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GENERAL PERMIT TO CONSTRUCT AND/OR OPERATE

FOR

SOIL AND/OR GROUNDWATER REMEDIATION

ISSUED ON: January 4, 2021

EXPIRES ON: January 3, 2026

Issued by the Clark County Department of Environment and Sustainability, Division of Air Quality, in accordance with Section 12.11 of the Clark County Air Quality Regulations.

A handwritten signature in blue ink that reads "Theodore A. Lendis".

Theodore A. Lendis, Permitting Manager

AUTHORITY

This general permit was issued in accordance with Air Quality Regulation (AQR) Sections 12.11, “General Permits for Minor Stationary Sources,” and 12.1, “Permit Requirements for Minor Sources.”

The Control Officer shall provide public notice for any proposed new general permit, for any revision of an existing general permit (excluding administrative revisions described in AQR 12.1.6(c)), and for renewal of an existing general permit.

The public participation requirements in AQR 12.1.5.3 shall apply to any public notice required by AQR 12.11.3(f).

An opportunity for public comment on this general permit during a 30-day period was provided on November 25, 2020. All written and oral comments, and all other documents on the administrative record, were considered before taking final action on this general permit on (date TBD).

APPLICABILITY CRITERIA

Any facility operating a soil and/or groundwater remediation (SGR) project that is otherwise subject to the Minor Source Permit requirements of AQR 12.1 may be eligible for coverage under this general permit if the facility meets the specified requirements and obtains the authority to operate under this general permit. A minor source that does not meet the applicability criteria of this general permit will be considered ineligible for coverage, and the Control Officer shall require the applicant to obtain an individual Minor Source Permit pursuant to AQR 12.1.

This general permit is for soil and groundwater remediation operations (SGRs) as the sole emitting activity, although the permittee may also operate insignificant or exempt emission units (as defined in AQR 12.1.2). This general permit is for any minor source of regulated air pollutants that:

1. Is located in Clark County and whose source category falls under Standard Industrial Classification (SIC) code 4959, “Sanitary Services, Not Elsewhere Classified,” and North American Industry Classification System (NAICS) code 562910, “Remediation Services;”
2. Is a minor source of volatile organic compounds (VOCs) that does not emit any other regulated air pollutant besides hazardous air pollutants, except for insignificant or exempt emission units (as defined in AQR 12.1.2) that emit other pollutants;
3. Consists solely of remediation systems and associated well systems typically found at an SGR treating petroleum contamination (e.g., diesel/gasoline contamination from a gasoline dispensing operation, petroleum tank farm, aviation fuel, or petroleum fuel depot), although the permittee may also operate insignificant or exempt emission units (as defined in AQR 12.1.2);
4. Is operated by electrical grid power. The permittee may use a nonroad engine to generate electrical power for the SGR for up to 12 months in any single location;
5. Has a vapor extraction flow rate that does not exceed 539 cfm;

6. Has an influent vapor concentration that does not exceed 15,000 parts per million by volume (ppmv) of VOCs; and
7. Is not subject to any applicable control requirement or standard of Title 40, Part 63 or Title 40, Part 60.

APPLICATION FOR AUTHORITY TO OPERATE UNDER THE GENERAL PERMIT

After issuance, a new or existing minor source that is a member of the source class may apply to the Control Officer for authority to operate under this general permit. *[AQR 12.11.4(a)]*

Applicants shall complete the application form(s) provided by the Control Officer for this general permit source class. The applicant shall, at a minimum, submit information identifying and describing the source, its processes, and its operating conditions, pursuant to AQR 12.1.3, in sufficient detail to allow the Control Officer to verify qualification for the source class and assure compliance with all general permit requirements. *[AQR 12.11.4(b)]*

The Control Officer shall act on an application for authority to operate under a general permit as expeditiously as possible, but a final decision shall be reached within 60 days of receipt of the application. *[AQR 12.11.4(c)]*

The Control Officer shall approve or deny a request for coverage based on applicability criteria specified in this general permit for SGRs. If the application is approved, the Control Officer shall issue to the source an authority to operate under this general permit and post the issuance decision on the department's website. If the application is denied, the Control Officer shall notify the source that it may apply for a Minor Source Permit pursuant to AQR 12.1 if it intends to proceed with construction or continue to operate. *[AQR 12.11.4(c)(1)–(3)]*

