



**DES**  
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AND SUSTAINABILITY



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## PART 70 OPERATING PERMIT

**SOURCE ID: 00360**

Nevada Cogeneration Associates 1  
11401 North US 91 Highway  
Las Vegas, Nevada 89165

**ISSUED ON: December 27, 2021**

**EXPIRES ON: December 26, 2026**

**Revised on: May 7, 2024**

**Current action: Significant Revision**

**Issued to:**

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**Responsible Official:**

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**NATURE OF BUSINESS:**

SIC code 4931, "Electric Services"  
NAICS code 221112, "Fossil Fuel Electric Power Generation"

**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.**

A handwritten signature in blue ink that reads "Santosh".

Santosh Mathew, Permitting Manager

## EXECUTIVE SUMMARY

Nevada Cogeneration Associates #1 (NCA 1) owns and operates a fossil fuel electric power generation plant under SIC code 4931, “Electric Cogeneration,” and NAICS code 221112, “Fossil Fuel Electric Power Generation.” NCA1 is located at 11401 U.S. Hwy. 91, Apex, Nevada. The station is located in Hydrographic Area 216, the Garnet Valley. NCA 1 is a major stationary source for NO<sub>x</sub> and CO, and a minor source for PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, VOCs, and HAPs. NCA1 is also a source of greenhouse gases. Garnet Valley was designated “in attainment” for all regulated pollutants at the time of issuance of the Title V Part 70 Operating Permit (Part 70 OP).

NCA 1 is a major, categorical stationary source, as defined by AQR 12.2.2(j)(1), and a fossil fuel-fired steam electric plant of more than 250 MMBtu/hr heat input. NCA 1 has a generation capacity of 85 MW of electricity. The source operates natural gas-fired turbines, heat recovery steam generating (HRSG) units each equipped with supplemental duct burners, diesel engines, a cooling tower, and an aboveground storage tank (AST). The source is subject to the requirements of 40 CFR Part 60, Subpart A, Subpart GG, Subpart III; 40 CFR Part 63, Subpart CCCCCC, Subpart ZZZZ; and 40 CFR Parts 72-78.

This Part 70 OP is issued based on the Title V Part 70 OP - significant revision application submitted on November 21, 2023, to include the acid rain permit requirements in the Part 70 OP.

The following table summarizes the source potential to emit (PTE) for each regulated air pollutant for all emission units addressed by this Part 70 OP:

### Source-wide PTE (tons per year)<sup>1</sup>

Pollutants	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	VOC	HAP	GHG
PTE	67.38	61.00	169.27	141.97	9.17	26.51	6.39	505,512

<sup>1</sup>The values in this table are not source-wide emission limits.

<sup>2</sup>GHG is expressed as CO<sub>2</sub>e for information only.

Pursuant to AQR 12.5.2, all terms and conditions in this permit are federally enforceable unless explicitly denoted otherwise.

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## Common Acronyms and Abbreviations

(These terms may be seen in the permit)

<b>Acronym</b>	<b>Term</b>
AQR	Clark County Air Quality Regulation
ATC	Authority to Construct
CEMS	Continuous Emissions Monitoring System
CFR	Code of Federal Regulations
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
DAQ	Division of Air Quality
DES	Clark County Department of Environment and Sustainability
DOM	date of manufacture
dscm	dry standard cubic meter
EPA	U.S. Environmental Protection Agency
EU	emission unit
GDO	gasoline dispensing operation
GHG	greenhouse gas
HAP	hazardous air pollutant
hp	horsepower
HRSG	heat recovery steam generator
kW	kilowatts
LHV	lower heating value
MMBtu/hr	Millions of British thermal units per hour
MW	megawatt
NAICS	North American Industry Classification System
NO <sub>x</sub>	nitrogen oxides
NRS	Nevada Revised Statutes
NSPS	New Source Performance Standard
NSR	New Source Review
Part 70 OP	Part 70 operating permit
PM <sub>2.5</sub>	particulate matter less than 2.5 microns in diameter
PM <sub>10</sub>	particulate matter less than 10 microns in diameter
ppm(vd)	parts per million (volumetric dry)
PSD	Prevention of Significant Deterioration
PTE	potential to emit
QA/QC	quality assurance/quality control
RATA	Relative Accuracy Test Audits
RICE	reciprocating internal combustion engine
scf	standard cubic feet
SCR	selective catalytic reduction
SIC	Standard Industrial Classification
SO <sub>2</sub>	sulfur dioxide
TDS	total dissolved solids
U.S.C.	United States Code
VEE	Visible Emissions Evaluation
VOC	volatile organic compound

## **1.0 EQUIPMENT**

### **1.1 EMISSION UNITS**

The stationary source covered by this Part 70 OP consists of the emission units and associated appurtenances summarized in Table 1-1. [AQR 12.5.2.3]

**Table 1-1: List of Emission Units**

<b>EU</b>	<b>Rating</b>	<b>Description</b>	<b>Make</b>	<b>Model #</b>	<b>Serial #</b>
A001	22.2 MW 285 MMBtu/hr	Turbine Generator Package 1	General Electric	LM-2500 PE-MEE-06	260157-1
A001a	77 MMBtu/hr	Supplemental Duct Burner	Coen		GV ALPHA
A002	22.2 MW 285 MMBtu/hr	Turbine Generator Package #2	General Electric	LM-2500 PE-MEE-06	260157-2
A002a	77 MMBtu/hr	Supplemental Duct Burner	Coen		GV BRAVO
A003	22.2 MW 285 MMBtu/hr	Turbine Generator Package #3	General Electric	LM-2500 PE-MEE-06	260157-3
A003a	77 MMBtu/hr	Supplemental Duct Burner	Coen		GV CHARLIE
A004	265 hp	Fire Pump; Diesel; DOM: Pre-2006	Detroit	DDFP-L6AT 7017	6A465176
A005	26,600 gpm total	Cooling Tower; Two Cells	Ecodyne	2CFF- 60595L2610	DO0- 15665-A
A006	81.8 hp	Water Pump; Diesel; DOM: Pre-2006	Perkins	3PKXL04.2AR1	AR36677
A010	1,000 gallons	Aboveground Storage Tank; Gasoline	Air Boy		
B01	Up to 1,038 kW	Genset	Various	Various	Various
	Up to 1,392 hp	Diesel Engine; DOM: 2011 or newer			

### **1.2 INSIGNIFICANT ACTIVITIES**

The units in Table 1-2 are present at this source, but are insignificant activities 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.

