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## **PART 70 OPERATING PERMIT (MINOR)**

**SOURCE ID: 527**

Boulder City Landfill  
2500 Utah Street  
Boulder City, NV 89005

**ISSUED ON: November 16, 2020**

**EXPIRES: November 15, 2025**

**REVISED ON: November 23, 2021**

**Current action: Reopening for Cause**

**Issued to:**

Boulder City Disposal, Inc.  
P.O. Box 61288  
Boulder City, Nevada 89006

**Responsible Official:**

Jim Keane  
City Engineer  
PHONE: (702) 293-9200  
EMAIL: [jkeane@bcnv.org](mailto:jkeane@bcnv.org)

**NATURE OF BUSINESS:**

SIC code 4953, "Sanitary Landfill"  
NAICS code 562212, "Solid Waste Landfill"

**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 "Theodore A. Lendis".

Theodore A. Lendis, Permitting Manager

## EXECUTIVE SUMMARY

The Boulder City Municipal Landfill is a municipal solid waste sanitary landfill operation located in Clark County, Nevada, in the Colorado River Valley (Hydrographic Area 213). The landfill is owned by the City of Boulder City and currently operated by Boulder City Disposal, Inc. This landfill is considered a Part 70 source by regulation. The landfill is currently permitted to operate by the Southern Nevada Health District (SNHD) with permit #LF003-KK J-01. The landfill is also currently permitted as a minor source of PM<sub>10</sub>, PM<sub>2.5</sub>, VOC, H<sub>2</sub>S, and GHG by the Clark County Department of Environment and Sustainability, Division of Air Quality, with minor source permit #527, issued October 21, 2013, and modified May 28, 2015.

In June 2017, the SNHD permit was modified to expand the landfill to a maximum capacity of 160 acres and volume of 11,449,245 cubic yards, more than quintupling the remaining capacity in order to meet the needs of the Eldorado Valley for the foreseeable future. An ATC for this new Title V source was issued on June 23, 2020.

The following table summarizes the source's potential to emit for each regulated air pollutant from all emission units addressed by this minor Part 70 Operating Permit.

**Table 1: Source-wide Potential to Emit**

Pollutant	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	VOC	H <sub>2</sub> S	GHG <sup>2</sup>
Tons/year	21.47	3.09	0	0	0	15.47	0.57	134,437.50

<sup>1</sup>Ten tons for any individual hazardous air pollutant, or 25 tons for the combination of all hazardous air pollutants.

<sup>2</sup>Metric tons per year, CO<sub>2</sub>e.

DAQ will continue to require sources to estimate their GHG potential to emit in terms of each individual pollutant (CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, SF<sub>6</sub>, etc.). The operating permit includes these PTEs for informational purposes.

This landfill operation is subject to 40 CFR Part 60, Subpart XXX. The design capacity of this landfill is greater than or equal to 2.5 million megagrams and 2.5 million cubic meters; therefore, it is subject to Part 70 permitting requirements.

Pursuant to AQR 12.5, all terms and conditions in Sections I–VI and Attachment 1 in this permit are federally enforceable unless explicitly denoted otherwise.

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## I. ACRONYMS

**Table I-1: List of Acronyms and Abbreviations**

<b>Acronym</b>	<b>Term</b>
AQR	Clark County Air Quality Regulation
ATC	Authority to Construct
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
dscf	dry standard cubic feet
dscm	dry standard cubic meter
EPA	U.S. Environmental Protection Agency
EU	emission unit
g/gr	gram
H <sub>2</sub> S	hydrogen sulfide
HAP	hazardous air pollutant
hp	horsepower
kW	kilowatts
MSP	Minor Source Permit
MSW	Municipal Solid Waste
NAICS	North American Industry Classification System
NESHAP	National Emission Standards for Hazardous Air Pollutants
NMOC	Non-methane organic compound
NO <sub>x</sub>	nitrogen oxides
NSPS	New Source Performance Standard
OP	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
PSD	Prevention of Significant Deterioration
PTE	potential to emit
RT	roundtrip
SIC	Standard Industrial Classification
SO <sub>2</sub>	sulfur dioxides
U.S.C.	United States Code
VMT	vehicle miles traveled
VOC	volatile organic compound

