

CLARK COUNTY
AIR QUALITY REGULATIONS

**SECTION 55: PRECONSTRUCTION REVIEW FOR NEW OR MODIFIED
STATIONARY SOURCES IN THE 8-HOUR OZONE
NONATTAINMENT AREA**

55.1 8-Hour Ozone Designation:

The United States Environmental Protection Agency (EPA) established a nationwide 8-Hour Ozone standard on April 15, 2004. By rule effective on September 13, 2004, EPA designated each AIR QUALITY PLANNING REGION in Clark County, Nevada, as either a NONATTAINMENT AREA for Ozone or an *Unclassifiable/Attainment Area for Ozone*. This Section sets the interim preconstruction review for new or modified STATIONARY SOURCES that the Clark County Department of Air Quality and Environmental Management (DAQEM) will employ in the 8-Hour Ozone NONATTAINMENT AREA as designated in the 2004 Federal Register, Volume 69, page 55,959.

55.2 Definitions:

(a) Except as otherwise provided in Section 55.2(b), the definitions denoted in Section 0 of the Clark County Air Quality Regulations (AQR) are applicable to Section 55 of the AQR.

(b) The following definition shall apply exclusively to Section 55 of the AQR:

Owner and/or Operator is defined as any PERSON who owns, leases, maintains, operates, controls, or supervises a STATIONARY SOURCE.

55.3 The 8-Hour Ozone NONATTAINMENT AREA, by AIR QUALITY PLANNING REGION and HYDROGRAPHIC AREA, includes all or part of: North Ivanpah Valley (164A); South Ivanpah Valley (164B); Jean Lake Valley (165); South Hidden Valley (166); ELDORADO VALLEY (167); LAS VEGAS VALLEY (212); Colorado River Valley (213); Paiute Valley (214); Garnet Valley (216); North Hidden Valley (217); and California Wash (218). For a HYDROGRAPHIC AREA map detailing the NONATTAINMENT AREA for 8-Hour Ozone and the *Unclassifiable/Attainment Area for 8-Hour Ozone* in Clark County, Nevada, see Map 55.1 on page 55-8. Map 55.1 does not denote the location of the Moapa and Fort Mojave Indian Reservations.

55.4 An *Owner and/or Operator* that proposes either to install and/or construct any new major STATIONARY SOURCE in an AIR QUALITY PLANNING REGION that is designated as an 8-Hour Ozone NONATTAINMENT AREA or that proposes a MAJOR MODIFICATION to an existing major STATIONARY SOURCE in an AIR QUALITY PLANNING REGION that is designated as an 8-Hour Ozone NONATTAINMENT AREA shall adhere to the following requirements:

(a) The *Owner and/or Operator* shall comply with all relevant local, state, and federal regulations, including Sections 0, 12, 16, and 19 of the Clark County AQR. Sections 12 and 16 of the Clark County AQR are the primary regulations governing STATIONARY SOURCES. Subsection 55.4(a)-(c) addresses limitations for VOLATILE ORGANIC COMPOUNDS (VOC) and/or Oxides of Nitrogen (NO_x) for a new MAJOR STATIONARY SOURCE or a MAJOR MODIFICATION to an existing major STATIONARY SOURCE that is located in an AIR QUALITY PLANNING REGION that is designated as an 8-Hour Ozone NONATTAINMENT AREA.

(1) Subsection 55.4(a)-(c) applies to any new major STATIONARY SOURCE which is deemed major for VOC and/or NO_x. A new major STATIONARY SOURCE is considered major for VOC and/or NO_x if it EMITS or has a total POTENTIAL TO EMIT equal to or exceeding the EMISSION rate denoted in Table 55.4(a)(1). A new major STATIONARY SOURCE is defined to include: a Non-Major MODIFICATION or a MODIFICATION, greater than or equal to 40 tons of emissions per years, to an existing NON-MAJOR STATIONARY SOURCE which results in that NON-MAJOR STATIONARY SOURCE being classified as a major STATIONARY SOURCE.