**Table 1-2: Summary of Insignificant Activities**

3 Generator Lube Oil Tanks, 215 gallons (units A-C)
Steam Turbine Lube Oil Tank
Steam Turbine Lube Oil Conditioner Tank, 270 gallons
Oil/Water Sump
3 Gas Turbine Lube Oil Tanks, 150 gallons (units 1-3)
Diesel AST, 350 gallons (Fire Water Pump)
Steam and Water Treatment
Evaporation Pond
Maintenance Operations
Storage Tank, Diesel, 250,000 gallons
Storage Tank, Ammonia, 1,000 gallons

### 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. [AQR 12.5.6]

## 2.0 CONTROLS

### 2.1 CONTROL DEVICES

1. The permittee shall operate each control device identified in Table 2-1 to achieve compliance with the emission limits as specified in the Part 70 OP. *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-B-1 (04/05/07) and ATC, Modification 4, Condition E.3 (1/7/1999)]*

**Table 2-1: Summary of Add-On Control Devices**

Control Device	Affected EU	Device Type	Manufacturer	Model No.	Pollutant
CD1	A001-A003	SCR System			NO <sub>x</sub>
CD2	A001-A003	Oxidation Catalyst			CO

### 2.2 CONTROL REQUIREMENTS

#### 2.2.1 Emission Controls

##### Turbines

1. The permittee shall operate the SCR systems installed on the gas turbine units (EUs: A001–A003) a minimum of 85% of the plant operating hours calculated over any consecutive 12-month period, with an allowance of no more than 15% downtime due to low-temperature excursions (defined as temporary temperature drops below 570°F). *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-B-1 (04/05/07) and ATC, Modification 4, Condition E.3 (1/7/1999)]*
2. The permittee shall determine the operating hours by averaging across the three units at the source. *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-B-1 (04/05/07) and ATC, Modification 4, Condition E.3 (1/7/1999)]*
3. The permittee shall continuously operate steam injection as long as the temperature in a gas turbine’s associated heat recovery steam generator remains at or above 550°F or the pressure of the recovery boiler remains at or above 450 pounds per square inch as measured by a calibrated gauge (psig). *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-B-4 (04/05/07) and ATC, Modification 4, Condition E.3 (1/7/1999)]*
4. The permittee shall commence ammonia injection no more than 5 minutes after the SCR inlet’s temperature reaches 570°F. *[ATC/OP, Modification 5, Condition III-B-5(2/27/202) and ATC March 9, 1999, Modification 4, Condition E.11]*
5. The permittee shall control the ammonia flow using the continuous monitoring system, which will limit NO<sub>x</sub> to 12 ppmvd at 15% O<sub>2</sub> on a 3-hr rolling average. *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-B-5 (04/05/07)]*
6. The permittee shall maintain and operate the oxidation catalysts to control CO on each of the turbine units in accordance with the manufacturer’s specifications (EUs: A001-A003).



7. The permittee shall operate the oxidation catalysts at all times the associated turbine units are operating, excluding periods of startup and shutdown. *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-B-6 (04/05/07)]*
8. The permittee shall control SO<sub>2</sub> exhaust emissions from each combined cycle system (EUs: A001–A003) by exclusively using pipeline-quality natural gas (in accordance with the Federal Energy Regulatory Commission) and good combustion practices. *[NSR ATC/OP 360, Modification 9, Revision 0, Condition 11 (04/05/07)]*
9. The permittee shall control PM<sub>10</sub> exhaust emissions from each combined cycle system (EUs: A001–A003) by properly maintaining the inlet air filters preceding each turbine (as recommended by the manufacturer) and through good operating practices. *[NSR ATC/OP 360, Modification 9, Revision 0, Condition 12 (04/05/07)]*

### Engines

10. The permittee shall maintain the fire pump (EU: A004) as follows, unless the manufacturer's O&M manual recommendations are more stringent: *[40 CFR Part 63.6603(b)]*
  - a. Change oil and filter every 500 hours of operation or annually, whichever comes first;
  - b. Inspect air cleaners every 1,000 hours of operation or annually, whichever comes first;
  - c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary; and
  - d. Utilize as desired an oil analysis program, as described in 40 CFR Part 63.6625(i), to extend the specified oil change requirement; pursuant to the requirements of 40 CFR Part 63.6(g), the permittee may petition the Control Officer for alternative work practices.
11. The permittee shall maintain the diesel water pump (EU: A006) as follows, unless the manufacturer's O&M manual recommendations are more stringent: *[40 CFR Part 63.6603(b)]*
  - a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;
  - b. Inspect air cleaners every 1,000 hours of operation or annually, whichever comes first;
  - c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary; and
  - d. Utilize as desired an oil analysis program, as described in 40 CFR Part 63.6625(i), to extend the specified oil change requirement; pursuant to the requirements of 40 CFR Part 63.6(g), the permittee may petition the Control Officer for alternative work practices.
12. 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 the fire pump, water pump and emergency generator (EU: A004, A006, and B01, respectively). *[40 CFR 60.4207(b), 40 CFR 63.6604(b)]*

13. The permittee shall operate the diesel generator with a turbocharger and aftercooler (EU: B01). *[AQR 12.5.2.6(a)]*

#### Cooling Tower

14. The permittee shall operate the cooling towers (EU: A005) with drift eliminators that maintain the drift rate at or below 0.0007% of the circulating water flow rate. *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-B-8 (04/05/07)]*
15. The permittee shall limit the total dissolved solids (TDS) concentration in the cooling tower process water to 57,750 ppm at any one time. The annual average TDS concentration shall not exceed 38,500 ppm (EU: A005). *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-B-9 (04/05/07)]*
16. The permittee shall operate and maintain all cooling towers in accordance with the manufacturer's O&M manual (EU: A005). *[AQR 12.5.2.6(a)]*

#### GDO

17. The permittee must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following (EU: A010): *[40 CFR 63.11116]*
  - a. Minimize gasoline spills;
  - b. Clean up spills as expeditiously as practicable;
  - c. Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
  - d. Only load gasoline into storage tanks using a submerged fill tube where the greatest distance from the bottom of the storage tank to the point of the fill tube opening is no more than six inches; and
  - e. Have records available documenting gasoline throughput within 24 hours of a request from the Control Officer.