## II. GENERAL CONDITIONS

### A. GENERAL REQUIREMENTS

1. The permittee shall comply with all conditions of the Part 70 Operating Permit (OP). Any permit noncompliance may constitute a violation of the Clark County Air Quality Regulations (AQRs), Nevada law, and the Clean Air Act (Act), and is grounds for enforcement action; permit termination, revocation and reissuance, or revision; or denial of a permit 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 not be affected and shall 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 any 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 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; & AQR 12.5.2.8(b)]*
6. The permittee shall allow the Control Officer, upon presentation of credentials, to: *[AQR 4.1 & 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 any 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 that is clearly visible and accessible to facility employees and DAQ representatives. *[AQR 12.5.2.6(m)]*

**B. 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) Permit from the Control Officer *[AQR 12.4.1.1(a)]*
2. This permit may be revised, revoked, reopened and reissued, or terminated for cause. 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. 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 that 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.
4. 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 & 40 CFR Part 60.12]*
5. 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)]*
6. 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)]*
7. For purposes of permit renewal, a timely application is a complete application that is submitted at least six months, but not more than eighteen 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 Operating Permit (OP) until final action is taken on its application for a renewed Part 70 OP. *[AQR 12.5.2.1(a)(2)]*

**C. REPORTING, NOTIFICATIONS, AND INFORMATION REQUIREMENTS**

1. 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)]*
2. Any application form, report, or compliance certification submitted to the Control Officer pursuant to the OP or AQRs shall contain a certification by a responsible official of truth, accuracy, and completeness. This certification (and any other certification 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)]*

3. 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 the permit requires keeping. The permittee may furnish records claimed to be confidential directly to the EPA Administrator, along with a claim of confidentiality. *[AQR 12.5.2.6(g)(5)]*
4. Upon request of the Control Officer, the permittee shall provide information or analyses that will disclose the nature, extent, quantity, or degree of air contaminants that are or may be discharged by the source, along with the type or nature of control equipment in use. The Control Officer may require that 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 is authorized to inspect any article, machine, equipment, or other contrivance necessary to make the inspection and report. *[AQR 4.1]*
5. The permittee shall submit annual emissions inventory reports that meet the following requirements: *[AQR 18.6.1]*
  - a. The annual emissions inventory must be submitted to DAQ by March 31 of each calendar year (if March 31 falls on a Saturday or Sunday, or on a federal or Nevada holiday, the submittal shall be due on the next regularly scheduled business day);
  - b. The calculated actual annual emissions from each emission unit (EU) 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 PTE in the permit or an equivalent method approved by the Control Officer prior to submittal; and
  - c. The first page of text will be 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).
6. Stationary sources that emit 25 tons or more of nitrogen oxide (NO<sub>x</sub>) and/or 25 tons or more of volatile organic compounds (VOCs) during a calendar year from emission units, insignificant activities, and exempt activities shall submit an annual emissions statement for both pollutants. This statement 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 (i.e., the emissions inventory report). *[AQR 12.9.1]*

**D. COMPLIANCE REQUIREMENTS**

1. 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)]*
2. 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 other DAQ requirements 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]*
3. Any person aggrieved by an order issued pursuant to AQR 9.1 is entitled to a review, as provided in Chapter 233B of the Nevada Revised Statutes (NRS). *[AQR 9.12]*
4. The permittee shall comply with the requirements of 40 CFR Part 61, Subpart M—the National Emission Standard for Asbestos—for all demolition and renovation projects. *[AQR 13.1(b)(8)]*
5. The permittee shall certify compliance with the terms and conditions contained in the Part 70 OP, including emission limitations, standards, work practices, and the means for monitoring such compliance. *[AQR 12.5.2.8(e)]*
6. The permittee shall submit compliance certifications annually in writing to the Control Officer (4701 W. Russell Road, Suite 200, Las Vegas, Nevada 89118) and the EPA Administrator for Region 9 (Director, Air and Toxics Divisions, 75 Hawthorne St., San Francisco, California 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. The 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 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 Condition b above, and 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 is required and in which an excursion or exceedance, as defined under 40 CFR Part 64, occurred.



