

Appendix A.1 – Apex Plant, Lhoist North America

Provisions provided in the following ATC permit issued by Clark County Department of Environment and Sustainability for the Apex Plant are hereby incorporated and adopted into Nevada's Second Regional Haze SIP by reference. Provisions that are ~~struck-out~~ are not intended to be incorporated into the SIP by reference for approval or intended to be codified as part of Nevada's Second Regional Haze SIP. This reissued permit replaces the original ATC permit incorporated by reference into Nevada's SIP submitted on August 12, 2022.

**DES****DEPARTMENT OF ENVIRONMENT
AND SUSTAINABILITY**

air quality

desert conservation
PROGRAM

sustainability

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Marci Henson, Director

AUTHORITY TO CONSTRUCT PERMIT FOR A MAJOR PART 70 SOURCE

SOURCE ID: 00003

Lhoist North America of Arizona Apex Plant
12101 North Las Vegas Boulevard
North Las Vegas, Nevada 89036

ORIGINAL ISSUE DATE: August 3, 2022**FIRST REISSUE DATE: February 6, 2024****SECOND REISSUE DATE: April 30, 2025****CURRENT ACTION: ATC Administrative Revision****Issued to:**

Lhoist North America of Arizona, Inc.
PO Box 363068
North Las Vegas, Nevada 89165

Responsible Official:

Casey Piland
Plant Manager
Phone: (205) 500-9702
Email: casey.piland@lhoist.com

NATURE OF BUSINESS:

SIC code 3274, "Lime Manufacturing"
NAICS code 327410, "Lime Manufacturing"

**Issued by the Clark County Department of Environment and Sustainability in accordance
with Section 12.4 of the Clark County Air Quality Regulations.**

Santosh Mathew, Permitting Manager

EXECUTIVE SUMMARY

Lhoist North America of Arizona (LNA) is a manufacturer of lime and lime products. The legal description of the source location is T18S, R63E, Sections 23 and 26 in Apex Valley, County of Clark, State of Nevada. The Apex plant is situated in Hydrographic Area 216 (Garnet Valley), which is designated as an attainment area for 8-hour ozone (regulated through NO_x and VOC), PM₁₀, CO, and SO₂.

The LNA Apex Plant is a categorical source, as defined by AQR 12.2.2(j)(12). The plant is a major stationary source for PM₁₀, PM_{2.5}, NO_x, CO, SO₂, GHG, and a single HAP (HCl), and a minor source for total HAP and VOC. The Apex operation includes mining and excavating, limestone handling and processing, solid fuel handling, lime storage silos, fuel storage tanks, and truck and railcar loading and transporting. Four rotary lime kilns are used to convert limestone to quicklime; these kilns can be fired by coal, coke, or natural gas.

LNA was selected as a participant for evaluation of the regional haze four-factor review and control determination (“four-factor analysis”) for the second decadal implementation of the Long-Term Strategy of Nevada’s Regional Haze State Implementation Plan (Nevada Regional Haze SIP). The Nevada Regional Haze SIP addresses all visibility-impairing pollutants (including PM₁₀, SO₂, and NO_x). The current SIP revision is for the second implementation period (2018–2028), and relies on the findings from the four-factor analysis to achieve reasonable progress in reducing the emissions of target pollutants by adopting additional control strategies. As a result of the four-factor analysis, LNA is only expected to address NO_x emissions with this ATC.

The table below summarizes the source potential to emit (PTE) (in units of tons per year) for each regulated air pollutant for all emission units addressed in the Part 70 Operating Permit.

Source-wide Potential to Emit ¹

Pollutant	PM ₁₀	PM _{2.5}	NO _x	CO	SO ₂	VOC	HAP ²	HAP ² (HCl)	GHG ³
Tons/year	339.34	203.17	1,901.34 1,395.25 ⁴	968.90	1,646.76	8.46	22.96	21.12	697,494.80

¹ The PTE in this table, taken from the Part 70 operating permit issued 11/16/2023, is for informational purposes only.