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### 3.0 LIMITATIONS AND STANDARDS

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#### 3.1 OPERATIONAL LIMITS

##### Turbines and Duct Burners

1. The permittee shall limit each turbine package (EUs: A001, A002, and A003) to a maximum heat input rating of 285 MMBtu/hr, based on an LHV at 67°F. *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-A-2 (04/05/07)]*
2. The permittee shall limit combustion of low sulfur diesel fuel in turbines to 216 hrs/yr (810,000 gal/yr) for each turbine in the event of a natural gas emergency, defined as a disruption in the delivery of natural gas through the pipeline. *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-A-4 (04/05/07)]*
3. The permittee shall limit each shutdown period to one hour immediately following the initiation of a combustion gas turbine shutdown. A shutdown ends when combustion ceases in the gas turbine, or upon initiation of a new startup if combustion during the preceding shutdown has not terminated. A NO<sub>x</sub> emission exceedance event resulting from a loss of NO<sub>x</sub> steam injection caused by upsets in process gas export will be treated as a shutdown and, if the affected gas turbine(s) do not completely shut down within one hour, the time immediately following such an upset in export gas shall be treated and reported as a startup event. *[Modification 9, Revision 0, Condition III-A-5 (04/05/07) and ATC/OP February 27, 2002, Modification 5, Condition III- A-5]*
4. The permittee shall limit each start-up period to two hours immediately following the starting of the combustion gas turbine. Startups of the turbines at the facility shall be limited to 300 events per month, and the total cumulative startup time shall not exceed 450 hours per calendar month for the facility. *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-A-6 (04/05/07) and ATC March 9, 1999, Modification 4, Condition E-10]*
5. The permittee shall limit the heat input for each duct burner to 77 MMBtu/hour (EUs: A001a, A002a, and A003a). *[NSR ATC/OP 360, Modification 9, Revision 0 (04/05/07)]*

##### Engines

6. The permittee shall limit the operation of the diesel fire pump (EU: A004) for testing and maintenance purposes to 100 hours per year. The permittee may operate the fire pump up to 50 hours per year for nonemergency situations, but those hours count towards the 100 hours provided for testing and maintenance. *[40 CFR 60.4211]*
7. The permittee shall limit operation of the diesel water pump (EU: A006) to 720 hours per any consecutive 12-month period. *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-A-9 (04/05/07)]*
8. The permittee shall limit operation of the diesel generator (EU: B01) to 120 hours per any consecutive 12-month period. *[AQR 12.5.2.6(a)]*

GDO

- The permittee shall limit the maximum throughput of all gasoline products to 9,000 gallons per any consecutive 12-month period (EU: A010). [AQR 12.5.2.6(a)]

### 3.2 EMISSION LIMITS

- The permittee shall not allow the actual emissions from each emission unit to exceed the PTE listed in Table 3-1 in any consecutive 12-month period, except for emission units intended only for use in emergencies. Tons per year emission limits for each emission unit include startup and shutdown emissions. [NSR ATC/OP 360, Modification 9, Revision 0 (04/05/07)]

**Table 3-1: Emission Unit PTE, Including Startup and Shutdown (tons per year)**

EU	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub> (SCR)	NO <sub>x</sub> (no SCR)	CO	SO <sub>2</sub>	VOC
A001 & A001a <sup>1</sup>	17.00	17.00	40.77	14.13	46.71	3.03	8.75
A002 & A002a <sup>1</sup>	17.00	17.00	40.77	14.13	46.71	3.03	8.75
A003 & A003a <sup>1</sup>	17.00	17.00	40.77	14.13	46.71	3.03	8.75
A004	0.33	0.33	0	3.33	1.16	0.01	0.07
A005	15.96	9.58	0	0	0	0	0
A006	0.06	0.06	0	0.42	0.20	0.06	0.08
A010	0	0	0	0	0	0	0.06
B01	0.03	0.03	0	0.82	0.48	0.01	0.05

<sup>1</sup>Turbines operate 7,446 hours with Selective Catalytic Reduction (SCR) and 1,314 hours without SCR.

- The permittee shall not allow the actual emissions from each emission unit to exceed the emission rates listed in Table 3-2 during normal operation (exclude startup and shutdown). [NSR ATC/OP 360, Modification 9, Revision 0 (04/05/07)]

**Table 3-2: Emission Rates, Excluding Startup and Shutdowns (lb/hr)**

EU	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub> (SCR)	NO <sub>x</sub> (no SCR)	CO	SO <sub>2</sub>	VOC
A001, A001a	3.88	3.88	10.30	21.50	10.70	0.69	2.00
A002, A002a	3.88	3.88	10.30	21.50	10.70	0.69	2.00
A003, A003a	3.88	3.88	10.30	21.50	10.70	0.69	2.00

<sup>1</sup>Limits based on a 3-hour averaging period.

- The permittee shall not allow the actual emissions from each emission unit to exceed the PTE listed in Tables 3-3 and 3-4 when operated with diesel fuel during a natural gas emergency. Tons per year emission limits for each emission unit include startup and shutdown emissions [NSR ATC/OP 360, Modification 9, Revision 0 (04/05/07)]

**Table 3-3: Emergency Operating Scenario<sup>1</sup> PTE for Turbines on Diesel Fuel (tpy)**

EU	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	VOC
A001, A001a	0.58	0.58	4.10	1.14	1.31	0.37
A002, A002a	0.58	0.58	4.10	1.14	1.31	0.37
A003, A003a	0.58	0.58	4.10	1.14	1.31	0.37

<sup>1</sup>Up to 216 hr/yr of emergency low sulfur diesel fuel combustion (<0.05% sulfur by weight).