7. The permittee shall report to the Control Officer any emissions of regulated air pollutants in excess of any limits set by regulations or this permit due to startup, shutdown, malfunction, emergency, or deviation. The report shall be in two parts: *[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 [AQCompliance@ClarkCountyNV.gov](mailto:AQCompliance@ClarkCountyNV.gov).
  - b. Within 72 hours of the notification required by paragraph (a) above, the permittee shall submit a detailed written report to DAQ containing the information required by AQR 25.6.3.
8. 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)]*
9. The owner or operator of any source required to obtain a permit under AQR 12 shall report to the Control Officer any 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]*

#### **E. PERFORMANCE TESTING REQUIREMENTS**

1. Upon request of the Control Officer, the permittee shall test or have tests performed to determine the emissions of air contaminants from any source whenever the Control Officer has reason to believe that an emission in excess of that allowed by the AQRs is occurring. The Control Officer may specify testing methods to be used in accordance with good professional practice, and may observe the testing. All tests shall be conducted by reputable, qualified personnel. *[AQR 4.2]*
2. Upon request of the Control Officer, 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, prior to the anticipated date of the performance test, unless otherwise specified in Section III.D of 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. The permittee shall submit a report describing the results of each performance test to the Control Officer within 60 days of the end of the test. *[AQR 12.5.2.8]*

### III. EMISSION UNITS AND APPLICABLE REQUIREMENTS

#### A. EMISSION UNITS

- The stationary source covered by this Part 70 OP is defined to consist of the emission units and associated appurtenances summarized in Table III-A-1. [AQR 12.4 ATC (06/23/2020) & AQR 12.5.2.3]

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

EU	Maximum Capacity	Description
A001	406 tons/day	Material Handling and Excavation
A002	160 acres	MSW Landfill
A003	0.50 RT miles	Haul Road; Unpaved
B001	100 tons/day	Municipal Solid Waste

#### B. 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 less than 12 consecutive months.

Nonroad engines used on self-propelled equipment do not have this 12-month limitation or the associated recordkeeping requirements.

#### C. EMISSION LIMITATIONS AND STANDARDS

##### 1. Emission Limits

- The permittee shall not allow actual emissions from the individual emission units to exceed the calculated PTE listed in Table III-C-1 per any consecutive 12-month period. [AQR 12.4 ATC (06/23/2020) & AQR 12.5.2.6(a) & (b)]

**Table III-C-1: Emission Unit PTE (tons per year)**

EU	Condition	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	VOC	H <sub>2</sub> S	Pb
A001	148,281 tons/year	0.59	0.09	0	0	0	0	0	0
A002	60 acres – active MSW cells	18.18	2.73	0	0	0	0	0	0
A003	7,125 VMT/yr	2.70	0.27	0	0	0	0	0	0
B001	36,500 tons/year	0	0	0	0	0	15.47	0.57	0

- b. The permittee shall not allow the calculated NMOC rate to exceed 34 megagrams per year. If the NMOC mass emission rate as calculated using the Tier 2 site-specific NMOC concentration is equal to or greater than 34 megagrams per year, the landfill owner or operator must perform the site-specific analysis described in Section III-E of this permit. *[AQR 12.4 ATC (06/23/2020)]*

### Fugitive Dust

- c. The permittee shall not cause or allow fugitive dust from trackout, which includes accumulation of mud or dirt on curbs, gutters, sidewalks, or paved surfaces, or from the handling, transport, or storage of any material in a manner that allows visible emissions of particulate matter to: *[AQR 94.14(a) & AQR 94.14(e)]*
  - i. Exceed 20% opacity using the Time Averaged Method (AQR 94.15.2) or the Intermittent Emissions Method (AQR 94.15.3);
  - ii. Exceed 50% opacity using the Instantaneous Method (AQR 94.15.4);
  - iii. Extend more than 100 feet; or
  - iv. Cross a property line.

