

CLARK COUNTY

AIR QUALITY REGULATIONS

SECTION 14 - NEW SOURCE PERFORMANCE STANDARDS

14.1 WHEREAS, the Clark County Board of County Commissioners is responsible for control of pollutants discharged into the air; and

WHEREAS, Air Quality Standards and Regulations have been adopted by said Board pursuant to NRS 445 for the purpose, among others, of limiting Air Contaminant EMISSIONS from new sources of air pollutants; and

WHEREAS, it is a public policy of Clark County and the purpose of the Department of Air Quality and Environmental Management's Regulations to review and approve proposed new sources of AIR POLLUTION, only if EMISSION standards can be met and air quality standards will not be violated; and

WHEREAS, the United States Environmental Protection Agency has adopted EMISSION standards for certain categories of new sources which are required throughout the nation; and

WHEREAS, it is the Department of Air Quality and Environmental Management's belief that review and approval of new sources are best managed at the local level;

NOW, THEREFORE, the provisions of Part 60, Chapter 1, Title 40, Code of Federal Regulations, as indexed below, are hereby adopted by reference and made a part hereof as if fully set forth. Any final revisions to an existing subpart that are promulgated by the United States Environmental Protection Agency are hereby adopted by reference and made a part hereafter as if fully set forth. Any new subparts to Part 60 that are promulgated by the United States Environmental Protection Agency after the effective date of this Section shall be subject to review and adoption by the Clark County Board of County Commissioners prior to becoming part of these Regulations. For the purposes, of this section, the word "ADMINISTRATOR" as used in Parts 60 and 61, Chapter I, Title 40, Code of Federal Regulations shall mean the CONTROL OFFICER, except that the CONTROL OFFICER shall not be empowered to approve: alternate test methods, equivalent test methods, alternative standards, or alternative work practices.

- 14.1.1 Subpart A - General Provisions.
- 14.1.2 –
- 14.1.10 [Reserved]
- 14.1.11 Subpart Cc - EMISSIONS Guidelines and Compliance Times for Municipal Solid WASTE Landfills
- 14.1.12 *Subpart D-Standards of Performance for Fossil-FUEL-Fired Steam Generators for Which CONSTRUCTION Is COMMENCED After August 17, 1971
- 14.1.13 *Subpart Da-Standards of Performance for ELECTRIC UTILITY STEAM GENERATING UNITS for Which CONSTRUCTION is COMMENCED After September 18, 1978
- 14.1.14 Subpart Db - Standards of Performance for Industrial - Commercial - Institutional Steam Generating Units
- 14.1.15 Subpart Dc - Standards of Performance for Small Industrial - Commercial - Institutional Steam Generating Units
- 14.1.16 *Subpart E - Standards of Performance for INCINERATORS
- 14.1.17 *Subpart F - Standards of Performance for Portland Cement Plants
- 14.1.18 –
- 14.1.20 [Reserved]
- 14.1.21 *Subpart I - Standards of Performance for Hot Mix Asphalt Facilities
- 14.1.22 –
- 14.1.23 [Reserved]
- 14.1.24 *Subpart K-Standards of Performance for Storage Vessels for Petroleum Liquids for Which CONSTRUCTION, Reconstruction, or MODIFICATION COMMENCED After June 11, 1973, and Prior to May 19, 1978
- 14.1.25 *Subpart Ka-Standards of Performance for Storage Vessels for Petroleum Liquids for Which CONSTRUCTION, Reconstruction, or MODIFICATION COMMENCED After May 18, 1978, and Prior to July 23, 1984
- 14.1.26 Subpart Kb - Standards of Performance for Storage Vessels for Petroleum Liquids
- 14.1.27 *Subpart L - Standards of Performance for Secondary Lead Smelters
- 14.1.28 –
- 14.1.31 [Reserved]
- 14.1.32 *Subpart O - Standards of Performance for Sewage Treatment Plants
- 14.1.33 *Subpart P - Standards of Performance for Primary Copper Smelters
- 14.1.34 *Subpart Q - Standards of Performance for Primary Zinc Smelters
- 14.1.35 *Subpart R - Standards of Performance for Primary Lead Smelters
- 14.1.36 –