**Table 3-4: Emergency Operating Scenario<sup>1</sup> Rates for Turbines on Diesel Fuel (lb/hr)**

EU	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	VOC
A001, A001a	5.40	5.40	37.93	10.52	12.11	3.40
A002, A002a	5.40	5.40	37.93	10.52	12.11	3.40
A003, A003a	5.40	5.40	37.93	10.52	12.11	3.40

<sup>1</sup>Up to 216 hr/yr of emergency low sulfur diesel fuel combustion (<0.05% sulfur by weight).

- The permittee shall not allow the actual emissions from each emission unit to exceed the emission rates and concentrations listed in Tables 3-5 during normal operation using natural gas (excluding startup and shutdown). [NSR ATC/OP 360, Modification 9, Revision 0 (04/05/07)]

**Table 3-5: Emission Rates/Concentrations on Natural Gas Fuel Excluding Startup and Shutdown (15% O<sub>2</sub>)<sup>1</sup>**

EU	Condition	NO <sub>x</sub>	CO	VOC
A001-A003 A001a-A003a	With SCR <sup>1</sup>	12 ppmvd	23 ppmvd	0.0077 lb/MMBtu
A001-A003 A001a-A003a	Without SCR <sup>1</sup>	25 ppmvd	23 ppmvd	0.0028 lb/MMBtu

<sup>1</sup>Limits based on a 3-hour averaging period.

- The permittee shall not allow the actual emissions from each emission unit to exceed the applicable emissions concentrations listed in Table 3-6 [40 CFR 60.332]

**Table 3-6: Applicable Subpart GG Standard (ppmvd)**

Emission Unit	NO <sub>x</sub> (Subpart GG) <sup>1</sup>
A001-A003	79.9 ppmvd

<sup>1</sup>Subpart GG standard is only applicable to combustion turbines (4-hour averaging period @ 15% O<sub>2</sub>).

- 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]
- The permittee shall not allow NO<sub>x</sub> emissions from the stack of each turbine to exceed 25 ppmvd at 15% oxygen, as measured on a 3-hr rolling average, when the SCR is not operational. [ATC March 9, 1999, Modification 4, Condition E.6 and NSR ATC/OP 360, Modification 9, Revision 0 (04/05/07)]
- The permittee shall not allow NO<sub>x</sub> emissions from the stack of each turbine to exceed 12 ppmvd at 15% oxygen, as measured on a 3-hr rolling average, during all times the SCRs are in use. [ATC March 9, 1999, Modification 4, Condition E.7 and NSR ATC/OP 360, Modification 9, Revision 0 (04/05/07)]
- The permittee shall not burn in any stationary gas turbine any fuel that contains sulfur over 0.8% by weight (8,000 ppmw). [40 CFR Part 60.334(b)]

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## 4.0 COMPLIANCE DEMONSTRATION REQUIREMENTS

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### 4.1 MONITORING

#### 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 at least quarterly on the fire pump (EU: A004), the diesel water pump (EU: A006), and the diesel generator (EU: B01) while in operation. If the fire pump, the water pump, or the diesel generator do not operate during the quarter, then no observation of that unit(s) shall be required.
3. 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.
4. 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 a U.S. Environmental Protection Agency (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.
5. Any scenario of visible emissions noncompliance can and may lead to enforcement action.

CEMS

6. The permittee shall install, calibrate, maintain, operate, and certify CEMS for NO<sub>x</sub>, CO, and O<sub>2</sub> on each turbine unit in accordance with 40 CFR Part 75 and 40 CFR Part 60, as applicable (EUs: A001–A003) to demonstrate continuous direct compliance with all emission limitations for NO<sub>x</sub> and CO. *[40 CFR 60.334 and AQR 12.5.2.6(d)]*
7. Each CEMS shall include an automated data acquisition and handling system. Each system shall monitor and record at least the following data: *[ATC, Condition III-E-1 (January 2002), AQR 12.5.2.6(d) and 40 CFR Part 70.6]*
  - a. Exhaust gas concentrations (in ppm) of NO<sub>x</sub>, CO, and diluent O<sub>2</sub> for all turbine units (EUs: A001–A003) at least once every 15 minutes when required by 40 CFR Part 60 or 40 CFR Part 75, as appropriate;
  - b. Exhaust gas flow rate (by direct or indirect methods);
  - c. Fuel flow rate;
  - d. Hours of operation;
  - e. 3-hour rolling averages of NO<sub>x</sub> and CO concentrations;
  - f. Hourly, daily, and quarterly accumulated mass emissions (in pounds) of NO<sub>x</sub> and CO;
  - g. Hours of downtime of the CEMS;
  - h. Catalyst inlet temperature at each SCR unit; and
  - i. Temperature and pressure of each heat recovery boiler that produces steam.
8. The permittee shall follow a written quality control program plan for the CEMS that describes, in detail, the complete, step-by-step procedures and operations required by 40 CFR Part 75, Appendix B, Part 1 (“Quality Control Program”). *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-E-4 (04/05/07) and ATC/OP, Modification 8, Condition III-E-4 (1/30/2007)]*
9. The permittee shall conduct periodic audits and implement QA/QC procedures for CEMS conforming to the provisions of 40 CFR Part 75, Appendix B. *[ATC, Condition III-E-4 (January 2002) and NSR ATC/OP 360, Modification 9, Revision 0, Condition III-E-5 (04/05/07)]*