### Other

- d. 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. *[MSP (10/21/2013), AQR 12.4 ATC (06/23/2020), & AQR 26.1]*

## **2. Operational Limits**

- a. The permittee shall limit the application of MSW landfill cover material to 148,281 tons per any consecutive 12 month period (EU: A001). *[AQR 12.4 ATC (06/23/2020)]*
- b. The permittee shall not exceed 60 acres of the active MSW cells (EU: A002) at any given time. *[AQR 12.4 ATC (06/23/2020)]*
- c. The permittee shall not exceed 7,125 VMT per any consecutive 12 month period on unpaved roads (EU: A003). *[AQR 12.4 ATC (06/23/2020)]*
- d. The permittee shall limit the annual MSW collected to 36,500 tons per any consecutive 12 month period (EU: B001). *[AQR 12.4 ATC (06/23/2020)]*

## **3. Emission Controls**

### Landfill

- a. The permittee shall incorporate, and maintain in good operating condition at all times, an effective water suppression system to control visible emissions within allowable opacity limits for the following: *[AQR 12.4 ATC (06/23/2020)]*
  - i. Effectively control fugitive particulate emissions during cell excavation and soil transfer operations (EU: A001); and
  - ii. Effectively control fugitive particulate emissions from the active face of the landfill.

- b. At the end of each operating day, the permittee shall place cover material, compacted to a minimum of six inches, over the compacted solid waste in the waste cell. *[AQR 12.4 ATC (06/23/2020) & MSP (10/21/2013)]*

### Haul Roads

- c. The permittee shall control fugitive dust emissions from any disturbed open area or disturbed vacant lot owned or operated by the permittee by paving, applying gravel, applying a dust palliative, or applying water to form a crust. *[AQR 12.4 ATC (06/23/2020)]*
- d. The permittee shall implement long-term stabilization of disturbed surfaces when the stationary source, or a portion thereof, is to be closed or idled for 30 days or more within 10 days of cessation of active operations. Long-term stabilization includes, but is not limited to, one or more of the following: applying water to form a crust, applying palliatives, applying gravel, paving, denying unauthorized access, or other effective control measure(s) to prevent fugitive dust from becoming airborne. *[AQR 12.4 ATC (06/23/2020)]*
- e. The permittee shall control PM emissions from any unpaved parking lot owned or operated by the permittee by paving, applying a dust palliative, or using an alternative method approved by the Control Officer, regardless of the number of days of its use. *[AQR 12.4 ATC (06/23/2020)]*
- f. The permittee shall water all unpaved haul roads that are in use, and all stockpiles, to keep visible emissions within allowable opacity limits. *[AQR 12.4 ATC (06/23/2020)]*
- g. The permittee shall treat unpaved roads that are in use with recycled asphalt to keep visible emissions within allowable opacity limits. *[AQR 12.4 ATC (06/23/2020)]*

### Fugitive Dust

- h. The permittee shall not allow mud or dirt to accumulate on a paved surface where trackout extends greater than 50 feet in cumulative length or accumulates to a depth greater than 0.25 inches. *[AQR 94.14(d)]*
- i. The permittee shall immediately clean any trackout, including trackout less than 50 feet in length or 0.25 inches in depth, and maintain the surface to eliminate emissions of fugitive dust by removing all accumulations of mud or dirt on curbs, gutters, sidewalks, or paved surfaces that cause visible emissions in excess of the emission limits and standards in this permit. *[AQR 94.14(e)]*
- j. Except as otherwise required in this section, all trackout shall be cleaned up by the end of the workday or evening shift, regardless of length or depth. *[AQR 94.14(f)]*
- k. The permittee shall not use blower devices or dry rotary brushes to remove deposited mud, dirt, or rock from a paved surface. Rotary brushes may be used when sufficient water is applied to limit visible emissions consistent with the emissions limits in this permit. *[AQR 94.14(a)(1)-(3), (b) and (c)]*
- l. For stockpiles over eight feet high, the permittee shall: *[AQR 94.14(g)]*

