



**DES**  
DEPARTMENT OF ENVIRONMENT  
AND SUSTAINABILITY



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# **GENERAL PERMIT TO CONSTRUCT AND/OR OPERATE**

**for**

**GASOLINE DISPENSING FACILITIES (GDF)**

**NAA-Category I-EVR-A**

**and**

**NAA-Category I-EVR-B**

(For a GDF operating with Phase I-EVR vapor recovery systems in an ozone nonattainment area)

**ISSUED ON:** March 16, 2025

**EXPIRES ON:** March 15, 2030

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

A handwritten signature in blue ink, appearing to read "Santosh".

Santosh Mathew, Permitting Manager

## **AUTHORITY**

This general permit was issued in accordance with Sections 12.11 (“General Permits for Minor Stationary Sources”), 12.1 (“Permit Requirements for Minor Sources”), and 102 (“Gasoline Dispensing Facilities”) of the Clark County Air Quality Regulations (AQRs).

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

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

The department provided an opportunity for public comment on this general permit during the 30-day review period from January 7 to February 5, 2025. The department considered all written and oral comments, and all other documents on the administrative record, before taking final action on this general permit on March 16, 2025.

## **APPLICABILITY CRITERIA**

Any stationary source with a gasoline dispensing facility (GDF) that is located in a hydrographic area deemed in serious nonattainment of the National Ambient Air Quality Standards (NAAQS) for ozone and is otherwise subject to the Minor Source Permit (MSP) requirements of AQR 12.1 or the permitting requirements of AQR 102 may be eligible for coverage under this general permit if the facility meets the requirements specified herein and obtains an authority to operate under this general permit. After March 5, 2024, all existing GDF minor sources operating under individual MSPs shall apply for the authority to operate under a general permit no later than 60 days before their individual MSP expiration date.

Any minor source that does not meet the applicability criteria for this general permit shall obtain an individual MSP pursuant to AQR 12.1. Additionally, any GDF with aboveground gasoline storage tank(s), or multiple GDF operations owned and/or operated by a single operator and located contiguously or adjacently, shall obtain an individual MSP.

This general permit is for GDFs located in hydrographic areas in Clark County, Nevada, that are designated as in nonattainment of the NAAQS for ozone and fall under NAICS code 457110, “Gasoline Station with Convenience Stores,” or NAICS code 457120, “Other Gasoline Stations,” and for any other businesses whose sole emitting activity is dispensing gasoline. It is intended for minor sources of regulated air pollutants that meet the following criteria:

- Emission units are comprised only of gasoline storage tanks, dispensers, waste collection systems, and exempt and insignificant emission units (as defined by AQR 12.1.2 and AQR 102.2);
- Gasoline storage tank(s) are equipped with Phase I-EVR control systems and not required to be equipped with Phase II controls;
- Gasoline dispensing is limited to an aggregated throughput of all gasoline products listed in Table 1; and

- The GDF is subject to the requirements of Subpart CCCCCC of Title 40, Part 63 of the Code of Federal Regulations (40 CFR Part 63).

**Table 1. Qualifying Criteria by Permit Category**

Permit Category	Maximum Gasoline Throughput (gallons per year)	Pollutant	PTE (tons per year)
NAA-Category I-EVR-A	3,385,000	VOC	9.99
NAA-Category I-EVR-B	6,608,000	VOC	19.49

## **APPLICATION FOR AUTHORITY TO OPERATE UNDER THE GENERAL PERMIT**

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

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

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

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

## TABLE OF CONTENTS

<b>1.0</b>	<b>EQUIPMENT.....</b>	<b>6</b>
1.1	Emission Units .....	6
1.2	Insignificant Units and Activities .....	6
<b>2.0</b>	<b>CONTROLS.....</b>	<b>7</b>
2.1	Control Requirements .....	7
<b>3.0</b>	<b>LIMITATIONS.....</b>	<b>11</b>
3.1	Operational Limits .....	11
3.2	Emission Limits .....	11
<b>4.0</b>	<b>COMPLIANCE DEMONSTRATION REQUIREMENTS.....</b>	<b>12</b>
4.1	Monitoring .....	12
4.2	Testing.....	13
4.3	Recordkeeping Requirements .....	15
4.4	Reporting and Notification .....	16
<b>5.0</b>	<b>ADMINISTRATIVE REQUIREMENTS.....</b>	<b>19</b>
5.1	General.....	19
5.2	Revisions and Renewals .....	20