- 14.1.43 [Reserved]
- 14.1.44 *Subpart Y - Standards of Performance for Coal Preparation Plants
- 14.1.45 –
- 14.1.51 [Reserved]
- 14.1.52 *Subpart DD - Standards of Performance for Grain Elevators
- 14.1.53 Subpart EE - Standards of Performance for Surface Coating of Metal Furniture
- 14.1.54 –
- 14.1.55 [Reserved]
- 14.1.56 *Subpart GG - Standards of Performance for GAS Turbines
- 14.1.57 *Subpart HH - Standards of Performance for Lime Manufacturing Plants
- 14.1.58 –
- 14.1.60 [Reserved]
- 14.1.61 Subpart KK - Standards of Performance for Lead-Acid Battery Manufacturing Plants
- 14.1.62 Subpart LL - Standards of Performance for Metallic Mineral Processing Plants
- 14.1.63 *Subpart MM - Standards of Performance for Automobile and Light-Duty Truck Surface Coating
- 14.1.64 Subpart NN - Standards of Performance for Phosphate Rock Plants
- 14.1.65 –
- 14.1.67 [Reserved]
- 14.1.68 Subpart QQ - Standards of Performance for Graphic Arts Industry: Publication Rotogravure Printing
- 14.1.69 Subpart RR - Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations
- 14.1.70 Subpart SS - Standards of Performance for Industrial Surface Coating: Large Appliances
- 14.1.71 Subpart TT - Standards of Performance for Metal Coil Surface Coating
- 14.1.72 Subpart UU - Standards of Performance for Asphalt Processing and Asphalt Roofing
- 14.1.73 Subpart VV - Standards of Performance for Equipment Leaks of VOLATILE ORGANIC COMPOUNDS in the Synthetic Organic Chemicals Manufacturing Industry Except Sections 60.482-1(c)(2) and 60.484
- 14.1.74 –
- 14.1.77 [Reserved]
- 14.1.78 Subpart XX - Standards of Performance for Bulk GASOLINE Terminals
- 14.1.79 Subpart AAA - Standards of Performance for New Residential Wood heaters except Sections 60.533; 60.534; 60.535; 60.537; 60.539

- 14.1.80 –
- 14.1.81 [Reserved]
- 14.1.82 Subpart DDD - Standards of Performance for VOLATILE ORGANIC COMPOUND (VOC) EMISSIONS from the Polymer Manufacturing Industry
- 14.1.83 [Reserved]
- 14.1.84 Subpart FFF - Standards of Performance for Flexible Vinyl and Urethane Coating and Printing
- 14.1.85 –
- 14.1.87 [Reserved]
- 14.1.88 Subpart JJJ-Standards of Performance for Petroleum Dry Cleaners Except Section 60.623
- 14.1.89 –
- 14.1.93 [Reserved]
- 14.1.94 Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants
- 14.1.95 –
- 14.1.98 [Reserved]
- 14.1.99 Subpart SSS - Standards of Performance for Magnetic Tape Coating Facilities
- 14.1.100 Subpart TTT - Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines
- 14.1.101 Subpart UUU - Standards of Performance for Calciners and Dryers in Mineral Industries
- 14.1.102 Subpart VVV - Standards of Performance for Polymeric Coating of Supporting Substrates Facilities
- 14.1.103 Subpart WWW Standards of Performance for Municipal Solid WASTE Landfills
- 14.1.200 Appendix A - Reference Methods (Testing Procedures)
- 14.1.201 Appendix B - Performance Specifications (Continuous Monitoring)
- 14.1.202 Appendix C - Determination of EMISSION Rate Change
- 14.1.203 Appendix D - Required EMISSION Inventory Information
- 14.1.204 Appendix F - Quality Assurance Procedures

* indicates Delegation of Authority to the Department of Air Quality and Environmental Management by EPA

14.2 Any PERSON subject to this section must also comply with all other requirements of these Regulations. If there is inconsistency between standards or requirements, the most stringent standard or requirement shall apply, except that where a specific limitation for certain categories is set forth in Subsection 14.1, that limit shall take precedence over provisions of Section 27.

14.3 All requests, reports, applications, submittals, and other communications, pursuant to this section, shall be addressed to: Air Quality CONTROL OFFICER, Department of Air Quality and Environmental Management, 500 S. Grand Central Parkway, Las Vegas, Nevada 89155.

14.4 –

14.9 [Reserved]

14.10 Preparation And Review Of Site-Specific Test Plans (Protocol)

(a) General

(1) Each OWNER OR OPERATOR required to conduct a required performance test, shall submit a written protocol to the

Compliance Supervisor
Department of Air Quality and Environmental Management
Air Compliance Division
P.O. Box 555210
Las Vegas, NV 89155

for approval prior to conducting such test. A required performance test is a test that is subject to any of the following:

- (i) Subsection 14.1;
- (ii) A condition of an Authority to Construct issued pursuant to Section 12;
- (iii) A condition of an OPERATING PERMIT issued pursuant to Section 16;
- (iv) A Corrective Action Order, or
- (v) Any other instrument issued by the CONTROL OFFICER.