1. An Authority to Operate Certificate (ATO) under the SGR general permit may only be issued to a minor stationary source falling into the SGR class. *[AQR 12.11.1(a)]*
2. A minor source otherwise subject to the permit requirements of AQR 12.1 may instead satisfy those requirements by obtaining an ATO under a general permit, pursuant to AQR 12.11. *[AQR 12.11.1(c)]*
3. The Control Officer may issue a general permit for any source class determined to be appropriate for a general permit, in accordance with the requirements of AQR 12.11. *[AQR 12.11.1(d)]*
4. A minor source seeking an ATO under a general permit shall apply for an AQR 12.1 (minor source) permit if the Control Officer determines the source or modification could interfere with attainment or maintenance of any National Ambient Air Quality Standard (NAAQS). *[AQR 12.11.1(f)]*
5. General permits shall not be issued for sources regulated under Title IV of the Clean Air Act, except as provided in regulations promulgated by the Administrator of the U.S. Environmental Protection Agency (EPA) under Title IV of the Act. *[AQR 12.11.1(g)]*

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COMMON ACRONYMS AND ABBREVIATIONS

(These terms may be seen in the permit)

AQR	Clark County Air Quality Regulation
ATO	Authority to Operate Certificate
cfm	cubic feet per minute
CFR	Code of Federal Regulations
DAQ	Division of Air Quality
EPA	U.S. Environmental Protection Agency
FID	flame ionization detector
O&M	operations and maintenance
PID	photoionization detector
ppmv	parts per million by volume
PTE	potential to emit
RICE	reciprocating internal combustion engine
SGR	soil and/or groundwater remediation project or system
VOCs	volatile organic compounds

1.0 EQUIPMENT

1.1 EMISSION UNITS

The stationary source operating under the authority of this general permit shall be limited to the emission units listed in the ATO. *[AQR 12.11.4(b) & 12.1.4.1(b)]*

1.2 INSIGNIFICANT UNITS AND ACTIVITIES

The potential to emit (PTE) of all insignificant units and activities shall be considered in determining if a stationary source is required to obtain a permit. When added to the source PTE, emissions from these units and/or activities will not subject the source to major source requirements for any pollutant. All exempt and insignificant units and activities shall remain subject to any other applicable requirements. *[AQR 12.1.2(a)&(d) & AQR 12.1.4.1(f)(2)]*

1.3 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 CONTROLS

2.1 CONTROL REQUIREMENTS

Soil and or Groundwater Remediation Systems [AQR 12.11.3(d)(3) & AQR 12.1.4.1(c)&(f)]

1. The permittee shall use a device to control VOC emissions in the vapor exhaust stream from the remediation system at all times the system is operating and when the VOC concentration in the influent vapor stream is greater than 300 ppmv, as determined by weekly measures taken using a photoionization detector (PID) or flame ionization detector (FID).
2. The permittee shall install and operate a control device on the remediation system capable of achieving the control efficiency that corresponds to the VOC concentration of the influent vapor stream, as specified in Table 2-1.

Table 2-1. Control Technology Requirements for Remediation System

Influent VOC Concentration (ppmv)	Minimum VOC Control Efficiency (percent control)
0 to 300	No control
301 to 3,000	90%
3,001 or more	98%

3. The permittee shall operate and maintain the remediation system and any control equipment according to the manufacturer's operations and maintenance (O&M) manual. [AQR 12.1.4.1(c)&(f)]

Other [AQR 12.11.3(d)(3) & AQR 12.1.4.1(c)&(f)]

4. The permittee shall not cause, suffer, or allow any source to discharge air contaminants (or other materials) in quantities that will cause a nuisance, including excessive odors. [AQR 40 & AQR 43]
5. The permittee shall not cause or permit the handling, transporting, or storage of any material in a manner that allows or may allow controllable particulate matter to become airborne. [AQR 41.1.2]

3.0 LIMITATIONS

3.1 OPERATIONAL LIMITS

SGR System

1. The permittee shall limit the vapor stream flow rate of the soil and/or groundwater remediation system to 539 cubic feet per minute. [AQR 12.11.11(a)]
2. The permittee shall limit the influent VOC concentration to 15,000 ppmv.

3.2 EMISSION LIMITS

1. The permittee shall not allow the actual emissions from the stationary source to exceed the PTE listed in the ATO. [AQR 12.11.11(a) & 12.1.4.1(c)]

Table 3-1. Potential to Emit (tons per year)

General Permit Class	Pollutant	PTE ¹
SGR	VOC	9.49

¹The PTE is representative of each influent VOC concentration and the respective required VOC control efficiency, as shown in Table 2-1.

