

CLARK COUNTY
AIR QUALITY REGULATIONS

SECTION 16 - OPERATING PERMITS

16.1 No PERSON shall cause, suffer, or allow the operation of any EMISSION UNIT in a STATIONARY SOURCE or in a GASOLINE STATION unless an OPERATING PERMIT has been issued by the CONTROL OFFICER and such permit is current and valid.

16.2 The OPERATING PERMIT will require an annual fee.

16.2.1 Failure to remit the fee within thirty (30) calendar days of invoicing date is a violation of Section 16 of these Regulations.

16.2.2 An OPERATING PERMIT shall not be valid unless the annual fee is paid within sixty (60) days of the invoicing date.

16.3 The CONTROL OFFICER may issue an OPERATING PERMIT on a provisional basis to any new EMISSION UNIT requiring some reasonable time for initial testing, or to any EXISTING SOURCE which is not in compliance with applicable emission limitations, but which has had a compliance schedule or variance approved by the HEARING BOARD.

16.3.1 OPERATING PERMITS may be issued to new EMISSION UNITS upon completion of CONSTRUCTION and upon verification that the new EMISSION UNITS conform to the information originally submitted with application for certificate and the conditions of the certificate.

16.4 Conditions to OPERATING PERMITS

The CONTROL OFFICER may issue an OPERATING PERMIT with conditions, agreed upon in writing by the applicant, that specify emission limits, production rates, control methods, etc. These conditions may also limit the hours or periods of operation.

16.4.1 These conditions are subject to annual review by the CONTROL OFFICER. After the review with the permittee, the CONTROL OFFICER may impose or MODIFY conditions to assure continuing compliance with all sections of these Regulations.

- 16.4.2 Violation of the conditions of the permit shall constitute a violation of this section.
- 16.5 The OPERATING PERMIT conditions for new or MODIFIED STATIONARY SOURCES commencing CONSTRUCTION after May 1, 1981, shall include a description of additional CONTROL MEASURES the OPERATOR will undertake, as necessary, if a nearby monitoring station indicates that an applicable AMBIENT AIR quality standard or increment has been exceeded.**
- 16.5.1 The CONTROL MEASURES shall be taken within 24 hours of notification to the OPERATOR by the CONTROL OFFICER.
- 16.5.2 The CONTROL OFFICER shall consider the possible effects of emissions from other nearby or influential sources prior to notifying the OPERATOR.
- 16.6 No PERSON shall willfully deface, alter, forge, counterfeit, or falsify a permit to operate any article, machine, equipment, process or other contrivance.**
- 16.7 An OPERATING PERMIT for an EMISSION UNIT shall not be transferable by operation of law or otherwise, from one location to another, nor from one piece of equipment or process to another, but it may be transferred from one PERSON to another upon payment of the required fee, and approval by the CONTROL OFFICER.**
- 16.8 OPERATING PERMITS for an EMISSION UNIT are subject to revocation or suspension for violation of these Regulations. Upon a determination by the CONTROL OFFICER that a permittee is in violation of these Regulations, the CONTROL OFFICER may serve upon the permittee, through personal service or by certified mail, a Notice of Suspension or Revocation of OPERATING PERMIT, setting forth in detail the violations charged. Such suspension or revocation shall become final and effective ten (10) days after service of the written notice, and the OPERATING PERMIT thereupon surrendered to the CONTROL OFFICER, unless the permittee files with the Air Pollution Control HEARING BOARD, in writing, within ten (10) days after service of the Notice of Suspension or Revocation, an appeal from such action of the CONTROL OFFICER. The filing of such appeal shall stay the suspension or revocation of the permit pending a decision thereon by the Air Pollution Control HEARING BOARD. The Air Pollution Control HEARING BOARD shall meet to decide the appeal no later than thirty (30) days after the filing of the permittee's appeal, and after public hearing on said appeal, affording the permittee and the CONTROL OFFICER full opportunity to present evidence, and testimony may affirm, MODIFY or set aside the action taken by the CONTROL OFFICER. For this purpose, public notice of less than thirty (30) days may be given of such appeal hearing.**

16.9 If the OPERATING PERMIT is canceled, suspended, or revoked, any fee paid shall be forfeit.

History: Amended: September 3, 1981; April 23, 1987; January 25, 1990; February 20, 2001; June 3, 2003; July 1, 2004.