Table 55.4(a)(1)			
EMISSION Rate (Controlled), Listed per AIRSHED REGION, for a new major STATIONARY SOURCE in the 8-Hour Ozone NONATTAINMENT AREA			
AIR QUALITY PLANNING REGION	AIRSHED REGION	EMISSION Rate (Controlled) (tons per year)	
		VOC	NO _x
North Ivanpah Valley	164A	50	50
South Ivanpah Valley	164B	100	100
Jean Lake Valley	165	100	100
South Hidden Valley	166	100	100
Eldorado Valley	167	50	50
Las Vegas Valley	212	50	50
Colorado River Valley	213	100	100
Paiute Valley	214	100	100

AIR QUALITY PLANNING REGION	AIRSHED REGION	EMISSION Rate (Controlled) (tons per year)	
		VOC	NO _x
Garnet Valley	216	100	100
North Hidden Valley	217	100	100
California Wash	218	100	100

(2) For the purposes of Subsection 55.4(a)-(c), a MAJOR MODIFICATION to an existing major STATIONARY SOURCE is defined as a NET EMISSIONS INCREASE for NO_x at the major STATIONARY SOURCE equal to or greater than 40 tons per year and the major STATIONARY SOURCE is already major for NO_x, and/or a NET EMISSIONS INCREASE for VOC at the major STATIONARY SOURCE equal to or greater than 40 tons per year and the major STATIONARY SOURCE is already major for VOC. Subsection 55.4(a)-(c) does not apply to a Non-Major MODIFICATION to an existing major STATIONARY SOURCE. Subsection 55.5 (a)-(b) does apply to a Non-Major MODIFICATION to an existing major STATIONARY SOURCE.

(b) The *Owner and/or Operator* of a new major STATIONARY SOURCE or a MAJOR MODIFICATION to an existing major STATIONARY SOURCE shall adopt, as an EMISSION Control, either the BEST AVAILABLE CONTROL TECHNOLOGY (BACT) or the LOWEST ACHIEVABLE EMISSION RATE (LAER), for VOC and/or NO_x, as applicable. The required EMISSION Control is denoted in Table 55.4(b) per AIR QUALITY PLANNING REGION within the 8-Hour Ozone NONATTAINMENT AREA. If the EPA or the State of Nevada promulgates more stringent EMISSION Control requirements for the 8-Hour Ozone NONATTAINMENT AREA in Clark County, Nevada, then the source must comply with the more stringent EMISSION Control requirements. This subsection applies to any new major STATIONARY SOURCE which is deemed major for VOC and/or NO_x. This subsection also applies to a MAJOR MODIFICATION at an existing major STATIONARY SOURCE which is deemed a MAJOR MODIFICATION for VOC and/or NO_x.

Table 55.4(b)			
EMISSION Controls Required in the 8-Hour Ozone NONATTAINMENT AREA, Listed per AIRSHED REGION, for a new major STATIONARY SOURCE or A MAJOR MODIFICATION to an existing major STATIONARY SOURCE			
AIR QUALITY PLANNING REGION	AIRSHED REGION	EMISSION Control Requirements	
		VOC	NO _x
North Ivanpah Valley	164A	LAER	BACT
South Ivanpah Valley	164B	BACT	BACT
Jean Lake Valley	165	BACT	BACT
South Hidden Valley	166	BACT	BACT

AIR QUALITY PLANNING REGION	AIRSHED REGION	EMISSION Control Requirements	
		VOC	NO _x
Eldorado Valley	167	LAER	BACT
Las Vegas Valley	212	LAER	BACT
Colorado River Valley	213	BACT	BACT
Paiute Valley	214	BACT	BACT
Garnet Valley	216	BACT	BACT
North Hidden Valley	217	BACT	BACT
California Wash	218	BACT	BACT

(c) The CONTROL OFFICER may impose additional conditions on a new major STATIONARY SOURCE or a MAJOR MODIFICATION to an existing major STATIONARY SOURCE located in an AIR QUALITY PLANNING REGION designated as a NONATTAINMENT AREA for 8-Hour Ozone, including provisions that require the *Owner and/or Operator*, to:

- (1) Conduct monitoring of the quality of the AMBIENT AIR at the STATIONARY SOURCE site for a period determined by the CONTROL OFFICER prior to COMMENCING CONSTRUCTION at any new major STATIONARY SOURCE or prior to making a MAJOR MODIFICATION to an existing major STATIONARY SOURCE.
- (2) Conduct monitoring of the quality of the AMBIENT AIR at the STATIONARY SOURCE site for a period determined by the CONTROL OFFICER after operation has begun.