## LIST OF TABLES

Table 1. Qualifying Criteria by Permit Category.....	3
Table 3-1. Potential to Emit (tons per year).....	11
Table 4-1. Vapor Recovery System Testing Procedures and Schedules .....	13
Table 4-2. Required Submittal Dates for Various Reports .....	18

## **COMMON ACRONYMS AND ABBREVIATIONS**

(These terms may be seen in the permit)

AQR	Clark County Air Quality Regulation
AST	aboveground storage tank
ATO	Authority to Operate Certificate
CARB	California Air Resources Board
CFR	Code of Federal Regulations
DAQ	Division of Air Quality
DES	Clark County Department of Environment and Sustainability
EVR	enhanced vapor recovery
GDF	gasoline dispensing facility
MSP	Minor Source Permit
NAA	Nonattainment Area
NAAQS	National Ambient Air Quality Standards
O&M	operations and maintenance
PTE	potential to emit
PV	pressure/vacuum
UST	underground storage tank
VOC	volatile organic compound

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## ***1.0 EQUIPMENT***

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### **1.1 EMISSION UNITS**

The stationary source operating under the authority of this general permit shall be limited to the emission units listed in the Authority to Operate Certificate (ATO). [*AQR 12.11.4(b), AQR 12.1.4.1(b), & AQR 102.4*]

### **1.2 INSIGNIFICANT UNITS AND ACTIVITIES**

The potential to emit (PTE) of all insignificant units and activities shall be considered in determining if a stationary source is required to obtain a permit. When added to the source PTE, emissions from these units and/or activities will not subject the source to major source requirements for any pollutant. All exempt and insignificant units and activities shall remain subject to any other applicable requirements. [*AQRs 12.1.2(a) & (d), AQR 12.1.4.1(f)(2), & AQR 102.2*]

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## 2.0 CONTROLS

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### 2.1 CONTROL REQUIREMENTS

#### General Conditions [AQR 12.11.3(d)(3) & AQR 12.1.4.1(c)&(f)]

1. The permittee shall implement control technology requirements on gasoline dispensing equipment. [40 CFR Part 63, Subpart CCCCCC & AQR 102]
2. The permittee shall operate and maintain the GDF, including any associated air pollution control and monitoring equipment, in a manner consistent with good air pollution control practices for minimizing emissions. [AQR 102.5(b)]
3. The permittee shall install and operate all control equipment according to certifications specified by the manufacturer, and shall maintain the equipment to be leak-free, vapor-tight, and in proper working order.
4. The permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Preventative measures to be taken include, but are not limited to, the following: [40 CFR Parts 63.11116, and 63.11117 & AQR 102.5]
  - 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. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators; and
  - e. 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. [AQR 102.6]
5. The permittee shall not allow degassing of gasoline vapors from any gasoline storage tank at the GDF unless volatile organic compound (VOC) emissions are controlled by a device that has been approved in advance by the Control Officer to be at least 90% efficient by weight. [AQR 102.5(d)]

#### Non-oxygenated Gasoline [AQR 12.11.12(a)]

6. From October 1 to March 31 of every year in the Las Vegas Valley, the Eldorado Valley, the Ivanpah Valley, the Boulder City limits, and any area within three miles of these areas, no gasoline intended as a final product for fueling motor vehicles shall be supplied or sold by any person; sold at retail; sold to a private or municipal fleet for consumption; or introduced into any motor vehicle by any person unless the gasoline has at least 3.5% oxygen content by weight. [AQR 53.1.1 & AQR 53.2.1]

7. If a gasoline storage tank in the Las Vegas Valley, the Eldorado Valley, the Ivanpah Valley, the Boulder City limits, and any area within three miles of these areas receives its last gasoline delivery with less than 3.5% oxygen content by weight before September 15, gasoline dispensed from that tank will be exempt from enforcement of AQR 53.2.1 until the first delivery date after October 1. *[AQR 53.5.1.1]*