² Major source threshold for HAPs is 10 tons for any individual hazardous air pollutant or 25 tons for a combination of all HAPs.

³ Metric tons per year, CO₂e. GHG = greenhouse gas pollutants.

⁴ New NO_x PTE will be effective no later than two years after the EPA’s approval of the Regional Haze SIP. This value is based on a reduction of 506.09 tons/year, identified in Table 7-1 of the AQR 12.4 ATC Application (5/23/2022).

LNA is subject to 40 CFR Part 60, Subpart Y; 40 CFR Part 60, Subpart OOO; 40 CFR Part 60, Subpart IIII; 40 CFR Part 60, Subpart HH; 40 CFR Part 63, Subpart ZZZZ; and 40 CFR Part 63, Subpart AAAAA. By meeting the requirements of 40 CFR Part 60, Subpart IIII, the source also meets the requirements of 40 CFR Part 63, Subpart ZZZZ. The source is also subject to 40 CFR Part 51, Subpart P (“Protection of Visibility”).

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Common Acronyms and Abbreviations

(These terms may be seen in the permit)

Acronym	Term
AQR	Clark County Air Quality Regulation
ATC	Authority to Construct
CEMS	Continuous Emissions Monitoring System
CFR	Code of Federal Regulations
CO	carbon monoxide
CO ₂	carbon dioxide
CO ₂ e	carbon dioxide equivalent
DAQ	Division of Air Quality
DES	Clark County Department of Environment and Sustainability
EPA	U.S. Environmental Protection Agency
EU	emission unit
GHG	greenhouse gas
HAP	hazardous air pollutant
LNB	low-NO _x burner
NAICS	North American Industry Classification System
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO _x	nitrogen oxides
NRS	Nevada Revised Statutes
NSPS	New Source Performance Standard
NSR	New Source Review
OP	operating permit
PM _{2.5}	particulate matter less than 2.5 microns in diameter
PM ₁₀	particulate matter less than 10 microns in diameter
PSD	Prevention of Significant Deterioration
PTE	potential to emit
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SNCR	selective non-catalytic reduction
SO ₂	sulfur dioxides
tlp	tons of lime produced
tpd	tons per day
U.S.C.	United States Code
VOC	volatile organic compound

1.0 EQUIPMENT

1.1 EMISSION UNITS

1. This ATC consists of the affected emission units listed in Table 1-1. *[AQR 12.4 ATC Application (5/23/2022)]*

Table 1-1: List of Affected Emission Units

EU	Source EU Identifier	Description	Rating
K102	KN-01	Rotary Kiln 1	81.25 MMBtu/hr
K202	KN-02	Rotary Kiln 2	81.25 MMBtu/hr
K302	KN-03	Rotary Kiln 3	91.10 MMBtu/hr
K402	K4-KN-305	Rotary Kiln 4	281.25 MMBtu/hr

2.0 CONTROLS

2.1 CONTROL DEVICES

1. Effective no later than two years after EPA approval of the controls determination associated with the SIP, the additional control devices identified in Table 2-1 shall be installed. [AQR 12.4 ATC Application (5/23/2022) & 40 CFR Part 51.308]

Table 2-1: Add-on Controls for NO_x Reduction on Kilns

EU	Description	Control
K102	Kiln 1	LNB and SNCR
K302	Kiln 3	LNB and SNCR
K402	Kiln 4	LNB and SNCR