55.5 An *Owner and/or Operator* that proposes to install and/or construct a new NON-MAJOR STATIONARY SOURCE, or that proposes a Non-Major MODIFICATION to an existing major STATIONARY SOURCE, a Non-Major MODIFICATION to an existing NON-MAJOR STATIONARY SOURCE where that source remains classified as a NON-MAJOR STATIONARY SOURCE, a MODIFICATION, greater than or equal to 40 tons of emissions per year, to an existing NON-MAJOR STATIONARY SOURCE where that source remains classified as a NON-MAJOR STATIONARY SOURCE, in an AIR QUALITY PLANNING REGION that is designated as an 8-Hour Ozone NONATTAINMENT AREA, shall adhere to the following requirements:

(a) The *Owner and/or Operator* must comply with all relevant local, state, and federal regulations, including Sections 12 and 16 of the Clark County AQR which are the primary regulations governing STATIONARY SOURCES. Subsection 55.5 addresses the applicable limitations for VOC and NO_x for the STATIONARY SOURCE types listed in subsection 55.5 which are located in an AIR QUALITY PLANNING REGION that is designated as an 8-Hour Ozone NONATTAINMENT AREA.

(b) The *Owner and/or Operator* shall adopt, as EMISSION Controls, either BACT or LAER for VOC and/or NO_x, as applicable. These requirements, as denoted in Tables 55.5(b)(1) and 55.5(b)(2), are listed per AIR QUALITY PLANNING REGION within the 8-Hour Ozone NONATTAINMENT AREA. As denoted in Table 55.5(b)(1), BACT is the EMISSION Control required for a new NON-MAJOR STATIONARY SOURCE, a Non-Major MODIFICATION to an existing NON-MAJOR STATIONARY SOURCE where that source remains classified as a NON-MAJOR STATIONARY SOURCE, or a MODIFICATION, greater than or equal to 40 tons of emissions per year, to an existing NON-MAJOR STATIONARY SOURCE where that source remains classified as a NON-MAJOR STATIONARY SOURCE. As denoted in Table 55.5(b)(2), BACT or LAER is the required EMISSION Control for a Non-Major MODIFICATION to an existing major STATIONARY SOURCE. The requirements of this subsection and the corresponding tables are applicable to VOCs only if a STATIONARY SOURCE makes a VOC MODIFICATION (whether it is a MAJOR VOC MODIFICATION or a Non-Major VOC MODIFICATION). The requirements of this subsection and the corresponding tables are applicable to NO_x only if a STATIONARY SOURCE makes a NO_x MODIFICATION (whether it is a MAJOR NO_x MODIFICATION or a Non-Major NO_x MODIFICATION).

Table 55.5(b)(1)			
EMISSION Control Required in the 8-Hour Ozone NONATTAINMENT AREA, Listed per AIRSHED REGION, for a new NON-MAJOR STATIONARY SOURCE, a Non-Major MODIFICATION to an Existing NON-MAJOR STATIONARY SOURCE Where That Source Remains a NON-MAJOR STATIONARY SOURCE, or a MODIFICATION, greater than or equal to 40 tons of emissions per year, to an Existing NON-MAJOR STATIONARY SOURCE Where That Source Remains a NON-MAJOR STATIONARY SOURCE			
AIR QUALITY PLANNING REGION	AIRSHED REGION	EMISSION Control Requirements	
		VOC	NO_x
North Ivanpah Valley	164A	BACT	BACT
South Ivanpah Valley	164B	BACT	BACT
Jean Lake Valley	165	BACT	BACT
South Hidden Valley	166	BACT	BACT
Eldorado Valley	167	BACT	BACT
Las Vegas Valley	212	BACT	BACT
Colorado River Valley	213	BACT	BACT
Paiute Valley	214	BACT	BACT
Garnet Valley	216	BACT	BACT
North Hidden Valley	217	BACT	BACT
California Wash	218	BACT	BACT