*Phase I-EVR [AQR 12.11.11 & AQR 102.7]*

8. The permittee shall install, maintain, and operate a Phase I-EVR system on all gasoline storage tanks that meets the following requirements: *[40 CFR Part 63.11118 & AQR 102.7(c)]*
  - a. The Phase I EVR system shall be rated with at least 98.0% control efficiency when in operation. This system shall be certified by the California Resources Air Board (CARB).
  - b. The Phase I-EVR system shall recover vapors displaced during filling and be a dual-point vapor balance system, as defined by AQR 102.3, in which the storage tank is equipped with an entry port for a gasoline fill pipe and a separate exit port for a vapor connection.
  - c. All Phase I-EVR equipment shall be installed and operated in accordance with manufacturer specifications and certification requirements.
  - d. All Phase I-EVR equipment, including the vapor line from the gasoline storage tanks to the gasoline cargo tank, shall be maintained in good working order, leak-free, and vapor-tight, as defined in AQR 0.
  - e. All vapor connections and lines on storage tanks shall be equipped with closures that seal upon disconnect.
  - f. The vapor balance system shall be designed such that the pressure in the cargo tank does not exceed 18 inches of water pressure or 5.9 inches of water vacuum during product transfer.
  - g. The vapor recovery and product adapters, and the method of connection with the delivery elbow, shall be designed to prevent the over-tightening or loosening of fittings during normal delivery operations.
  - h. If a gauge well separate from the fill tube is used, it shall be provided with a submerged drop tube that extends the same distance from the bottom of the tank as the fill tube.
  - i. Liquid fill and vapor return adapters for all systems shall be equipped and secured with vapor-tight caps after each delivery.
  - j. A pressure/vacuum (PV) vent valve on each gasoline storage tank system shall be installed, maintained, and operated in accordance with manufacturer's specifications.



- i. The pressure specifications for PV vent valves shall be a positive pressure setting of 2.5 to 6.0 inches of water and a negative pressure setting of 6.0 to 10.0 inches of water.
- ii. The total leak rate of all PV vent valves at the affected facility, including connections, shall not exceed 0.17 ft<sup>3</sup> per hour at a pressure of 2.0 inches of water and 0.63 ft<sup>3</sup> per hour at a vacuum of 4 inches of water.
- k. The vapor balance system shall be capable of meeting the static pressure performance requirement in 40 CFR Part 63, Subpart CCCCCC.
- l. The vapor balance system shall conform to CARB-certified EVR requirements by achieving a minimum vapor control volumetric efficiency of 98% for underground storage tanks for all affected facilities, including, but not limited to: *[AQR 102.7(c)(5)]*
  - i. Spill containers, containment assemblies, and covers/lids.
  - ii. Spill container lid.
  - iii. Replacement drain valve, plug, blank, and isolation kits.
  - iv. Product and vapor adapters.
  - v. Riser adapters, support brackets, and seals.
  - vi. Drop tube risers, clamps, and overfill prevention devices.
  - vii. Dust caps and gaskets.
  - viii. P/V vent valves.
  - ix. Tank gauge port components.
  - x. Emergency vents.
  - xi. Fuel locks.
  - xii. Bladder plugs.
  - xiii. Tank bottom protectors.
  - xiv. O-rings and seals.

*Fuel Delivery [AQR 12.11.12(a) & AQR 102.8]*

- 9. The permittee shall comply with good management practices during the unloading of cargo, as follows: *[40 CFR Part 63.11118(d) & AQR 102.8]*
  - a. All hoses in the vapor balance system shall be properly connected
  - b. The adapters or couplers that attach to the vapor line on the storage tank shall have closures that seal upon disconnect.