10. The permittee shall conduct a relative accuracy test audit (RATA) of the CO, NO<sub>x</sub>, and diluent O<sub>2</sub> or CO<sub>2</sub> CEMS at least annually, or the frequency specified in 40 CFR 60 and 75, as applicable (EUs: A001–A003). *[AQR 12.5.2.6(d)]*
11. The permittee shall maintain and adhere to the latest Quality Assurance Plan (QAP) for all CEMS submitted to and approved by DAQ, which shall include auditing and reporting schedules, design specifications, and other quality assurance requirements for each CEMS (EUs: A001–A003). *[40 CFR Part 75]*
12. The permittee shall submit all periodic audit procedures and QA/QC procedures for CEMS to conform to the provisions of 40 CFR Part 60, Appendix F, or 40 CFR Part 75, Appendix B, as applicable (EUs: A001–A003).
13. The permittee shall not have to perform a RATA if the actual hours of operation of the emission unit are 0 (EUs: A001–A003). *[AQR 12.5.2.6(d)]*
14. The permittee shall perform RATA of the NO<sub>x</sub> and diluent monitors individually or in combination, i.e., the relative accuracy tests of the CEMS may be performed: *[40 CFR Part 60.334(b)(1)]*
  - a. On a ppm basis for NO<sub>x</sub> and a percent O<sub>2</sub> basis for oxygen; or
  - b. On a ppm at 15% O<sub>2</sub> basis; or
  - c. On a ppm basis for NO<sub>x</sub> and a percent CO<sub>2</sub> basis for a CO<sub>2</sub> monitor that uses the procedures in Method 20 to correct the NO<sub>x</sub> data to 15% O<sub>2</sub>.
15. As specified in 40 CFR Part 60.13(e)(2), the permittee must, during each full unit operating hour, ensure that each monitor completes a minimum of one cycle of operation (sampling, analyzing, and data recording) for each 15-minute period to validate the hour. For partial unit operating hours, at least one valid data point must be obtained for each 15-minute period in which the unit operates. For unit operating hours in which required quality assurance and maintenance activities are performed on the CEMS, a minimum of two valid data points (one in each of two distinct 15-min. periods) are required to validate the hour. *[40 CFR Part 60.334(b)(2)]*
16. To identify excess emissions, the permittee must reduce CEMS data to hourly averages, as specified in 40 CFR Part 60.13(h). *[40 CFR Part 60.334(b)(3)]*
  - a. For each unit operating hour in which a valid hourly average, as described in paragraph 40 CFR Part 60.334(b)(b)(2), is obtained for both NO<sub>x</sub> and diluent, the data acquisition and handling system must calculate and record the hourly NO<sub>x</sub> emissions in the units of the applicable NO<sub>x</sub> emission standard under 40 CFR Part 60.332(a), i.e., percent NO<sub>x</sub> by volume, dry basis, corrected to 15% O<sub>2</sub> and International Organization for Standardization (ISO) standard conditions (if required as given in 40 CFR Part 60.335(b)(1)). For any hour in which the hourly average O<sub>2</sub> concentration exceeds 19.0% O<sub>2</sub>, a diluent cap value of 19.0% O<sub>2</sub> may be used in emission calculations.
  - b. A worst case ISO correction factor may be calculated and applied using historical ambient data. For this calculation, substitute the maximum humidity of ambient air (H<sub>o</sub>), minimum ambient temperature (T<sub>a</sub>), and minimum combustor inlet absolute pressure (P<sub>o</sub>) into the ISO correction equation.



- c. If the owner or operator has installed a NO<sub>x</sub> CEMS to meet the requirements of 40 CFR Part 75, and is continuing to meet the ongoing requirements of Part 75, the CEMS may be used to meet the requirements of this section, except that the missing data substitution methodology in 40 CFR Part 75, Subpart D is not required for identifying excess emissions. Instead, the permittee shall report periods of missing CEMS data as monitor downtime in the excess emissions and monitoring performance report required by 40 CFR Part 60.7(c).
17. The permittee shall demonstrate the gas quality characteristics using a current, valid purchase contract, tariff sheet, or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 gr/100 scf or less if the gaseous fuel meets the definition of natural gas in 40 CFR Part 60.331(u). *[40 CFR Part 60.334(h)(3)]*
  18. The permittee shall sample the sulfur and nitrogen content of fuel oil according to the frequency described in 40 CFR Part 75, Appendix D: daily samples, sampling from a storage tank, or sampling from each delivery, respectively. *[40 CFR Part 60.334(i)(1)]*
  19. The permittee shall submit reports of excess emissions and monitor downtime in accordance with 40 CFR Part 60.7(c). Excess emissions shall be reported for all periods of unit operation, including startup, shutdown, and malfunction. For reports required under 40 CFR Part 60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined in 40 CFR 60.334(j)(1)(iii). NO<sub>x</sub> for turbines using NO<sub>x</sub> and diluent CEMS as follows:
    - a. An hour of excess emissions shall be any unit operating hour in which the 4-hour rolling average NO<sub>x</sub> concentration exceeds the applicable emission limit in 40 CFR Part [60.332\(a\)\(1\)](#) or [\(2\)](#). For the purposes of Subpart GG, a “4-hour rolling average NO<sub>x</sub> concentration” is the arithmetic average of the average NO<sub>x</sub> concentration measured by the CEMS for a given hour (corrected to 15% O<sub>2</sub> and, if required under 40 CFR Part 60.335(b)(1), to ISO standard conditions) and the three unit operating hour average NO<sub>x</sub> concentrations immediately preceding that unit operating hour.
    - b. A period of monitor downtime shall be any unit operating hour in which sufficient data are not obtained to validate the hour for the NO<sub>x</sub> concentration or diluent (or both).
    - c. Each report shall include the ambient conditions (i.e., temperature, pressure, and humidity) at the time of the excess emission period and, if the owner or operator has claimed an emission allowance for fuel-bound nitrogen, the nitrogen content of the fuel during the period of excess emissions. Reporting ambient conditions is not required if the permittee opts to use the worst case ISO correction factor, as specified in 40 CFR Part [60.334\(b\)\(3\)\(ii\)](#), or opts not to use the ISO correction equation under the provisions of 40 CFR Part [60.335\(b\)\(1\)](#).
  20. The permittee shall monitor incidents of “out of control” periods of the CEMS. For each calendar quarter, each CEMS shall not have total out-of-control periods, as defined in 40 CFR Part 75, Appendix B, more than 2% of the time its associated HRSG is in operation. *[NSR ATC/OP 360, Modification 9, Revision 0, Condition III-E-10 (04/05/07)]*
  21. The permittee shall monitor and record (on a gross basis) each turbine’s potential electrical output capacity supplied or actual electric output (in MWe-hr) sold annually to any utility power distribution system. *[40 CFR Part 72.6(b)(4)(ii)]*