2.2 CONTROL REQUIREMENTS

1. The control requirements and the NO_x emission reductions proposed in the ATC are permanent and, upon becoming effective, shall not be removed, changed, revised, or modified without the approval of the Nevada Division of Environmental Protection and EPA.
2. Effective no later than two years after EPA's approval of the controls determination associated with the SIP, the permittee shall install and maintain low-NO_x burners (LNB) on Kilns 1, 3, and 4 to achieve a reduction of NO_x emissions (EU: K102, K302, and K402). [AQR 12.4 ATC Application (5/23/2022) & 40 CFR Part 51.308]
3. Effective no later than two years after EPA's approval of the controls determination associated with the SIP, the permittee shall install, operate, and maintain selective non-catalytic reduction (SNCR) on Kilns 1, 3, and 4 (EUs: K102, K302, and K402) to achieve reduction of NO_x emissions. [AQR 12.4 ATC Application (5/23/2022) & 40 CFR Part 51.308]

3.0 LIMITATIONS AND STANDARDS

3.1 OPERATIONAL LIMITS

- ~~1. The permittee shall limit the lime throughputs in Kiln 1 and Kiln 2 to 109,500 tons each per any consecutive 12-month period (EUs: K102 and K202). [APCHB Order on Appeal of Part 70 OP (10/15/2012)]~~
- ~~2. The permittee shall limit the total lime throughput in Kiln 3 to 146,000 tons per any consecutive 12-month period (EU: K302). [APCHB Order on Appeal of Part 70 OP (10/15/2012)]~~
- ~~3. The permittee shall limit the lime throughput in Kiln 4 to 1,350 tons per day, based on a calendar month average, and to 475,000 tons per any consecutive 12-month period (EU: K402). [APCHB Order on Appeal of Part 70 OP (10/15/2012)]~~

3.2 EMISSION LIMITS

1. Effective no later than two years after EPA approval of the controls determination associated with the SIP, the permittee shall limit total NO_x emissions from all operating kilns to 3.75 tons per day based on a consecutive 30-day average (EUs: K102, K202, K302, and K402). [AQR 12.4 ATC Application (5/23/2022) & 40 CFR Part 51.308]
2. Effective no later than two years after EPA approval of the controls determination associated with the SIP, the permittee shall limit the combined total NO_x emissions from all operating kilns to 3.59 lb/tlp based on a consecutive 12-month average (EUs: K102, K202, K302, and K402). [AQR 12.4 ATC Application (5/23/2022) & 40 CFR Part 51.308]

4.0 PROVISIONAL OPERATING CONDITIONS

4.1 MONITORING

1. Effective no later than two years after EPA approval of the controls determination associated with the SIP, in order to demonstrate continuous, direct compliance with the Kilns 1–4 (EUs: K102, K202, K302, and K402) emissions limits for NO_x specified in Sections 3.2.1 and 3.2.2, the permittee shall calibrate, maintain, operate, and certify the continuous emissions monitoring system (CEMS). [AQR 12.4.3.4(a)(10)]
2. Effective no later than two years after EPA approval of the controls determination associated with the SIP, the permittee shall operate the CEMS according to the provisions of 40 CFR Part 60, Subpart A, Appendices B & F, as applicable at all times that Kilns 1-4 (EUs: K102, K202, K302, and K402) are in use except during malfunctions, maintenance, calibration, and repairs of the CEMS. [AQR 12.4.3.4(a)(10)]
 - a. The CEMS shall include a data acquisition and handling system. [AQR 12.4.3.4(a)(10)]
3. The permittee shall develop and implement a quality control program with written procedures, as required by 40 CFR Part 60, Appendix F.
4. Effective no later than two years after EPA approval of the controls determination associated with the SIP, the CEMS shall monitor and record at least the following data for each kiln (EUs: K102, K202, K302, and K402): [AQR 12.4.3.4(a)(10)]
 - a. Exhaust gas concentration of NO_x;
 - b. Diluent gas, if applicable;
 - c. Exhaust gas flow rate;
 - d. Hourly emissions of NO_x;
 - e. Hours of CEMS operation; and
 - f. Dates and hours of CEMS downtime.
5. The permittee shall conduct Relative Accuracy Test Audits (RATA) and other periodic checks of NO_x—and, if applicable, checks of diluent gas—on the CEMS at least annually, as required by 40 CFR Part 60. [AQR 12.4.3.4(a)(10)]
6. Effective no later than two years after EPA approval of the controls determination associated with the SIP, the permittee shall monitor each kiln (EUs: K102, K202, K302, and K402) to demonstrate compliance with the NO_x emission limit of 3.75 tons per day. Each kiln's rolling 30-operating-day average will be calculated using the following procedure: [AQR 12.4.3.4(a)(10)]

