	Applicable Period	Due Date
Report of Malfunctions, Startup, Shutdowns, or Deviations with Excess Emission	As required	Within 72 hours of the notification
Deviation Report without Excess Emissions	As required	Along with semiannual reports[1]
Performance Testing	As required	Within 60 days of end of test[1]

[1]If the due date falls on a Friday, Saturday, Sunday, or federal or Nevada holiday, the submittal is due on the next regularly scheduled business day.
[2] Required only for stationary sources that emit 25 tons or more of NO_X and/or 25 tons or more of VOCs during a calendar year.

16. The Control Officer reserves the right to require additional reporting to verify compliance with permit emission limits, applicable permit requirements, and requirements of applicable federal regulations. *[AQR 4.1]*

6.0 MITIGATION

The source has no federal offset requirements. *[AQR 12.7]*

7.0 PERMIT SHIELD

The source has not requested a permit shield. *[AQR 12.5.2.9]*

8.0 ACID RAIN PROGRAM REQUIREMENTS

The source is not subject to Acid Rain Program requirements.

9.0 OTHER REQUIREMENTS

1. Any person who violates any provision of the AQRs, including, but not limited to, any application requirement; any permit condition; any fee or filing requirement; any duty to allow or carry out inspection, entry, or monitoring activities; or any requirements from DAQ is guilty of a civil offense and shall pay a civil penalty levied by the Air Pollution Control Hearing Board and/or the Hearing Officer of not more than $10,000. Each day of violation constitutes a separate offense. *[AQR 9.1; NRS 445B.640]*

2. Any person aggrieved by an order issued pursuant to AQR 9.1 is entitled to review, as provided in Chapter 233B of the Nevada Revised Statutes (NRS). *[AQR 9.12]*

3. The permittee shall comply with the requirements of Title 40, Part 61 of the Code of Federal Regulations (40 CFR Part 61), Subpart M—the National Emission Standard for Asbestos—for all demolition and renovation projects. *[AQR 13.1(b)(8)]*

4. The permittee shall not use, sell, or offer for sale any fluid as a substitute material for any motor vehicle, residential, commercial, or industrial air conditioning system, refrigerator freezer unit, or other cooling or heating device designated to use a Class I or Class II ozone-depleting substance or any nonexempt substitute refrigerant as a working fluid, unless such fluid has been approved for sale in such use by the EPA Administrator. The permittee shall keep records of all paperwork relevant to the applicable requirements of 40 CFR Part 82 on-site. *[40 CFR Part 82]*

5. A risk management plan is required for the storing, handling and use of an applicable "Highly Hazardous Chemical" pursuant to 40 CFR Part 68. The permittee shall submit revisions of the risk management plan to the appropriate authority and a copy to DAQ. *[40 CFR Part 68.150(b)(3)]*

10.0 ADMINISTRATIVE REQUIREMENTS

10.1 GENERAL

1. The permittee shall comply with all conditions of the Part 70 OP. Any permit noncompliance may constitute a violation of the Clark County Air Quality Regulations, Nevada law, and the Clean Air Act, and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a renewal application. *[AQR 12.5.2.6(g)(1)]*

2. If any term or condition of this permit becomes invalid as a result of a challenge to a portion of this permit, the other terms and conditions of this permit shall be unaffected and remain valid. *[AQR 12.5.2.6(f)]*

3. The permittee shall pay all permit fees pursuant to AQR 18. *[AQR 12.5.2.6(h)]*

4. This permit does not convey property rights of any sort, or any exclusive privilege. *[AQR 12.5.2.6(g)(4)]*

5. The permittee agrees to allow inspection of the premises to which this permit relates by any authorized representative of the Control Officer at any time during the permittee's hours of operation without prior notice. The permittee shall not obstruct, hamper, or interfere with any such inspection. *[AQRs 4.1, 5.1.1, & 12.5.2.8(b)]*

6. The permittee shall allow the Control Officer, upon presentation of credentials, to: *[AQRs 4.1 & 12.5.2.8(b)]*

    a. Access and copy any records that must be kept under the conditions of the permit;

    b. Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;

    c. Sample or monitor substances or parameters for the purpose of assuring compliance with the permit or applicable requirements; and

    d. Document alleged violations using such devices as cameras or video equipment.