Engines/Water Pump [AQR 12.5.2.6(d) & AQR 12.5.2.8]

22. The permittee shall install a nonresettable hour meter on the diesel fire pump, the diesel water pump, and the generator, and monitor the hours of operation (EUs: A004, A006, and B01, respectively).
23. The permittee shall maintain a log of dates and times when maintenance is performed on the diesel fire and water pumps (EUs: A004 and A006, respectively).
24. The permittee shall monitor the sulfur content and cetane index or aromatic content of the fuel burned in the fire pump, water pump and emergency generator (EU: A004, A006, and B01, respectively) by retaining a copy of vendor fuel specifications. [40 CFR 60.4207(b), 40 CFR 63.6604(b)]

Cooling Tower [AQR 12.5.2.6(d) & AQR 12.5.2.8]

25. The permittee shall monitor the TDS of the cooling tower recirculation water daily using a conductivity meter, or another device the Control Officer has approved in advance (EU: A005). [AQR 12.5.2.6(d)]
26. The permittee must complete a second test within the 24-hour period if the daily test for TDS ppm is within 10% of exceeding the allowable concentration (51,975 ppm). If the second test result is below 57,750 ppm, both tests shall be averaged together for the daily report to determine permit compliance. At no time shall the TDS test result exceed 57,750 ppm. [NSR ATC/OP 360, Modification 9, Revision 0, Condition III-E-7 (04/05/07)]

GDO[AQR 12.5.2.6(d) & AQR 12.5.2.8]

27. The permittee shall monitor and record the throughput of gasoline (EUs: A010) in gallons to determine monthly combined throughput; each month, the permittee shall calculate the total of the last 365 days of gasoline throughput and divide by 12.

## 4.2 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, exclusive of 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. Performance testing is subject to 40 CFR Part 60.8 (as amended), Subparts A, GG, and *Clark County Department of Air Quality Guideline for Source Testing (9/19/2019)* if performance testing is required. [AQR 12.5.2.6(d) and 40 CFR Part 60.335]

### **4.3 RECORDKEEPING**

1. The permittee shall keep records of all inspections, maintenance, and repairs, as required by this permit. [AQR 12.5.2.6(d) and AQR 12.5.2.8]
2. The permittee shall comply with all applicable recordkeeping requirements of 40 CFR Part 60.7; 40 CFR Part 60, Subpart GG; 40 CFR Part 60, Subpart IIII; 40 CFR Part 63, Subpart ZZZZ; 40 CFR Part 63, Subpart CCCCCC; 40 CFR Part 72.9(f); 40 CFR Part 75.
3. 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. [AQR 12.5.2.6(d) and AQR 12.5.2.8]
4. 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]
5. At a minimum, the permittee shall create and maintain the records identified in Sections 4.3.6 and 4.3.7, 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) and AQR 12.5.2.8]
6. The permittee shall maintain the following records for reporting: [AQR 12.5.2.6(d) and AQR 12.5.2.8]

#### *Turbines and Duct Burners (EUs: A001/A001a - A003/A003a)*

- a. Notifications, monitoring system performance, malfunctions, corrective actions taken, etc., as required by 40 CFR 60.7;
- b. Monthly, consecutive 12-month total quantity of natural gas consumed in each gas turbine in MMBtu;
- c. Annual diesel fuel consumed in each turbine;

#### *Cooling Tower (EU: A005)*

- d. Annual average TDS content of the cooling tower;

#### *Diesel Engine (EU: A004)*

- e. Date and duration of operation of the diesel fire pump for testing, maintenance, and nonemergency use (EU: A004);
- f. Date and duration of operation of the diesel fire pump for emergency use, including documentation justifying use during the emergency (EU: A004);

Gasoline Dispensing (EU: A010)

- g. Monthly, consecutive 12-month average combined throughput of gasoline;

CEMS

- h. CEMS audit results, RATA, and corrective actions as required by 40 CFR Part 60, Appendix F;

Other

- i. Deviations from permit requirements resulting in excess emissions (report as required by Section 4.4); and
- j. Deviations from permit requirements not resulting in excess emissions (report semiannually).

7. The permittee shall maintain the following records: [AQR 12.5.2.6(d) and AQR 12.5.2.8]

Turbines and Duct Burners (EUs: A001/A001a - A003/A003a)

- a. Dates and hours of operation for each turbine using natural gas;
- b. Dates and hours of operation for each turbine using diesel, when applicable;
- c. Calculated NO<sub>x</sub> and CO emissions from the CEMS;
- d. Each CEMS “out-of-control” period, as defined in 40 CFR Part 75, Appendix B;
- e. Time, duration, nature, and probable cause of any CEMS downtime and corrective actions taken;
- f. Dates, times, and duration of each startup and shutdown event for each turbine (EUs: A001-A003);
- g. Sulfur content of natural gas;
- h. Sulfur content of diesel fuel, as certified by the supplier with each fuel delivery;
- i. Records of supply of actual electric output to the utility power distribution system for sale (on a gross basis), as required by Section 3.1.2;

CEMS

- j. A quality assurance plan containing auditing schedules, reporting schedules, and design specifications for the CEMS. The CEMS shall conform to all provisions of 40 CFR Part 60.13; 40 CFR Part 60, Subpart GG; and 40 CFR 75; [AQR 12.5.2.6(d)]
- k. All CEMS information required by the CEMS monitoring plan, as specified in 40 CFR Part 75, Subpart F;

Engines (EU: A004, A006, B01)