- a. The permittee shall measure NO_x emissions from each kiln using the CEMS and sum the hourly pounds of NO_x emitted from Kilns 1, 2, 3, and 4 during the current kiln operating day and during the preceding 29 kiln operating days to obtain the total pounds of NO_x emitted for 30 kiln operating days.
 - b. The permittee shall divide the total pounds of NO_x by 2,000 to calculate total tons of NO_x emitted over the most recent 30 kiln operating days.
 - c. The permittee shall divide the total tons of NO_x by 30 to calculate the rolling 30-operating-day NO_x emission rate from all kilns.
 - d. The permittee shall address data during periods when the CEMS is out of control in accordance with 40 CFR Part 60, Appendix F.
7. Effective no later than two years after EPA approval of the controls determination associated with the SIP, the permittee shall monitor each kiln to demonstrate compliance with the NO_x emission limit of 3.59 lb/tp (EUs: K102, K202, K302, and K402). Each 12-month rolling NO_x emission rate will be calculated within 30 days following the end of each calendar month using the following procedure: [AQR 12.4.3.4(a)(10)]
- a. The permittee shall measure NO_x emissions using the CEMS and sum the hourly pounds of NO_x emitted from each kiln for the month just completed and the 11 months preceding to calculate the total pounds of NO_x emitted over the most recent 12-month period.
 - b. The permittee shall sum the total lime production, in tons, produced from Kilns 1, 2, 3, and 4 during the month just completed and the 11 months prior to calculate the total lime product produced over the most recent 12-month period. Total lime production is to consist of both saleable and any waste lime produced.
 - c. The permittee shall divide the total pounds of NO_x by the total tons of lime product to calculate the 12-month rolling NO_x emission rate in lb/tp.
 - d. The permittee shall address data during periods when CEMS is out of control in accordance with 40 CFR Part 60, Appendix F.
8. Effective no later than two years after EPA approval of the controls determination associated with the SIP, the permittee shall monitor the amount of the reagent used for the SNCR for each kiln hourly. If multiple readings are taken in an hour, an hourly average may be recorded (EUs: K102, K302, and K402). [AQR 12.4.3.4(a)(10)]

4.2 TESTING

~~No performance testing requirements have been identified.~~

4.3 RECORDKEEPING

1. The permittee shall keep records of all inspections, maintenance, and repairs, as required by this permit. [AQR 12.4.3.4(a)(10)]
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 12.4.3.4(a)(10)]

3. The permittee shall retain records of all required monitoring and performance demonstration data and supporting information for five years after the date of the sample collection, measurement, report, or analysis. Supporting information includes all records regarding calibration and maintenance of the monitoring equipment, all original strip-chart recordings for continuous monitoring instrumentation and, if applicable, all other records required to be maintained pursuant to 40 CFR Part 64.9(b). [AQR 12.4.3.4(a)(1)]
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. The permittee shall create and maintain 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 12.4.3.4(a)(10)]
6. The permittee shall maintain the following records on-site and include, at a minimum: [AQR 12.4.3.4(a)(10)]
 - a. Hourly records of the amount of reagent used for the SNCR for each kiln (EUs: K102, K302, and K402);
 - b. CEMS data for each kiln (EUs: K102, K202, K302, and K402); and
 - c. Written procedures for the quality control program.
7. The permittee shall maintain the following records on-site that require semiannual reporting, including, at a minimum: [AQR 12.4.3.4(a)(10)]
 - a. Daily, consecutive 30-day average of total NO_x in tpd from all kilns (EUs: K102, K202, K302, and K402);
 - b. Monthly, consecutive 12-month average of total NO_x in lb/tpd from all kilns (EUs: K102, K202, K302, and K402);
 - c. Magnitude and duration of excess emissions (reported as required by Section 4.4 of this permit), notifications, monitoring system performance, malfunctions, corrective actions taken, and other data required by 40 CFR Part 60; and
 - d. CEMS audit results or accuracy checks, as required by 40 CFR Part 60.