- c. All vapor return hoses, couplers, and adapters used in the gasoline delivery shall be vapor-tight.
- d. All tank truck vapor return equipment shall be compatible in size and form a vapor-tight connection with the vapor balance equipment on the gasoline storage tank.
- e. All dry breaks shall be leak-free.
- f. All hatches on the tank truck shall be closed and securely fastened.
- g. The filling of storage tanks shall be limited to unloading from vapor-tight gasoline cargo tanks carrying current documentation onboard that the cargo tank has annually met the specifications of 40 CFR Part 60, Appendix A-8, "Test Methods 26 through 30B: Method 27—Determination of Vapor Tightness of Gasoline Delivery Tank Using Pressure Vacuum Test." U.S. Environmental Protection Agency Test Method 27. [AQR 102.8(b)]

Other

- 10. 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]
- 11. If the total combined gasoline throughput of a GDF ever exceeds the applicable throughput threshold of 120,000 gallons during any consecutive 12-month period, the GDF will remain subject to the vapor balance system control standards for sources above the applicable threshold even if throughput later falls below the threshold. [AQR 102.7(d)]

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### 3.0 LIMITATIONS

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#### 3.1 OPERATIONAL LIMITS

1. A permittee issued an ATO for permit category NAA-Category I-EVR-A shall limit the throughput of gasoline (i.e., the aggregate of all gasoline products) to 3,385,000 gallons per year. [AQR 12.11.11(a)]
2. A permittee issued an ATO for permit category NAA-Category I-EVR-B shall limit the throughput of gasoline (i.e., the aggregate of all gasoline products) to 6,608,000 gallons per year. [AQR 12.11.11(a)]

#### 3.2 EMISSION LIMITS

1. The permittee shall not allow the actual emissions from the stationary source to exceed the PTE listed in Table 3-1 corresponding to the general permit category listed on the ATO. [AQR 12.11.11(a) & AQR 12.1.4.1(c)]

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

General Permit Category	Pollutant	PTE
NAA-Category I-EVR-A	VOC	9.99
NAA-Category I-EVR-B	VOC	19.49

2. The permittee shall not discharge into the atmosphere, from any emission unit, any air contaminant in excess of an average of 20% opacity for a period of more than six consecutive minutes. [AQR 26.1]

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## **4.0 COMPLIANCE DEMONSTRATION REQUIREMENTS**

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### **4.1 MONITORING**

#### *General Conditions [AQR 12.11.3(d)(2)]*

1. The permittee shall monitor and record the daily combined throughput of gasoline in gallons.
2. The permittee shall monitor and record the daily throughput of non-oxygenated unleaded gasoline.
3. The permittee shall monitor the fuel storage and dispensing system to determine if its components are in compliance with the control requirements of this general permit. Monitoring inspections shall be recorded and consist of:
  - a. Inspecting daily for gasoline spills, and recording the times and dates the source became aware of a spill and cleaned it up;
  - b. Inspecting covers on gasoline containers and fill pipes after each respective delivery, and recording the date of fuel deliveries and corresponding inspections; and
  - c. Recording the date and approximate volume of gasoline sent to open waste collection systems that collect recyclable gasoline, if applicable.

#### *Phase I-EVR [AQR 12.11.3(d)(2) & AQR 102.10]*

4. The permittee shall conduct and record inspections on the Phase I-EVR system after each delivery to determine if the components of the system are in compliance with the control requirements of this permit, as well as, but not limited to, items in the following list. The permittee may limit inspections to once daily if multiple deliveries are received in a given day.
  - a. The condition of the spill bucket and presence of fuel, liquid, or debris;
  - b. The condition of the vapor cap and cap seal;
  - c. The condition of the vapor adapter and adapter seal;
  - d. The condition of the fill cap and cap seal;
  - e. The swivel tightness of the fill and vapor adapters;
  - f. The condition of the fill tube seal;
  - g. The presence of the PV vent valve and visible parts.
  - h. The condition of the spout tips; and