Table 55.5(b)(2)			
EMISSION Controls Required in the 8-Hour Ozone NONATTAINMENT AREA, listed per AIRSHED REGION, for a Non-Major MODIFICATION to an Existing major STATIONARY SOURCE.			
AIR QUALITY PLANNING REGION	AIRSHED REGION	EMISSION Control Requirements	
		VOC	NO _x
North Ivanpah Valley	164A	LAER	BACT
South Ivanpah Valley	164B	BACT	BACT
Jean Lake Valley	165	BACT	BACT
South Hidden Valley	166	BACT	BACT
Eldorado Valley	167	LAER	BACT
Las Vegas Valley	212	LAER	BACT
Colorado River Valley	213	BACT	BACT
Paiute Valley	214	BACT	BACT
Garnet Valley	216	BACT	BACT
North Hidden Valley	217	BACT	BACT
California Wash	218	BACT	BACT

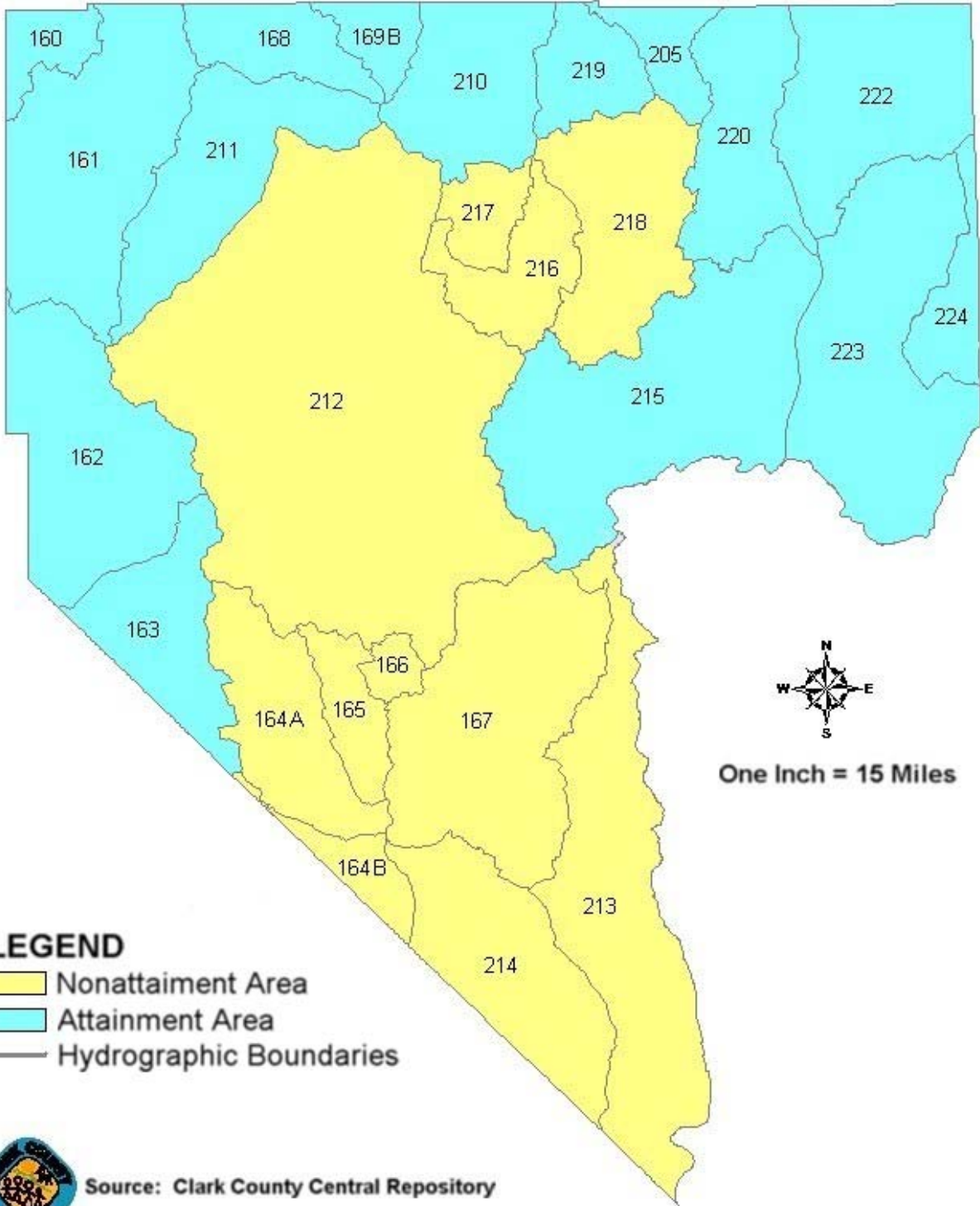
55.6 A new major STATIONARY SOURCE or an existing MAJOR STATIONARY SOURCE undergoing a MAJOR MODIFICATION must comply with the OFFSET requirements contained in Section 59 or Appendix S of 40 CFR Part 51. If there is a difference in stringency between the two rules, then the source shall comply with the more stringent OFFSET requirements.