- i. Locate the stockpile more than 100 yards from occupied buildings unless approved in advance by the Control Officer.
  - ii. Blade a road to the top of the stockpile to allow water truck access, or use another means to provide equally effective dust control at the top of the stockpile.
- m. The permittee shall implement one or more of the following to maintain fugitive dust control on all disturbed soils to the extent necessary to pass the Drop Ball Test described in AQR 94.15.5: *[AQR 94.12(b)]*
- i. Maintain in a sufficiently damp condition to prevent loose particles of soil from becoming dislodged;
  - ii. Crust over by application of water;
  - iii. Completely cover with clean gravel;
  - iv. Treat with a dust suppressant; or
  - v. Treat using another method approved in advance by the Control Officer.
- n. Control measures outlined in this permit, and other measures needed for maintaining dust control, shall be implemented 24 hours a day, 7 days a week. *[AQR 94.13(b)]*

### Other

- o. 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]*
- p. The permittee shall not cause or permit the handling, transporting, or storage of any material in a manner that allows or may allow controllable PM to become airborne. *[AQR 41.1.2]*

## **D. MONITORING**

### Visible Emissions

1. The permittee shall conduct daily visual emissions checks for visible emissions from the facility while it is in operation. *[AQR 12.5.2.6(d) & AQR 12.5.2.8(a)]*
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 observer's name. *[AQR 12.5.2.6(d) & AQR 12.5.2.8(a)]*
3. If a plume appears to exceed the opacity standard, the permittee shall: *[AQR 12.5.2.6(d) & AQR 12.5.2.8(a)]*
  - a. Take immediate action to correct the causes of fugitive/stack emissions that appear to exceed allowable opacity limits; and
  - b. If practical, have a certified observer take an EPA Method 9 observation of the plume and record the results, then take immediate action to correct causes of fugitive

emissions in excess of 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 except where visible emissions appear to exceed the allowable opacity limit and exceed 30 seconds in duration, but an EPA Method 9 observation establishes the emissions do not exceed the standard. *[AQR 12.4 ATC (06/23/2020)]*

#### Landfill

5. The permittee shall monitor daily the application of MSW landfill cover material, and calculate the total on a monthly basis (EU: A001). *[AQR 12.4 ATC (06/23/2020)]*
6. The permittee shall monitor the total acreage of the active MSW cells on a monthly basis (EU: A002). *[AQR 12.4 ATC (06/23/2020)]*
7. The permittee shall monitor daily the MSW collected, and calculate the total on a monthly basis (EU: B001). *[AQR 12.4 ATC(06/23/2020)]*

#### Stockpiles/Haul Road

8. The permittee shall monitor daily the number of vehicle miles traveled (VMT) on-site by haul trucks entering and leaving, and calculate the total on a monthly basis (EU: A003). *[AQR 12.4 ATC (06/23/2020)]*

### **E. TESTING**

1. All performance testing is subject to 40 CFR Part 60.8 and Clark County Department of Air Quality Guideline for Source Testing. Performance testing shall be the instrument for determining initial and subsequent compliance with the emission limitations set forth in this permit and the testing requirements established by the applicable sections of 40 CFR§60.764-Test methods and procedures. *[AQR 12.4 ATC (06/23/2020) & AQR 12.5.2.8(a)]*
2. The permittee shall determine the site-specific NMOC concentration using applicable sampling procedures outlined in 40 CFR 60.764(a)(3). *[AQR 12.4 ATC (06/23/2020)]*
3. The permittee shall calculate the NMOC emission rate using either Equation 1 from 40 CFR Part 60.764(a)(1)(i) or Equation 2 from 40 CFR Part 60.764(a)(1)(ii).
4. The permittee shall compare the calculated NMOC mass emission rate to the standard of 34 megagrams per year and: *[AQR 12.4 ATC (06/23/2020)]*
  - a. If the NMOC emission rate calculated is less than 34 megagrams per year, then the landfill owner or operator must submit an NMOC emission rate report according to 40 CFR Part 60.767(b), and must recalculate the NMOC mass emission rate annually as required under 40 CFR Part 60.762(b).
  - b. If the calculated NMOC emission rate as calculated is equal to or greater than 34 megagrams per year, then the landfill owner must either:
    - i. Submit a gas collection and control system design plan within 1 year, as specified in 40 CFR Part 60.767(c), and install and operate a gas collection and control system within 30 months, as specified in 40 CFR Parts 60.762(b)(2)(ii) and (iii);