- i. That cargo tanks delivering gasoline carry current vapor tightness documentation.
5. The permittee shall conduct and record inspections on the vapor balance system monthly, using one or more of the following procedures to identify a potential vapor leak: *[AQR 102.10(b)]*
    - a. The use of sight, sound, or smell; and/or
    - b. The use of a soap solution spray in accordance with 40 CFR Part 60, Appendix A-7, “Method 21–Determination of Volatile Organic Compound Leaks,” Section 8.3.3, “Alternative Screening Procedure” (adopted August 3, 2017).
  6. If a potential vapor leak is detected, the permittee shall: *[AQR 102.10(c)]*
    - a. Repair it within 15 calendar days; or
    - b. Perform a Method 21 test to determine the vapor-tight status of the vapor recovery system.
      - i. If the Method 21 test confirms a leak:
        - (1) Nothing further is required of the permittee if VOC emissions are less than 10,000 ppm.
        - (2) The permittee must complete repairs within 15 calendar days if VOC emissions are 10,000 ppm or higher.

## 4.2 TESTING

1. The permittee shall conduct Phase I-EVR tests in accordance with the CARB-approved vapor recovery test procedures (as revised) listed in Table 4-1, as applicable. *[40 CFR Part 63.11120, AQR 12.11.3(d)(2), & AQR 102.9]*

**Table 4-1. Vapor Recovery System Testing Procedures and Schedules**

Type of Vapor Recovery System	Test Procedure	Frequency
Phase I-EVR Vapor Balance System	Pressure Decay/Leak Test: CARB Procedure TP-201.3 (as revised for UST)	Initial and every three years thereafter
	Static Torque of Rotatable Phase I Adaptors CARB Procedure TP-201.1B (With swivel adapters only)	Initial and every three years thereafter
	Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves: CARB Procedure TP-201.1E (as revised)	Initial and every three years thereafter
	Leak Rate for EVR systems: CARB test procedures TP-201.1C, “Leak Rate of Drop Tube/Drain Valve Assembly” (adopted July 12, 2021), or TP-201.1D, “Leak Rate of Drop Tube Overfill Protection Devices and Spill Container Drain Valves” (adopted July 12, 2021), as applicable.	Initial and every three years thereafter
	Flow Rate Test: CC_V RTP_1	Initial and every three years thereafter

Note: UST = underground storage tank.

2. The permittee shall submit a DAQ-approved vapor recovery test notification form (available on the DAQ website) to schedule each vapor recovery test with the Stationary Sources Section supervisor at least 30 calendar days before the anticipated date of testing, unless otherwise specified in this permit. *[AQR 12.11.3(d)(2) & AQR 102.9(b)]*
3. Any prior approved scheduled vapor recovery system test cannot be canceled and/or rescheduled without the Control Officer's prior approval. *[AQR 12.11.3(d)(2) & AQR 102.9(d)]*
4. The permittee shall conduct Phase I-EVR system testing on affected gasoline dispensing equipment according to the following requirements: *[AQR 12.11.3(d)(2) & AQR 12.9(e)]*
  - a. The permittee shall conduct and pass an initial vapor recovery system test within 180 days of startup of new equipment, or within 90 days after completion of repairs or reconstruction where the integrity of the vapor recovery system has been affected by that repair or reconstruction. Routine maintenance, including the replacement of hoses, nozzles, and efficiency compliance devices (e.g., bellows, face shield, splash guard, etc.), does not require an initial vapor recovery system test.
  - b. The permittee shall conduct and pass subsequent Phase I-EVR system tests on or before the anniversary date of the previous successful test at the frequency specified in Table 4-1. *[AQR 12.11.3(d)(2) & AQR 102.9(e)]*
  - c. Each vapor recovery system test may be witnessed by a DAQ inspector.
5. The permittee shall submit a Gasoline Dispensing Facility Certification of Vapor Recovery System Test Results Submittal Form (Test Results Submittal Form, available on the DAQ website) and supporting test documents to the Control Officer after each vapor recovery system test. The submittal form shall be: *[AQR 12.11.3(d)(2)]*
  - a. Complete and signed by the Responsible Official for the equipment being tested. The Responsible Official must certify that the test results are true, accurate, and complete;
  - b. Submitted by mail, by fax, or in person; and
  - c. Submitted by the source, or by the permittee's testing company or consultant. However, the source is the responsible party and must ensure that the test report is delivered to DAQ within the applicable time frame.
6. The permittee shall submit a report of the vapor recovery system test results (pass/fail) to the Control Officer within 60 days of the date of the vapor recovery system test. *[AQR 102.9(c)]*
7. If the source fails or has an incomplete vapor recovery system test: *[Guidelines for Source Testing (9/19/2019)]*
  - a. The permittee shall notify the Control Officer, by email or phone, within 24 hours of an equipment test failure or incomplete test. If repairs can be made within five working days of the original scheduled test date, the permittee shall make the repairs and conduct and pass the required test(s).