2. 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 six consecutive minutes. [AQR 26.1]

4.0 COMPLIANCE DEMONSTRATION REQUIREMENTS

4.1 MONITORING

Visible Emissions [AQR 12.11.3(d)(2)]

1. The permittee shall conduct at least one visual emissions check each quarter on the exhaust stack of any catalytic or thermal oxidizer while it is in operation.
2. 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.
3. If a plume appears to exceed the opacity standard, the permittee shall:
 - a. Take immediate action to correct the causes of emissions that appear to exceed allowable opacity limits; and
 - b. If practical, have a certified visible emissions observer take an observation of the plume using EPA Test Method 9 and record the results, then take immediate action to correct the causes of emissions exceeding allowable opacity limits in accordance with 40 CFR Part 60, Appendix A-4, "Test Methods 6 through 10B: Method 9—Visual Determination of the Opacity of Emissions from Stationary Sources."
4. Visible emissions checks do not require a certified observer unless the visible emissions appear to exceed the allowable opacity limit, and to last more than 30 seconds, but an EPA Method 9 observation establishes that the emissions do not in fact exceed the standard.

Other [AQR 12.11.3(d)(2)]

5. The permittee shall measure the VOC concentrations from the SGR system's vapor exhaust stream weekly. During the periods the control device is required to operate, the permittee shall measure concentrations before and after the control device. Measurements shall be taken using a PID or FID that satisfies the following requirements:
 - a. The PID or FID shall have a minimum rated accuracy of ± 10 percent (low range, if applicable);
 - b. The PID shall have a rated resolution of 0.1 ppmv or less; and
 - c. If the PID reads the maximum detection limit, the operator shall use a FID that is rated for the appropriate concentration range.
6. The permittee may replace a required PID or FID measurement with a contemporaneous laboratory analysis of the vapor exhaust stream. Laboratory results used to either confirm or discredit a required PID or FID measurement shall be based on a vapor exhaust sample that is retrieved no more than 24 hours after the measurement in question was taken.
7. While the control device is being used, the permittee shall calculate its percent control efficiency with each weekly VOC concentration measurement required by this permit.

8. The permittee shall measure the flow rate, in standard cubic feet per minute, of the vapor stream from the SGR system with each weekly VOC concentration measure required by this permit.
9. The permittee shall calibrate the PID/FID units according to manufacturer's O&M manual for quality control, and shall maintain records of the dates and calibrations.
10. The permittee shall calibrate the PID/FID no more than 30 days prior to any weekly VOC concentration measurements.
11. If any weekly VOC concentration readings with either a PID or FID result in values greater than 15,000 ppmv:
 - a. The permittee shall report the reading as a deviation that results in excess emissions per Section 4.4 of this permit.
 - b. The permittee may continue to operate under this general permit at the discretion of the Control Officer.
12. The permittee should monitor the hours of operation of the SGR system.

4.2 TESTING

No performance testing requirements have been identified.

4.3 RECORDKEEPING REQUIREMENTS

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 12.11.3(d)(2), AQR 12.1.4.1(d)(2), & AQR 12.1.4.1(s)]

Opacity

- a. Dates and times when visible emissions checks and observations were made, and the corrective steps taken to bring opacity into compliance;

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- b. Manufacturer's O&M manual on the rated VOC measurement accuracy and range of the PID/FID;
- c. Manufacturer's O&M manual on the rated VOC control efficiency of the control device;
- d. Manufacturer's rated flowrate (cfm) of the SGR system;
- e. Dates and descriptions of equipment maintenance and/or repair;
- f. Dates and descriptions of control device changes;

- g. PID/FID calibration records;

Monitoring

- h. Weekly VOC concentration measurements using PID/FID or laboratory analysis;
- i. Weekly VOC control efficiency calculations, when applicable;
- j. Weekly actual flowrate of the system in cfm;
- k. Actual hours of operation of the system;

Emissions

- l. Deviations from permit requirements that result in excess emissions (reported as required in Section 4.4 of this permit);
 - m. Deviations from permit requirements that do not result in excess emissions (reported annually); and
 - n. Calculation of annual emissions for each emission unit and for the entire source (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. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(d)(2)(A)]*
3. The permittee shall maintain all records for a period of at least five years from their creation. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(d)(2)(B)]*