4.4 REPORTING AND NOTIFICATIONS

- ~~1. All report submissions shall be addressed to the attention of the Control Officer. [AQR 14.1(b)]~~
- ~~2. The permittee shall provide, within a reasonable time and in writing, any information the Control Officer requests to determine whether cause exists for revising, revoking and reissuing, or terminating the permit, or to determine compliance with the conditions of 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 deemed confidential directly to the Administrator, along with a claim of confidentiality. [AQR 12.4.3.4(a)(7)]~~
- ~~3. 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]~~

- ~~4. The permittee shall report the start of construction, construction interruptions exceeding nine months, and completion of construction to the Control Officer in writing no later than 15 working days after occurrence of the event. [AQR 12.4.3.4(a)(12)]~~
- ~~5. The permittee shall provide written notification of the actual date of commencing operation to the Control Officer within 15 calendar days. [AQR 12.4.3.4(a)(13)]~~
- ~~6. The permittee shall provide separate written notifications when commencing operations for each unit of phased construction, which may involve a series of units commencing operation at different times. [AQR 12.4.3.4(a)(14)]~~
7. The permittee shall submit semiannual monitoring reports to DAQ. [AQR 12.4.3.4(a)(10)]
8. The following requirements apply to semiannual reports: [AQR 12.4.3.4(a)(10)]
 - a. The report shall include the items listed in Section 4.3 for semiannual reporting.
 - b. The report shall be based on a calendar semiannual period, which shall include partial reporting periods.
 - c. The report shall be received by DAQ within 30 calendar days after the semiannual period.
- ~~9. 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)]~~
10. Upon commencing operation of the controls required by this ATC, the permittee shall submit compliance certifications annually in writing to the Control Officer (4701 W. Russell Rd., Suite 200, Las Vegas, NV 89118) and the Region 9 Administrator (Director, Air and Radiation Division, 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 status of compliance with each permit 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 Item b above, and each deviation shall be identified and taken 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.~~
- ~~11. 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]~~
- ~~12. 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(1)]~~
- ~~13. The permittee shall submit annual emissions inventory reports based on the following: [AQRs 18.6.1 & 12.9.2]~~
 - ~~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 shall be due on the next regularly scheduled 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).~~
- ~~14. Stationary sources that emit 25 tons or more of NO_x and/or 25 tons or more of VOC from 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_x 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). [AQR 12.9.1]~~
- ~~15. The permittee is responsible for all applicable notification and reporting requirements contained in 40 CFR Parts 60 and 63. [AQR 12.4.3.4(a)(10)]~~

16. Regardless of the date of issuance of this ATC, the source shall comply with the schedule for report submissions outlined in Table 4-1.

Table 4-1: Required Submission Dates¹

Required Report	Applicable Period	Due Date
Semiannual report for 1st six-month period	January, February, March, April, May, June	July 30 each year ¹
Semiannual report for 2 nd six-month period and any additional annual records required	July, August, September, October, November, December	January 30 each year ¹
Annual Compliance Certification	Calendar year	January 30 each year ¹
Annual Emissions Inventory Report	Calendar year	March 31 each year ¹
Annual Emissions Statement ²	Calendar year	March 31 each year ¹
Notification of Malfunctions, Startup, Shutdowns or Deviations with Excess Emission	As required	Within 24 hours of when permittee learns of event
Report of Malfunctions, Startup, Shutdowns or Deviations with Excess Emission	As required	Within 72 hours of DAQ notification
Deviation Report without Excess Emissions	As required	With semiannual reports ¹
Excess Emissions that Pose a Potential Imminent and Substantial Danger	As required	Within 12 hours of when permittee learns of event
Performance Testing Protocol	As required	No less than 45 days, but no more than 90 days, before anticipated test date ¹
Performance Testing	As required	Within 60 days of end of test ¹

¹If the due date 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 regularly scheduled business day.