7. Any permittee who fails to submit relevant facts, or who has submitted incorrect information in a permit application, shall, upon becoming aware of such failure or incorrect submittal, promptly submit the needed supplementary facts or corrected information. In addition, the permittee shall provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit. A Responsible Official shall certify the additional information consistent with the requirements of AQR 12.5.2.4. *[AQR 12.5.2.2]*

8. Anyone issued a permit under AQR 12.5 shall post it in a location where it is clearly visible and accessible to facility employees and DAQ representatives. *[AQR 12.5.2.6(m)]*

9. The permittee shall not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. *[AQR 12.5.2.6(g)(2)]*

10.2 MODIFICATION, REVISION, AND RENEWAL REQUIREMENTS

1. No person shall begin actual construction of a new Part 70 source, or modify or reconstruct an existing Part 70 source that falls within the preconstruction review applicability criteria, without first obtaining an ATC Permit from the Control Officer. *[AQR 12.4.1.1(a)]*

2. This 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, revocation, reissuance, or termination, or of a notification of planned changes or anticipated noncompliance, does not stay any permit condition. *[AQR 12.5.2.6(g)(3)]*

3. The permit shall be reopened under any of the following circumstances and when all applicable requirements pursuant to AQR 12.5.2.15 are met: *[AQR 12.5.2.15(a)]*

    a. New requirements become applicable to a stationary source considered "major" (per the definition in AQR 12.2, AQR 12.3, or 40 CFR Part 70.3(a)(1)) with a remaining permit term of three or more years;

    b. Additional requirements (including excess emissions requirements) become applicable to an affected source under the Acid Rain Program;

    c. The Control Officer or EPA 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; or

    d. The EPA Administrator or the Control Officer determines that the permit must be revised or revoked to assure compliance with applicable requirements.

4. A permit, permit revision, or renewal may be approved only if all of the following conditions have been met: *[AQR 12.5.2.10(a)]*

    a. The permittee has submitted to the Control Officer a complete application for a permit, permit revision, or permit renewal (except that, pursuant to AQR 12.5.2.20, a complete application need not be received before a Part 70 general permit is issued); and

    b. The conditions of the permit provide for compliance with all applicable requirements and the requirements of AQR 12.5.

5. The permittee shall not build, erect, install, or use any article, machine, equipment, or other contrivance, the use of which, without resulting in a reduction in the total release of air contaminants to the atmosphere, reduces or conceals an emission that would otherwise constitute a violation of an applicable requirement. *[AQR 80.1; 40 CFR Part 60.12]*

6. No permit revisions shall be required under any approved economic incentives, marketable permits, emissions trading, and other, similar programs or processes for changes that are provided for in the permit. *[AQR 12.5.2.6(i)]*

7. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application has been submitted. *[AQR 12.5.2.11(b)]*

8. For purposes of permit renewal, a timely application is a complete application that is submitted at least six months, but not more than 18 months, prior to the date of permit expiration. If a source submits a timely application under this provision, it may continue operating under its current Part 70 OP until final action is taken on its application for a renewed Part 70 OP. *[AQR 12.5.2.1(a)(2)]*

11.0 ATTACHMENTS

11.1 APPLICABLE REGULATIONS

Requirements Specifically Identified as Applicable

1. NRS Chapter 445B.

2. Applicable AQRs listed in Table 11-1.

Table 11-1: Applicable Clark County AQRs

Citation	Title
AQR 00	"Definitions"
AQR 02	"Air Pollution Control Board"
AQR 04	"Control Officer"
AQR 05	"Interference with Control Officer"
AQR 06	"Injunctive Relief"
AQR 07	Hearing Board and Hearing Officer"
AQR 08	"Persons Liable for Penalties – Punishment: Defense"
AQR 09	"Civil Penalties"
AQR 12.0	"Applicability and General Requirements"
AQR 12.2	"Permit Requirements for Major Sources in Attainment Areas"
AQR 12.4	"Authority to Construct Application and Permit Requirements for Part 70 Sources"
AQR 12.5	"Part 70 Operating Permit Requirements"
AQR 12.6	"Confidentiality"
AQR 12.7	"Emission Reduction Credits"
AQR 12.9	"Annual Emissions Inventory Requirement"
AQR 12.10	"Continuous Monitoring Requirements for Stationary Sources"
AQR 12.12	"Transfer of Permit"
AQR 12.13	"Posting of Permit"
AQR 13.2(b)(1)	"Subpart A - General Provisions"
AQR 13.2(b)(82)	"Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines"
AQR 13.2(b)(106)	"Subpart CCCCCC - National Emissions Standards for Hazardous Air Pollutants for Gasoline Dispensing Facilities"
AQR 14.1(b)(1)	"Subpart A – General Provisions"
AQR 14.1(b)(68)	"Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants"
AQR 14.1(b)(81)	"Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines"
AQR 18	"Permit and Technical Service Fees"
AQR 25	"Affirmative Defense for Excess Emissions due to Malfunctions, Startup, and Shutdown"
AQR 26	"Emission of Visible Air Contaminants"
AQR 28	"Fuel Burning Equipment"