4.4 REPORTING AND NOTIFICATION

- 1. The permittee is responsible for all applicable notification and reporting requirements contained in 40 CFR Parts 60 and 63.
- 2. If the construction or modification of a source differs from what was authorized in a new permit or significant permit revision, the source shall provide a written notice to the Control Officer that includes a list of the differences, and complete descriptions of each one, at least 30 days before commencing operations. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(n)]*
- 3. The permittee shall submit an annual report to the Control Officer in accordance with the following requirements. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(d)(3)]*
 - a. Each annual report shall be: *[AQR 12.9]*
 - i. Based on the preceding calendar year;

- ii. Submitted on or before March 31 of each year, even if there was no activity (if March 31 falls on a Saturday or Sunday, or a state or federal holiday, the submittal shall be due on the next regularly scheduled business day); and
 - iii. Addressed to the attention of the Control Officer.
 - b. Each annual report shall contain, at a minimum:
 - i. 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 the Division of Air Quality (DAQ)). *[AQR 12.9(g)]*
 - ii. The calculated actual annual emissions from each emission unit, even if there was no activity, and 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. *[AQR 12.9(c)(2)]*
- 4. The permittee shall report to the Control Officer any upset, breakdown, malfunction, emergency, or deviation that cause emissions of regulated air pollutants in excess of any limits set by regulation or by this permit. The report shall be in two parts, as specified below: *[AQR 25.6.1, AQR 12.11.3(d)(2), & AQR 12.1.4.1(d)(3)(B)]*
 - a. Within 24 hours of the time the permittee learns of the event, the permittee shall notify DAQ by phone at (702) 455-5942, by fax at (702) 383-9994, or by email at AQCompliance@ClarkCountyNV.gov.
 - b. Within 72 hours of the required notification, the permittee shall submit a detailed written report to DAQ containing the information required by AQR 25.6.3.
- 5. The permittee shall report deviations from permit requirements that do not result in excess emissions, including those attributable to upset conditions as defined in the permit, with the annual report. Such reports shall include the probable cause of such deviations, as well as any corrective actions or preventive measures taken. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(d)(3)(B)]*
- 6. Any report and/or compliance certification submitted pursuant to this section or the AQR shall contain certification by a responsible official of truth, accuracy, and completeness. This certification, and any other certification required under this section, 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 12.11.3(d)(2) & AQR 12.1.4.1(d)(3)(C)]*

5.0 ADMINISTRATIVE REQUIREMENTS

5.1 GENERAL

1. The permittee shall not operate the equipment listed in the ATO with other equipment permitted through a separate general permit (pursuant to AQR 12.11) or minor source permit (pursuant to AQR 12.1). The operation of additional emission units requires either a revised ATO or a minor source permit issued pursuant to AQR 12.1 so that one comprehensive permit includes all emission units at any one facility. *[AQR 12.11.1]*
2. This general permit shall not exceed a term of five years from the date of issuance. *[AQR 12.11.3(d)(5)]*
3. The Control Officer may terminate this general permit at any time it is determined that emissions from sources in this source class cause contribute to NAAQS violations that are not adequately addressed by the requirements in this general permit, or that the terms and conditions of this general permit no longer meet the requirements of Section 12.1.4.1. *[AQR 12.11.8(a)]*
4. The Control Officer shall provide written notice to all sources operating under this general permit prior to its termination. Within 180 days of receipt of the notice, each of these sources shall submit an application to the Control Officer for an individual Minor Source Permit pursuant to Section 12.1. *[AQR 12.11.8(b)]*
5. The Control Officer may revoke a minor source's ATO under a general permit if the source is not in compliance with any term or condition of the general permit. *[AQR 12.11.8(c)]*
6. Upon revocation of a source's ATO under this general permit, the Control Officer shall notify the source's Responsible Official by certified mail, return receipt requested. The notice shall include a statement detailing the grounds for the revocation of the ATO and a statement that the source is entitled to a hearing. The source may continue operating under the revoked ATO for a maximum of 15 days after receipt of the notice of revocation. However, the source must submit a complete application for an individual Minor Source Permit (pursuant to Section 12.1) to continue operations after 15 days of receipt of the notice of revocation. *[AQR 12.11.8(d)&(e)]*
7. If any term or condition of this general permit becomes invalid as a result of a challenge to a portion of this general permit, the other terms and conditions of this general permit shall be unaffected and remain valid. *[AQR 12.1.4.1(i)]*
8. The terms and conditions of this general permit apply to any part or activity of the stationary source that emits, or has the potential to emit, any regulated air pollutant for which operating authority has been granted through an ATO, and includes all third parties (such as lessees or contractors) conducting such activities. *[AQR 12.11.3(d)(2), AQR 12.1.4.1(c), & AQR 12.1.4.1(aa)]*