- ii. Determine the site-specific NMOC concentration and recalculate the NMOC emission rate using the Tier 2 procedures provided in 40 CFR Part 60.764(a)(3); or
  - iii. Determine a site-specific methane generation rate constant and recalculate the NMOC emission rate using the Tier 3 procedures provided in paragraph 40 CFR Part 60.764(a)(4).
5. The permittee shall submit for approval a performance testing protocol that contains test, reporting, and notification schedules, test protocols, and anticipated test dates to the Control Officer at least 45 days, but not more than 90, prior to the anticipated test date. *[AQR 12.5.2.8(a)]*
6. The Control Officer will consider approving the permittee's request for alternative performance test methods if proposed in writing in the performance test protocols. *[AQR 12.4 ATC 06/23/2020]*
7. The permittee shall submit a report describing the results of the performance test to the Control Officer within 60 days of the end of the performance test. *[AQR 12.5.2.8(a)]*
8. The permittee of any stationary source that fails to demonstrate compliance with emissions standards or limitations during any performance test shall submit a compliance plan to the Control Officer within 90 days of the end of the performance test. *[AQR 12.4 ATC (06/23/2020) & AQR 10.1]*
9. The Control Officer may require additional performance testing when operating conditions appear to be inadequate to demonstrate compliance with the emissions and/or limitations in this permit. *[AQR 12.4 ATC (06/23/2020) & AQR 4.5]*

## **F. RECORDKEEPING**

1. All records logs, etc. shall be made available to the Control Officer during regular business hours. *[AQR 12.5.2.6(d) & AQR 12.5.2.8]*
2. 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) & AQR 12.5.2.8]*
3. 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 4.4]*
4. The permittee shall maintain the following records on-site: *[AQR 12.5.2.6(d), AQR 12.5.8, and 40 CFR Part 60, Subpart XXX]*
  - a. Log of visible emission checks;
  - b. Design capacity report, current amount of solid waste in-place, and year-by-year waste acceptance rate;
  - c. Log of dust control measures applied to unpaved roads;
  - d. Monthly amount of dust palliative applied;
  - e. All NMOC performance test results; and

- f. Records of location changes for nonroad engines, if applicable.
5. The permittee shall maintain the following records on-site for reporting: *[AQR 12.5.2.6(d) & AQR 12.5.2.8]*
    - a. Annual estimation of NMOC and H<sub>2</sub>S fugitive emissions using chemical analysis of LFG and AP-42 default emission factors (reported annually);
    - b. Monthly use of MSW cover material and consecutive 12-month total (EU: A001) (reported semiannually);
    - c. Total stockpile area (reported semiannually) (EU: A002);
    - d. Monthly VMT on the unpaved haul road and consecutive 12-month total (EU: A003) (reported semiannually);
    - e. Monthly MSW collected and consecutive 12-month total (EU: B001) (reported semiannually);
    - f. Deviations from permit requirements that result in excess emissions (reported as required in Section II-D of this OP); and
    - g. Deviations from permit requirements that do not result in excess emissions (reported semiannually).
  6. The permittee shall include at least the date and time, the name of the person performing the action, the results or findings, and the type of corrective action taken (if required) for all inspections, visible emission checks, and testing required under monitoring, logs, reports, and records. *[AQR 12.5.2.6]*
  7. The Control Officer reserves the right to require additional requirements concerning records and record keeping for this source. *[AQR 12.5.2.6]*