² Required only for stationary sources that emit 25 tons or more of NO_x and/or 25 tons or more of VOC during a calendar year.

- ~~17. The Control Officer reserves the right to require additional 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]~~

5.0 ADMINISTRATIVE REQUIREMENTS

5.1 GENERAL

1. ~~This ATC does not modify, consolidate, supersede, and/or replace any ATC previously issued for this facility from the date of issuance of this permit forward, except for the emission units addressed in this ATC.~~
2. ~~This ATC does not supersede or replace any Part 70 requirements, including any permit conditions, compliance requirements, and/or emission limitations outlined in the Part 70 (Title V) Operating Permit.~~
3. ~~Except as provided in AQR 12.4.3.2(e) for minor revisions of a Part 70 Operating Permit, an owner or operator of an existing or new Part 70 source shall obtain an ATC Permit from the Control Officer before beginning actual construction or continuing to operate any of the following: [AQR 12.4.1.1(a)]~~
 - a. ~~A new Part 70 source;~~
 - b. ~~A “major modification,” as defined in AQRs 12.2 or 12.3;~~
 - c. ~~A modification that increases the Part 70 source’s PTE by an amount equal to or greater than the minor NSR significant level in AQR 12.4.2.1;~~
 - d. ~~Construction, modification, or reconstruction of an affected facility that becomes newly subject to a standard, limitation, or other requirement under 40 CFR Part 60;~~
 - e. ~~Construction or reconstruction of a new or an affected source that becomes newly subject to a standard, limitation, or other requirement under 40 CFR Part 63, including, but not limited to, construction or modification that requires preconstruction review under 40 CFR Part 63.5; or~~
 - f. ~~A modification to a solid waste incinerator unit, as defined by an applicable standard under 40 CFR Part 60.~~
4. ~~Unless the Control Officer receives and grants a written request to extend the 18-month period referenced in AQR 12.4.1.1(b)(1) or (b)(2) at least 30 days before the deadline, an ATC Permit issued under AQR 12.4 or an ATC authorization issued under AQR 12.5 shall remain in effect only if: [AQR 12.4.1.1(b)]~~
 - a. ~~The owner or operator commences the construction, modification, or reconstruction of the Part 70 source within 18 months of the issuance date of an ATC Permit or authorization to construct;~~
 - b. ~~Such activity is not discontinued for a period greater than 18 months; and~~
 - c. ~~The Control Officer does not revoke and reissue, or terminate, the ATC Permit for cause.~~