55.7 A Notice of Proposed Action (as described in Section 12.3) is required for:

- (a) any new major VOC and/or NO_x STATIONARY SOURCE;
- (b) any existing NON-MAJOR VOC STATIONARY SOURCE proposing MODIFICATION with a VOC NET EMISSIONS INCREASE equal to or exceeding twenty (20) tons per year that results in a total VOC POTENTIAL TO EMIT which is equal to or exceeds the EMISSIONS threshold of a major VOC STATIONARY SOURCE;
- (c) any existing major VOC STATIONARY SOURCE proposing MODIFICATION that results in a VOC NET EMISSIONS INCREASE equal to or exceeding twenty (20) tons per year;
- (d) any new NON-MAJOR STATIONARY SOURCE with a VOC POTENTIAL TO EMIT equal to or exceeding twenty (20) tons per year or any NON-MAJOR STATIONARY SOURCE proposing MODIFICATION that results in a VOC NET EMISSIONS INCREASE that is equal to or exceeding twenty (20) tons per year; and/or
- (e) any new STATIONARY SOURCE with a NO_x POTENTIAL TO EMIT equal to or exceeding twenty (20) tons per year or any STATIONARY SOURCE proposing MODIFICATION that results in a NO_x NET EMISSIONS INCREASE that is equal to or exceeding twenty (20) tons per year.

55.8 An *Owner and/or Operator* that proposes either to install and/or construct any STATIONARY SOURCE in an AIR QUALITY PLANNING REGION that is designated as an *Unclassifiable/Attainment Area for Ozone* or that proposes a MODIFICATION to a STATIONARY SOURCE in an AIR QUALITY PLANNING REGION that is designated as an *Unclassifiable/Attainment Area for Ozone* shall comply with all relevant local, state, and federal regulations, including Sections 12 and 19 of the Clark County AQR. The *Unclassifiable/Attainment Area for Ozone*, by AIR QUALITY PLANNING REGION and HYDROGRAPHIC AREA, includes: Frenchman Flat (160); Indian Springs Valley (161); Pahrump Valley (162); Mesquite Valley (163); North Three Lakes Valley (168); Tikapoo Valley (169B); Lower Meadow Valley Wash (205); Coyote Springs Valley (210); South Three Lakes Valley (211); Black Mountains Area (215); Muddy River Springs Area (219); Lower Moapa Valley (220); Virgin River Valley (222); Gold Butte Area (223); and Greasewood Area (224).

History: Initial adoption: December 21, 2004.



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October 15, 2002

MAP 55.1