## **G. REPORTING**

1. All report submissions shall be addressed to the attention of the Control Officer. *[AQR 14.1(b), AQR 12.5.2.6(d), & AQR 12.5.2.8]*
2. All reports shall contain the following: *[AQR 12.5.2.6(d) & AQR 12.5.2.8]*
  - a. A certification statement on the first page, e.g., “I certify that, based on information and belief formed after reasonable inquiry, the statements contained in this document are true, accurate and complete.” (A sample form is available from DAQ.)
  - b. A certification signature from a responsible official of the company and the date of certification.
3. The permittee shall submit semiannual monitoring reports to the Control Officer as follows: *[AQR 12.5.2.6(d)]*
  - a. The report shall include each record listed in Section III-F of this OP for semiannual reporting purposes.



- b. The report shall include summaries of any permit deviations, their probable cause, and corrective or preventative actions taken.
  - c. The report shall be based on a calendar semiannual period, which includes partial reporting periods.
  - d. The report shall be received by DAQ within 30 calendar days after the semiannual period.
4. Regardless of the date of issuance of this OP, the source shall comply with the schedule for report submissions outlined in Table III-G-1. [AQR 12.5.2.6(d)]

**Table III-G-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
Report of Malfunctions, Startup, Shutdowns, or Deviations with Excess Emission	As required	Within 72 hours of the notification
Deviation Report without Excess Emissions	As required	Along with semiannual reports <sup>1</sup>
Excess Emissions that Pose a Potential Imminent and Substantial Danger	As required	Within 12 hours of the permittee learns of the event
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	As required	Within 60 days of end of test <sup>1</sup>

<sup>1</sup>If the due date falls on a Saturday, Sunday, or federal or Nevada holiday, 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.

5. The permittee shall submit annual emissions inventory reports based on the following: [AQR 18.6.1]
- a. The annual emissions inventory must be submitted to DAQ by March 31 of each calendar year;
  - b. 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; 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).
6. 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 4.4]*

#### **IV. MITIGATION**

The source has no federal offset requirements. *[AQR 59.1.1]*

#### **V. OTHER REQUIREMENTS**

1. Should this stationary source, as defined in 40 CFR Part 68.3, become subject to the accidental release prevention regulations in Part 68, then the permittee shall submit a Risk Management Plan by the date specified in Section 68.10. The permittee shall certify compliance with the requirements of Part 68 as part of the annual compliance certification required by 40 CFR Part 70 or 71. *[AQR 12.5.2.6(d)]*
2. 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 chlorofluorocarbon or hydrochlorofluorocarbon compound 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]*
3. The permittee must comply with all of the control requirements listed in this permit. If there is an inconsistency between standards or requirements, the most stringent standard or requirement shall apply. *[AQR 4]*

#### **VI. PERMIT SHIELD**

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

### **ATTACHMENT 1—APPLICABLE REGULATIONS**

#### Requirements Specifically Identified as Applicable

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

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

Citation	Title
AQR 0	"Definitions"
AQR 4	"Control Officer"
AQR 5	"Interference with Control Officer"
AQR 8	"Persons Liable for Penalties – Punishment: Defense"
AQR 9	"Civil Penalties"
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 14.1(b)(1)	"Subpart A – General Provisions"
AQR 14.1(b)(77)	"Subpart XXX – Standards of Performance for Municipal Solid Waste Landfills"
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 42	"Open Burning"
AQR 43	"Odors in the Ambient Air"
AQR 70	"Emergency Procedures"
AQR 80	"Circumvention"

3. Clean Air Act Amendments (authority: 42 U.S.C. § 7401, et seq.)

4. Applicable 40 CFR sections, as listed in Table A-2.

**Table A-2: Applicable CFRs**

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 XXX	"Standards of Performance for Municipal Solid Waste Landfills"
40 CFR Part 60, Appendix A	"Test Methods 18"
40 CFR Part 60, Appendix A	"Test Methods 21"
40 CFR Part 60, Appendix A-7	"Test Methods 25C"
40 CFR Part 70	"State Operating Permit Programs"
40 CFR Part 82	"Protection of Stratospheric Ozone"