- b. If the equipment cannot be repaired in five working days, the permittee shall make all necessary repairs and schedule a retest of the affected facility by submitting a new Test Notification Form to the Control Officer by mail, fax, or hand delivery no later than three business days before the new test date.
  - c. After retesting (pass/fail), the permittee shall submit a Test Results Submittal Form and supporting test documents to the Control Officer within 15 days of completion.
  - d. The permittee shall continue retesting until the affected facility successfully passes all aspects of the vapor recovery system test.
8. The Control Officer may require the permittee to conduct any test after a failed or incomplete vapor recovery system test in the presence of a DAQ representative. *[AQR 12.11.3(d)(2)]*

### **4.3 RECORDKEEPING REQUIREMENTS**

- 1. The permittee is required to comply with the recordkeeping requirements of 40 CFR Part 63, Subpart CCCCCC. *[40 CFR Part 63.11125]*
- 2. The permittee shall create and maintain the following records, all of which must be producible on-site to the Control Officer's authorized representative upon request and without prior notice during the permittee's hours of operation: *[AQR 12.11.3(d)(2), AQR 12.1.4.1(d)(2), AQR 12.1.4.1(s) & AQR 102.11]*

#### *Inspections/Maintenance/General*

- a. Manufacturer's operations and maintenance (O&M) manual for PV vent valves and Phase I-EVR equipment;
- b. Required equipment inspections and maintenance;
- c. Maintenance on distribution and control (i.e., Phase I) equipment, including a general description of location and parts;
- d. Devices installed meeting CARB EVR certification;
- e. Date and time that storage and distribution equipment was taken out of service;
- f. Date of repair or replacement of storage and distribution equipment/parts;

#### *Daily Actions/Throughput*

- g. Date and time of gasoline delivered; record non-oxygenated gasoline separately, if applicable;
- h. Monthly throughput of non-oxygenated unleaded gasoline;
- i. Monthly combined throughput of gasoline;
- j. Calendar year combined annual gasoline product throughput (reported annually);

### Emissions

- k. Vapor recovery system testing results (reported as required by Section 4.2 of this permit);
  - l. Deviations from general permit requirements resulting in excess emissions (reported as required by Section 4.4 of this permit);
  - m. Deviations from general permit requirements not resulting in excess emissions (reported annually); and
  - n. Calendar year annual emissions for the entire source (reported annually).
3. The permittee shall include in each record above, where applicable, the date and time the monitoring was performed or the measurement was taken, the person performing the monitoring or measurement, and the emission unit or location where the monitoring was performed or the measurement taken. Each record must also contain the action taken to correct any deficiencies, when applicable. *[AQR 12.11.3(d)(2), AQR 12.1.4.1(d)(2)(A), & AQR 102.11]*
4. The permittee shall maintain all records for a period of at least five years from their creation. *[AQR 12.11.3(d)(2), AQR 12.1.4.1(d)(2)(B), & AQR 102.11]*

## **4.4 REPORTING AND NOTIFICATION**

- 1. The permittee is responsible for all applicable notification and reporting requirements contained in 40 CFR Part 63.
- 2. If the construction or modification of a source differs from what is authorized in this general permit, the source shall provide a written notice to the Control Officer that includes a list of the differences, and complete descriptions of each one, at least 30 days before commencing operations. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(n)]*
- 3. The permittee shall submit an annual report to the Control Officer in accordance with the following requirements. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(d)(3)]*
  - a. Each annual report shall be: *[AQR 12.9.2(b)]*
    - i. Based on the preceding calendar year;
    - ii. Submitted on or before March 31 of each year, even if there was no activity; and
    - iii. Addressed to the attention of the Control Officer.
  - b. Each annual report shall contain, at a minimum:
    - i. As the first page of text, a signed certification containing the sentence: "I certify that, based on information and belief formed after reasonable inquiry, the statements contained in this document are true, accurate, and complete." This statement shall be signed and dated by a Responsible Official of the company (a sample form is available from DAQ); *[AQR 12.9.3]* and