Citation	Title
AQR 40	“Prohibitions of Nuisance Conditions”
AQR 41	“Fugitive Dust”, AQR 41.1.2 only
AQR 42	“Open Burning”
AQR 43	“Odors in the Ambient Air”
AQR 50	“Storage of Petroleum Products”
AQR 70	“Emergency Procedures”
AQR 80	“Circumvention”
AQR 81	“Provisions of Regulations Severable”

3. Clean Air Act Amendments (42 U.S.C. § 7401, et seq.)

4. Applicable 40 CFR sections listed in Table 11-2.

Table 11-2: Federal Standards

Citation	Title
40 CFR Part 52.21	“Prevention of significant deterioration of air quality”
40 CFR Part 52.1470	“Approval and Promulgation of Implementation Plans, Subpart DD—Nevada”
40 CFR Part 60, Subpart A	“General Provisions”
40 CFR Part 60, Subpart OOO	“Standards of Performance for Nonmetallic Mineral Processing Plants”
40 CFR Part 60, Subpart IIII	“Standards of Performance for Stationary Compression Ignition Internal Combustion Engines”
40 CFR Part 60	Appendix A, Method 9 or equivalent, (Opacity)
40 CFR Part 60, Appendix A-3	“Test Methods 4 through 5I” (PM in g/dscm)
40 CFR Part 60, Appendix A-4	“Test Methods 6 through 10B” (opacity)
40 CFR Part 63, Subpart A	“General Provisions”
40 CFR Part 63, Subpart ZZZZ	“National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines”
40 CFR Part 63, Subpart CCCCCC	“National Emissions Standards for Hazardous Air Pollutants for Gasoline Dispensing Facilities”
40 CFR Part 70	“State Operating Permit Programs”
40 CFR Part 82	“Protection of Stratospheric Ozone”

11.2 INSIGNIFICANT ACTIVITIES

Table 11-3: Insignificant Activities and Processes (Tanks/Loading Racks)

Building Number	Description	Capacity (gal)	Fuel	Throughput (gal/year)
2417	AST	300	Diesel	109,500
Box Canyon	AST	500	Diesel	182,500
Box Canyon	AST	250	Diesel	91,250
Point Bravo	AST	1,000	Diesel	365,000
Range - 630	AST	500	Diesel	182,500
Range - 62 Power Pl	AST	250	Diesel	91,250
Range	AST	250	Diesel	91,250
Range	AST	250	Diesel	91,250
Range	AST	250	Diesel	91,250
Range	AST	250	Diesel	91,250
Range	AST	250	Diesel	91,250
Range	AST	500	Diesel	182,500
Range	AST	500	Diesel	182,500
Range 63-A	AST	500	Diesel	182,500
Range 63-A CV20	AST	500	Diesel	182,500
Range 63-A UMTE	AST	250	Diesel	91,250
Range 63-B (Center Watch Tower)	AST	500	Diesel	182,500
Range 63-B (NAVAIR)	AST	500	Diesel	182,500
Range 63-B (Pad 3)	AST	1,000	Diesel	365,000
Range 63-B (Pad 4)	AST	1,000	Diesel	365,000
RANGE 64-C (NORTH TOWER)	AST	500	Diesel	182,500
Range 64-E	AST	500	Diesel	182,500
UO5	AST	500	Diesel	182,500

Table 11-4: Insignificant Activities (Abrasive Blasting)

Location	Description	Manufacturer	Model #	Serial #
Bldg. 2284	Media Blasting Booth; 5.0’ x 4.0 ‘ x 4.0’	Abrasive Blasting Systems	MIL-B-83756C	300902-02-2