- l. Records of fire pump, water pump, and emergency generator inspection/maintenance
- m. The permittee shall monitor the sulfur content and cetane index or aromatic content of the fuel burned in the fire pump, water pump and emergency generator (EU: A004, A006, and B01, respectively) by retaining a copy of vendor fuel specifications. [40 CFR 60.4207(b), 40 CFR 63.6604(b)]

Other

- n. Daily TDS content readings of the cooling tower;
- o. Manufacturer's operation specifications for SCR and oxidation catalyst controls;
- p. A QA plan that contains auditing schedules, reporting schedules, and design specifications for the CEMS. The CEMS shall conform to applicable provisions of 40 CFR Part 60, Subpart GG and 40 CFR Part 75 (the QA Plan has been approved by the Control Officer);
- q. Log of visible emissions checks on all emission units to include the stationary gas turbines, emergency generator and the fire pump;
- r. The magnitude and duration of excess emissions, notifications, monitoring system performance, malfunctions, corrective actions taken, etc. as required by 40 CFR Part 60.7;
- s. Certificates of representation for the designated representative and the alternative designated representative that meet all requirements of 40 CFR Part 72.24;
- t. Copies of all documents used to complete an Acid Rain Permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program; and
- u. Summary of results of all performance testing.

**4.4 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 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 also 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: *[AQR 12.5.2.6(d)(4)(B); AQR 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](mailto:airquality@clarkcountynv.gov).
  - b. Within 72 hours of the notification required by paragraph 3.a above, 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 the U.S. Environmental Protection Agency (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 the 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 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 control equipment in use. The Control Officer may require 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: *[AQR 18.6.1 and AQR 12.5.2.4]*
  - a. The annual emissions inventory must be submitted to DAQ by March 31 of each calendar year (if March 31 falls on a state or federal holiday, or on any day the office is not normally open for business, the submittal is due on the next 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 potential to emit (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 nitrogen oxide (NO<sub>x</sub>) and/or emit 25 tons or more of volatile organic compounds (VOC) 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<sub>x</sub> 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 (aka 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 GG, 40 CFR Part 63 Subpart IIII, 40 CFR Part 63 Subpart ZZZZ, 40 CFR Part 63, Subpart CCCCCC, 40 CFR Part 72.9(f), and 40 CFR Part 75. *[AQR 12.5.2.6(d)]*

13. The permittee shall submit semiannual monitoring reports to DAQ. [AQR 12.5.2.6(d) and AQR 12.5.2.8]
14. The following requirements apply to semiannual reports: [AQR 12.5.2.6(d) and AQR 12.5.2.8]
  - a. The report shall include item listed in Section 4.3.6.
  - b. The report shall be based on a calendar semiannual period, which includes partial reporting periods.
  - c. The report shall be received by DAQ within 30 calendar days after the semiannual period.
15. Regardless of the date of issuance of this PART 70 OP, the source shall comply with the schedule for report submissions outlined in Table 4-1. [AQR 12.5.2.6(d) and AQR 12.5.2.8]

**Table 4-1: Required Submission Dates for Various Reports**

Required Report	Applicable Period	Due Date
Semiannual report for 1 <sup>st</sup> six-month period	January, February, March, April, May, June	July 30 each year <sup>1</sup>
Semiannual report for 2 <sup>nd</sup> six-month period; any additional annual records required	July, August, September, October, November, December	January 30 each year <sup>1</sup>
Annual Compliance Certification	Calendar year	January 30 each year <sup>1</sup>
Annual Emissions Inventory Report	Calendar year	March 31 each year <sup>1</sup>
Annual Emissions Statement <sup>2</sup>	Calendar year	March 31 each year <sup>1</sup>
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	Within 12 hours of when permittee learns of event
Report of Malfunctions, Startup, Shutdowns, or Deviations with Excess Emission	As required	Within 72 hours of the notification <sup>1</sup>
Deviation Report without Excess Emissions	As required	Along with semiannual reports <sup>1</sup>
Performance Testing Protocol	As required	No less than 45 days, but no more than 90 days, before the anticipated test date <sup>1</sup>
Performance Testing Results	As required	Within 60 days of end of test <sup>1</sup>
RATA Protocol	As required	No less than 21 days, but no more than 90 days, before the anticipated test date <sup>1</sup>
RATA Results	As required	Within 45 days of end of test for Part 75 sources or within 60 days for all others <sup>1</sup>

<sup>1</sup>If the due date falls on a federal or Nevada holiday, or on any day the office is not normally open for business, the submittal is due on the next regularly scheduled business day.

<sup>2</sup> Required only for stationary sources that emit 25 tons or more of nitrogen oxide (NO<sub>x</sub>) and/or emit 25 tons or more of volatile organic compounds (VOC) during a calendar year.



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

#### 4.5 MITIGATION

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

#### 4.6 PERMIT SHIELD

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

#### 4.7 STREAMLINING

1. The source has not requested a permit shield for any of the applicable requirements. However, the following requirements have been streamlined for the turbine units; the most stringent requirements have been included in the permit (EUs: A001–A003 & A001a–A003a). (Table 4-2). [AQR 12.5.2.9]

**Table 4-2: Applicable Requirements Related to Streamlining**

EU	Reg. (40 CFR)	Reg. Std.	Permit Limit	Value Comparison (in Units of Permit Limit)			Averaging Period Comparison		
				Std. Value	Permit Limit Value	Permit Limit As or More Stringent?	Std. Avg'ing Period	Permit Limit Avg'ing Period	Permit Limit As or More Stringent?
A001-A003	60.332 (GG)	79.7 NO <sub>x</sub> ppmvd	12 ppmvd NO <sub>x</sub> @15% O <sub>2</sub>	79.7 ppmvd	12 ppmvd	Yes	4 hrs	3 hrs	Yes
A001-A003	60.332 (GG)	79.7 NO <sub>x</sub> ppmvd	25 ppmvd NO <sub>x</sub> @15% O <sub>2</sub>	79.7 ppmvd	25 ppmvd	Yes	4 hrs	3 hrs	Yes
A001-A003	60.333 (GG)	0.8% sulfur by wt. (20 gr/100 scf)	0.05% <sup>1</sup> sulfur by wt.	0.8%	0.05%	Yes	4 hrs	Rolling 12-mo.	Yes

<sup>1</sup>This fuel standard is for diesel only.