- ii. The calculated actual annual emissions from each emission unit, even if there was no activity, and the total calculated actual annual emissions for the source, based on the emissions calculation methodology used to establish the PTE in this general permit or on an equivalent method approved by the Control Officer prior to submittal. *[AQR 12.9(2)(d)]*
  - iii. Each recorded item listed in Section 4.3 of this permit as required for annual reporting purposes. *[AQR 12.9.2]*
- 4. The permittee shall report to the Control Officer any upset, breakdown, malfunction, emergency, or deviation that causes emissions of regulated air pollutants in excess of any limits set by regulations or by this permit. The report shall be in two parts, as specified below: *[AQR 25.6.1, AQR 12.11.3(d)(2), & AQR 12.1.4.1(d)(3)(B)]*
  - a. Within 24 hours of the time the permittee learns of the event, the permittee shall notify DAQ by phone at (702) 455-5942, by fax at (702) 383-9994, or by email at [AQCompliance@ClarkCountyNV.gov](mailto:AQCompliance@ClarkCountyNV.gov).
  - b. Within 72 hours of the notification required by Section 4.4.a above, the permittee shall submit a detailed written report to DAQ containing the information required by AQR 25.6.3.
- 5. The permittee shall report deviations from general permit requirements that do not result in excess emissions, including those attributable to upset conditions as defined in this general permit, with the annual report. Such reports shall include the probable cause of such deviations, as well as any corrective actions or preventive measures taken. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(d)(3)(B)]*
- 6. Any report and/or compliance certification submitted pursuant to this section or the AQRs shall contain certification by a Responsible Official of truth, accuracy, and completeness. This certification, and any others required under this section, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. *[AQR 12.11.3(d)(2) & AQR 12.1.4.1(d)(3)(C)]*
- 7. Regardless of permit issuance date, the permittee shall comply with the schedule for report submittals in Table 4-2. *[AQR 12.1.4.1(d)(3) & AQR 12.1.4.2]*

**Table 4-2. Required Submittal Dates for Various Reports**

Required Report	Applicable Period	Due Date
Written notice describing differences in constructions/modifications from what was authorized	As required	No more than 30 days before commencing operations
Annual Emissions Inventory Report	Calendar year	March 31 each year <sup>1</sup>
Signed Certification of Annual Emissions Inventory Report	Calendar year	March 31 each year <sup>1</sup>
Notification of Upset, Breakdown, Malfunction, Emergency, or Deviation with Excess Emissions	As required	Within 24 hours of the permittee learns of the event
Report of Upset, Breakdown, Malfunction, Emergency, or Deviation with Excess Emissions	As required	Within 72 hours of the notification <sup>1</sup>
Deviation Report without Excess Emissions	As required	Along with annual 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>

<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.

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## 5.0 ADMINISTRATIVE REQUIREMENTS