9. Any application, report, or compliance certification submitted to the Control Officer pursuant to this general permit or the AQRs shall contain a certification of truth, accuracy, and completeness with a Responsible Official's original signature. *[AQR 12.11.3(d)(2), AQR 12.1.3.6(a), AQR 12.1.4.1(d)(3), & 40 CFR Part 3]*
10. As a condition of the issuance of the ATO, the owner or operator agrees to allow inspection of the premises to which the ATO relates, including the location where records must be kept under the conditions of this general permit, by any authorized representative of the Control Officer at any time during the permittee's hours of operation without prior notice to perform the following: *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(s)]*
 - a. Access and copy any records that must be kept under the conditions of this general permit;
 - b. Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this general permit;
 - c. Sample or monitor substances or parameters for the purpose of assuring compliance with this general permit or applicable requirements; and
 - d. Document alleged violations using such devices as cameras or video equipment.
11. The permittee shall pay fees to the Control Officer consistent with the approved fee schedule in AQR 18. *[AQR 12.11.9]*
12. This general permit does not convey property rights of any sort, or any exclusive privilege. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(t)]*
13. Anyone issued an ATO under AQR 12.11 shall post the ATO and general permit in a location that is clearly visible and accessible to stationary source employees and Control Officer representatives, in accordance with AQR 12.13. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(v)]*
14. This general permit shall not waive, or make less stringent, any limitations or requirements contained in or issued under the Nevada State Implementation Plan, or that are otherwise federally enforceable. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(w)]*
15. A minor source that has applied for the authority to operate under this general permit shall not initiate construction, modification, or operation until the Control Officer has issued the ATO to the minor source. *[AQR 12.11.4(d)]*
16. Commencement of operations constitutes an acknowledgment that the permittee assumes the responsibility of ensuring the source's emission units and emission control equipment have been constructed and will be operated in compliance with all applicable requirements. *[AQR 12.11.3(d)(2) & AQR 12.1.4.2]*
17. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this general permit. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(o)]*

5.3 REVISIONS AND RENEWALS

1. A minor source that has been issued an ATO may make revisions only as authorized by this general permit. Any revisions outside that scope shall require a new application for either an individual Minor Source Permit under AQR 12.1 or a different general permit issued under AQR 12.11 (if one is available). *[AQR 12.11.10(a)]*
2. The Control Officer shall review and may renew this general permit every five years, or sooner if warranted. *[AQR 12.11.5(a)]*
3. A source's authority to operate under this general permit shall coincide with the five-year term of this general permit regardless of when the ATO was issued during that period, except as provided in AQR 12.11.8(b) for termination of the general permit by the Control Officer. *[AQR 12.11.5(a)]*
4. At the time this general permit is renewed, the Control Officer shall notify in writing all sources who have been granted, or who have applications pending for, authorization to operate under this general permit. The written notice shall describe the source's duty to reapply by submitting a timely application, and may include requests for information required under the proposed renewal permit. *[AQR 12.11.5(a)&(b)]*
5. To renew an ATO, the source shall submit a timely application at least 120 days, but no more than 270 days, before the date of this general permit expiration, or within a time frame specified by the Control Officer in a written notification. *[AQR 12.11.5(b) & AQR 12.1.3.1(b)]*
6. If a timely renewal application is submitted, the source may continue to comply with the previously issued ATO until a renewed ATO under the renewed general permit is granted. The source must then obtain a new ATO under the renewed general permit; failure to submit a timely renewal application shall terminate the source's right to operate after expiration of this general permit. *[AQR 12.11.5(b)]*
7. 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 modifying, revoking and reissuing, or terminating the ATO, or to determine compliance with this general permit. Upon request, the permittee shall also furnish to the Control Officer copies of records that this general permit requires keeping. The permittee may furnish records deemed confidential to the Control Officer with a claim of confidentiality, pursuant to AQR 12.6. *[AQR 12.1.4.1(u)]*
8. This general 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 or for termination, or the filing of a notification of planned changes or anticipated noncompliance, does not stay any permit condition. *[AQR 12.1.4.1(p)]*
9. A general permit may be reopened and revised under any of the following circumstances: *[AQR 12.1.4.1(q)]*

- a. The Control Officer 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.
- b. The Control Officer determines that the general permit must be revised or revoked to assure compliance with applicable requirements.