5. ~~If an existing Part 70 Operating Permit would prohibit construction, modification, or reconstruction, the owner or operator of the Part 70 source must obtain a Part 70 Operating Permit revision pursuant to AQRs 12.5.2.13 or 12.5.2.14, as appropriate, before commencing operation. [AQR 12.4.1.1(c)]~~
6. ~~Upon presentation of credentials, the permittee shall allow the Control Officer (or any authorized representative) to enter the premises where the source is located or emissions-related activity is conducted and to: [AQR 12.4.3.4(a)(8)]~~
 - a. ~~Access and copy, during normal business hours, 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 this ATC;~~
 - c. ~~Sample or monitor substances or parameters to assure compliance with the conditions of this ATC or applicable requirements; and~~
 - d. ~~Document alleged violations using such devices as cameras or video equipment.~~
7. ~~This ATC does not convey any property rights or exclusive privilege. [AQR 12.4.3.4(a)(6)]~~
8. ~~The permittee shall post this ATC in a location clearly visible and accessible to facility employees and department representatives. [AQRs 12.4.3.4(a)(16) & 12.13]~~
9. ~~The permittee shall pay all fees assessed pursuant to AQR 18. [AQR 12.4.3.4(a)(17)]~~
10. ~~A timely application for a source applying for a Part 70 Operating Permit for the first time is one that is submitted within 12 months of the source becoming subject to the permit program. If a source submits a timely application under this provision, it may continue operating under its ATC Permit until final action is taken on its application for a new Part 70 Operating Permit. [AQR 12.5.2.1(a)(1)]~~
11. ~~A timely application for an existing Part 70 source that has obtained an ATC Permit is one that is submitted within 12 months of the source commencing operation of the modification or reconstruction authorized by this ATC, or on or before an earlier date that the Control Officer may establish. However, where an existing Part 70 Operating Permit would prohibit such construction or change in operation, the source must obtain a Part 70 permit revision pursuant to AQR 12.5.2.14 before commencing operation. [AQR 12.5.2.1(a)(3)]~~

5.2 MODIFICATION, REVISION, AND RENEWAL REQUIREMENTS

1. ~~The Control Officer may revise an ATC Permit only through: [AQR 12.4.4.1(a)]~~
 - a. ~~An administrative or significant permit revision, as specified in Items b and c below;~~
 - b. ~~The Part 70 Operating Permit procedures specified in AQR 12.5.2.14; or~~

- c. ~~A revision of AQR 12.4-applicable requirements in a Part 70 Operating Permit using the procedures in AQRs 12.5.2.13 or 12.4.2.14. Revising the applicable requirements of, or adding terms and conditions to, the Part 70 Operating Permit may supersede or append certain terms and conditions to the ATC Permit, as specified in AQR 12.4.5.2(a).~~
2. ~~The permittee shall file an application to make any change in the ownership or Responsible Official of the source, and may implement the change immediately upon submittal of the request provided the current and new permittee have submitted to the Control Officer a written agreement with a specific date for transfer of permit responsibility, coverage, and liability, and that the permit transfer procedures in AQR 12.12 are complied with. [AQR 12.4.4.1(b)(1)(D)]~~
3. ~~The permittee shall file an application for a transfer of ownership at least 30 days before the date of a change in ownership or operational control of the source. This application shall constitute a temporary ATC under the conditions of the existing permit. [AQRs 12.12.2(c) & (d)]~~
4. ~~The Control Officer may revise, revoke and reissue, reopen and revise, or terminate this ATC for cause. [AQR 12.4.3.4(a)(5)]~~

5.3 COMPLIANCE REQUIREMENTS

1. ~~Each of the conditions and requirements of this ATC is severable. If any are held invalid, the remaining conditions and requirements shall continue in effect. [AQR 12.4.3.4(a)(2)]~~
2. ~~The permittee shall comply with all conditions contained in this ATC. Any noncompliance constitutes a violation and is grounds for an action for noncompliance, revocation and reissuance, or termination of the permit by the Control Officer, or for reopening or revising of the permit by the permittee as directed by the Control Officer. [AQR 12.4.3.4(a)(3)]~~
3. ~~The need to halt or reduce activity to maintain compliance with the conditions of this ATC is not a defense to noncompliance with any condition of this ATC. [AQR 12.4.3.4(a)(4)]~~
4. ~~Upon commencement of operations, 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 ATC. The report shall be in two parts, as specified below: [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.~~
 - b. ~~Within 72 hours of the notification required by Item a above, the permittee shall submit a detailed written report containing the information required by AQR 25.6.3.~~
5. ~~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, with the semiannual monitoring report. 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)(iii)]~~

6. ~~A Responsible Official of the source shall certify that, based on information and belief formed after reasonable inquiry, the statements made in any document required to be submitted by any condition of this ATC are true, accurate, and complete. [AQR 12.4.3.4(a)(9)]~~