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### 5.1 GENERAL

1. The permittee shall not operate the equipment listed in the ATO with other equipment permitted through a different general permit (pursuant to AQR 12.11) or MSP (pursuant to AQR 12.1). The operation of additional emission units requires either a revised ATO or an MSP issued pursuant to AQR 12.1 so that one comprehensive permit includes all emission units at any one facility. *[AQR 12.11.1]*
2. This general permit shall not exceed a term of five years from the date of issuance. *[AQR 12.11.3(d)(5)]*
3. The Control Officer may terminate this general permit at any time after determining that emissions from sources in this source class cause or contribute to ambient air quality standard violations that are not adequately addressed by the requirements in this general permit, or that the terms and conditions of this general permit no longer meet the requirements of AQR 12.1.4.1. *[AQR 12.11.8(a)]*
4. The Control Officer shall provide written notice to all sources operating under this general permit before its termination. Within 180 days of receiving the notice, the source shall submit an application to the Control Officer for an individual MSP pursuant to AQR 12.1. *[AQR 12.11.8(b)]*
5. The Control Officer may revoke a minor source's ATO under a general permit if the source is not in compliance with any term or condition of the general permit. *[AQR 12.11.8(c)]*
6. Upon revocation of a source's ATO under this general permit, the Control Officer shall notify the source's Responsible Official by certified mail, return receipt requested. The notice shall include a statement detailing the grounds for the revocation of the ATO and a statement that the source is entitled to a hearing. The source may continue operating under the revoked ATO for a maximum of 15 days after receipt of the notice of revocation. However, the source must submit a complete application for an individual MSP pursuant to AQR 12.1 to continue operations at the end of those 15 days. *[AQR 12.11.8(d)&(e)]*
7. If any term or condition of this general permit becomes invalid as a result of a challenge to a portion of this general permit, the other terms and conditions of this general permit shall be unaffected and remain valid. *[AQR 12.1.4.1(i)]*
8. The terms and conditions of this general permit apply to any part or activity of the stationary source that emits, or has the potential to emit, any regulated air pollutant for which operating authority has been granted through an ATO, and includes all third parties (such as lessees or contractors) conducting such activities. *[AQR 12.11.3(d)(2), AQR 12.1.4.1(c), & AQR 12.1.4.1(aa)]*
9. Any application, report, or compliance certification submitted to the Control Officer pursuant to this general permit or the AQRs shall contain a certification of truth, accuracy, and completeness with a Responsible Official's original signature. *[AQR 12.11.3(d)(2), AQR 12.1.3.6(a), AQR 12.1.4.1(d)(3), & 40 CFR Part 3]*

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

## **5.2 REVISIONS AND RENEWALS**

1. A minor source that has been issued an ATO may make revisions only as authorized by this general permit. Any revisions outside that scope shall require a new application for either an individual MSP under AQR 12.1 or a different general permit issued under AQR 12.11, if one is available. *[AQR 12.11.10(a)]*

2. The Control Officer shall review and may renew this general permit every five years, or sooner if warranted. *[AQR 12.11.5(a)]*
3. A source's authority to operate under this general permit shall coincide with the five-year term of this general permit regardless of when the ATO was issued during that period, except as provided in AQR 12.11.8(b) for termination of the general permit by the Control Officer. *[AQR 12.11.5(a)]*
4. When this general permit is renewed, the Control Officer shall notify in writing all sources who have been granted, or who have applications pending for, authorization to operate under this general permit. The written notice shall describe the source's duty to reapply by submitting a timely application, and may include requests for information required under the proposed renewal permit. *[AQR 12.11.5(a)&(b)]*
5. To renew an ATO, the source shall submit a timely application at least 120 days, but no more than 270 days, before the date this general permit expires, or within a time frame specified by the Control Officer in a written notification. *[AQR 12.11.5(b) & AQR 12.1.3.1(b)]*
6. If a timely renewal application is submitted, the source may continue to comply with the previously issued ATO until a renewed ATO under the renewed general permit is granted. Failure to submit a timely renewal application terminates the source's right to operate after this general permit expires without first obtaining a new ATO under the renewed general permit. *[AQR 12.11.5(b)]*
7. The permittee shall furnish to the Control Officer, in writing and within a reasonable time, any information that the Control Officer may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the ATO, or to determine compliance with this general permit. Upon request, the permittee shall also furnish to the Control Officer copies of records that this general permit requires keeping. The permittee may furnish records deemed confidential to the Control Officer with a claim of confidentiality, pursuant to AQR 12.6. *[AQR 12.1.4.1(u)]*
8. This general permit may be revised, revoked, reopened and reissued, or terminated for cause by the Control Officer. The filing of a request by the permittee for a permit revision, for termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. *[AQR 12.1.4.1(p)]*
9. A general permit may be reopened and revised under any of the following circumstances: *[AQR 12.1.4.1(q)]*
  - a. The Control Officer determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
  - b. The Control Officer determines that the general permit must be revised or revoked to assure compliance with applicable requirements.