(2) A copy of each test protocol subject to paragraph (a)(1), shall be forwarded to:

Chief, Enforcement Office, Air-5
US EPA Region IX
75 Hawthorne Street
San Francisco, CA 94105

(3) The OWNER OR OPERATOR shall submit a protocol for review and approval at least forty-five (45) days prior to anticipated test date. However, the OWNER OR OPERATOR may submit a protocol for review and approval up to ninety (90) days prior to the anticipated test date.

(4) Within forty (40) days from receipt of a complete protocol, the Compliance Supervisor shall declare, in writing, whether the protocol is approved or not.

(b) Contents

(1) Each protocol shall contain:

- (i) all applicable information as presented in *GUIDEBOOK: Preparation and Review of Site-Specific Test Plans, EPA, 12-91*¹; in sufficient detail as to allow the CONTROL OFFICER to re-construct the protocol's conclusions from original premises. The CONTROL OFFICER may edit the GUIDEBOOK to allow for local requirements.
- (2) Each STATIONARY SOURCE subject to a visible FUGITIVE EMISSIONS standard (e.g., Subsection 14.1.94) shall also include a detailed flow diagram which clearly identifies each affected facility;

(c) Pre-test Inspection

- (1) The Compliance Supervisor may conduct a pre-test inspection of STATIONARY SOURCES subject to a visible FUGITIVE EMISSIONS standard.
- (2) The Compliance Supervisor may, on a case-by-case basis, conduct a pre-test inspection of STATIONARY SOURCES not included in (c)(1).

14.11 Disqualifying A Performance Test

(a) Disqualification And Compliance Action

- (1) Any performance test required in 14.10(a)(1) that is conducted without an approved protocol will not be considered as meeting the requirements of this section.
 - (i) Determinations of compliance, or non-compliance, are not restricted solely to performance testing. Other available information may be used as allowed by sections 113(a) and 113(e) of the federal Clean Air Act.
- (2) Each performance test not meeting the requirements of this Subsection is a violation Subsections 14.1, 12.8, and/or 16.4. The Compliance Supervisor shall initiate such action as necessary to insure compliance with Subsection 14.10. Such action will include, but not be limited to, an order to re-conduct the performance test in accordance with this subsection.

14.12 Preparation And Review Of EMISSION Test Reports (Report)

(a) General

- (1) Each OWNER OR OPERATOR required to conduct a performance test pursuant to Subsection 14.10(a), shall submit a report of the test results to the

Compliance Supervisor
Department of Air Quality and Environmental Management
Air Compliance Division
P.O. Box 555210
Las Vegas, NV 89155

within sixty (60) days from the conclusion of the test.

- (2) A copy of each test report shall be forwarded to:
Chief, Enforcement Office, Air-5

¹ As of revision date, available via the Internet at: <http://www.epa.gov/ttn/emc/guidInd.html>

US EPA Region IX
75 Hawthorne Street
San Francisco, CA 94105

- (3) The report from any performance test required in 14.10(a)(1) that is conducted without an approved protocol will not be considered as meeting the requirements of this section.
 - (i) Determinations of compliance, or non-compliance, are not restricted solely to performance testing. Other available information may be used as allowed by sections 113(a) and 113(e) of the federal Clean Air Act.
- (4) Each report not meeting the requirements of this Subsection is a violation Subsections 14.1, 12.8, and/or 16.4. The Compliance Supervisor shall initiate such action as necessary to insure compliance with this subsection. Such action will include, but not be limited to, an order to re-conduct the performance test in accordance with this subsection.
- (5) The Compliance Supervisor shall review and declare, in a timely manner and in writing, the status of compliance with all applicable regulations based on the contents of the report.

(b) Contents

- (1) Each report shall contain:
 - (i) all applicable information as presented in *GUIDEBOOK: Preparation and Review of EMISSION Test Reports, EPA, 1-92*; in sufficient detail as to allow the CONTROL OFFICER to re-construct the test results from original premises. The CONTROL OFFICER may edit the GUIDEBOOK to allow for local requirements.
- (2) Each STATIONARY SOURCE subject to a visible FUGITIVE EMISSIONS standard (e.g., Subsection 14.1.94) shall also include a detailed flow diagram which clearly identifies each affected facility.

History: Amended: September 3, 1981; October 21, 1983; September 21, 1984; May 15, 1985; April 23, 1987; January 25, 1990; May 27, 1993; November 18, 1993; January 23, 1997; August 26, 1999; February 20, 2001; June 3, 2003; July 1, 2004.