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## **5.0 ACID RAIN REQUIREMENTS**

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1. In accordance with the provisions of Title IV of the Clean Air Act and 40 CFR Parts 72 through 77, an Acid Rain Permit was issued to Nevada Cogeneration Associates 1 Facility, Nevada.
2. All terms and conditions of the Acid Rain Permit are enforceable by DAQ and EPA under the Clean Air Act. *[40 CFR Part 72]*
3. The permittee shall comply with all the applicable requirements of the Acid Rain Permit application located in Attachment 8.1. *[40 CFR Part 72.30]*
4. This Acid Rain Permit incorporates the definitions of terms in 40 CFR Part 72.2.
5. This Acid Rain Permit is valid for a term of five years from the date of issuance unless a timely and complete renewal application is submitted to DAQ. *[40 CFR Part 72.69]*
6. A timely renewal application for an Acid Rain Permit is an application that is received at least six months prior to the permit expiration date. *[40 CFR Part 72.30]*
7. Emissions from this source shall not exceed any allowances that the source lawfully holds under Title IV of the Act or its regulations. *[AQR 12.5.2.6 and 40 CFR Part 70.6(a)(4)]*
8. Where an applicable requirement of the Act is more stringent than an applicable requirement of Title IV regulations, both provisions shall be incorporated into the permit and shall be enforceable. *[40 CFR Part 70.6(a)(1)(ii)]*

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## 6.0 OTHER REQUIREMENTS

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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 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)]*

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## 7.0 ADMINISTRATIVE REQUIREMENTS

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### 7.1 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 (AQRs), 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. *[AQR 4.1; AQR 5.1.1; and AQR 12.5.2.8(b)]*
6. The permittee shall allow the Control Officer, upon presentation of credentials, to: *[AQR 4.1 and AQR 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)]*

## **7.2 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 Authority to Construct (ATC) from the Control Officer. *[AQR 12.4.1.1(a)]*
2. The 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 applicable 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 U.S. Environmental Protection Agency (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 a complete application need not be received before a Part 70 general permit is issued pursuant to AQR 12.5.2.20); 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 and 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)]*

## 8.0 ATTACHMENTS

### 8.1 APPLICABLE REGULATIONS

*Requirements Specifically Identified as Applicable*

1. NRS, Chapter 445B.
2. Applicable AQRs listed in Table 8-1.

**Table 8-1: Applicable Clark County AQRs**

Citation	Title
AQR 00	"Definitions"
AQR 04	"Control Officer"
AQR 05	"Interference with Control Officer"
AQR 08	"Persons Liable for Penalties – Punishment: Defense"
AQR 09	"Civil Penalties"
AQR 10	"Compliance Schedules"
AQR 11	"Ambient Air Quality Standards"
AQR 12.0	"Applicability and General Requirements"
AQR 12.4	"Authority to Construct Application and Permit Requirements for Part 70 Sources"
AQR 12.5	"Part 70 Operating Permit Requirements"
AQR 12.9	"Annual Emissions Inventory Requirement"
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 14.1(b)(1)	"Subpart A – General Provisions"
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"
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 70	"Emergency Procedures"
AQR 80	"Circumvention"
AQR 92	"Fugitive Dust from Unpaved Parking Lots and Storage Areas"
AQR 94	"Permitting and Dust Control for Construction Activities"

3. Clean Air Act Amendments (42 U.S.C. § 7401, et seq.)
4. Applicable 40 CFR sections are listed in Table 8-2.

**Table 8-2: 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 GG	Standards of Performance for Stationary Gas Turbines
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 70	"State Operating Permit Programs"
40 CFR Part 72	Acid Rain Permits Regulation
40 CFR Part 73	Acid Rain Sulfur Dioxide Allowance System
40 CFR Part 75	Acid Rain Continuous Emission Monitoring
40 CFR Part 82	"Protection of Stratospheric Ozone"





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### **Permit Requirements**

#### **STEP 3**

Read the standard requirements.

- (1) The designated representative of each affected source and each affected unit at the source shall:
  - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
  - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
  - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
  - (ii) Have an Acid Rain Permit.

### **Monitoring Requirements**

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the source or unit, as appropriate, with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

### **Sulfur Dioxide Requirements**

- (1) The owners and operators of each source and each affected unit at the source shall:
  - (i) Hold allowances, as of the allowance transfer deadline, in the source's compliance account (after deductions under 40 CFR 73.34(c)), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and
  - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
  - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
  - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).

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### **Sulfur Dioxide Requirements, Cont'd.**

#### **STEP 3, Cont'd.**

- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

### **Nitrogen Oxides Requirements**

The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

### **Excess Emissions Requirements**

- (1) The designated representative of an affected source that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an affected source that has excess emissions in any calendar year shall:
  - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
  - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

### **Recordkeeping and Reporting Requirements**

- (1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
  - (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission

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of a new certificate of representation changing the designated representative;

**STEP 3, Cont'd. Recordkeeping and Reporting Requirements, Cont'd.**

- (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
  - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
  - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

**Liability**

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
- (6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

**Effect on Other Authorities**

No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with

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any other provision of the Act, including the provisions of title I of the Act relating

**STEP 3, Cont'd.**

**Effect on Other Authorities, Cont'd.**

to applicable National Ambient Air Quality Standards or State Implementation Plans;

(2) Limiting the number of allowances a source can hold; *provided*, that the number of allowances held by the source shall not affect the source's obligation to comply with any other provisions of the Act;

(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;

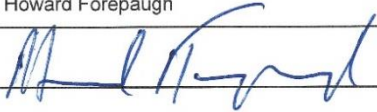
(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

**STEP 4**  
Read the certification statement, sign, and date.

**Certification**

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	Howard Forepaugh	
Signature		Date 11/21/23