

DEFINITIONS (Affected Sections)

010.090 **"MAJOR EMITTING FACILITY OR MAJOR STATIONARY SOURCE"** means any stationary source (or group of stationary sources located within a contiguous or adjacent area and under common control or ownership), which generally belong to the same industrial grouping and are any one of the following depending upon location and category:

Stationary sources that are major for volatile organic compounds (VOC) or Nitrogen Oxides (NOx) shall be considered major for ozone; stationary sources that are major for condensable volatile organic compounds (VOC), Sulfur Oxides (SOx) or Nitrogen Oxides (NOx) shall be considered major for particulate matter.

A. Attainment areas:

1. Any stationary source of air pollutants, which emits, or has the potential to emit, one hundred tons per year or more of any air contaminant. Fugitive emissions shall not be counted in determining applicability unless the source belongs to one or more of the following categories of operations:
 - a. Fossil fuel-fired steam electric plants of more than 250 million British Thermal Units of heat input per hour are regulated under NRS 445.546.
 - b.. Coal cleaning plants (thermal dryers),
 - c.. Kraft pulp mills,
 - d. Portland cement plants,
 - e. Primary zinc smelters,
 - f. Iron and steel mills,
 - g. Primary aluminum ore reduction plants,
 - h. Primary copper smelters,
 - i. Municipal incinerators capable of charging more than 250 tons of refuse per day,
 - j. Hydrofluoric, sulfuric, and nitric acid plants,
 - k. Sulfur recovery plants,
 - l. Carbon black plants (furnace process),
 - m. Primary lead smelters,
 - n. Fuel conversion plants,
 - o. Sintering plants,
 - p. Secondary metal production facilities,
 - q. Chemical processing plants,
 - r. Fossil fuel-fired boilers (or combinations thereof) of more than 250 million British Thermal Units of heat input per hour,
 - s. Petroleum storage and transfer facilities with a capacity exceeding 300,000 barrels,
 - t. Taconite ore processing plants,
 - u. Charcoal production facilities,
 - v. Glass fiber processing plants,
 - w. Petroleum refineries,
 - x. Lime plants,
 - y. Phosphate rock processing plants,
 - z. Coke oven batteries

- ~~2. Any physical change that would occur at a stationary source not qualifying as a major stationary source under A.1., if the change itself would constitute a major stationary source.~~

~~B. Nonattainment areas:~~

- ~~1. Any stationary facility or source which directly emits, or has the potential to emit, 100 tons or more per year of any nonattainment pollutant other than particulate matter. Any stationary facility or source which directly emits, or has the potential to emit, 70 tons or more per year of PM10; or~~
- ~~2. Any physical change that would occur at a stationary source not qualifying as a major stationary source under B.1., if the change itself would constitute a major stationary source.~~

~~C.B. Hazardous Air Pollutants:~~

1. Any stationary facility or source which directly emits, or has the potential to emit, 10 tons or more per year of any single listed hazardous air pollutant, or 25 tons or more of any combination of any listed hazardous air pollutants. If the EPA Administrator has established any major source definition for any hazardous air pollutants at amounts less than those listed above, those lesser amounts shall apply. Fugitive emissions will be included for determining potential emissions for sources of Hazardous Air Pollutants.

~~D. Procedures for Limiting Potential to Emit:~~

~~Any source, which, because of its potential emissions, would otherwise be designated as a major source for the purposes of Title V under these regulations, may choose to seek exemption from the provisions of the Title V (Part 70) regulations by establishing procedures to limit actual emissions. Any source that seeks to limit actual emissions under this regulation must have emissions below the following thresholds, and remain in compliance during all 12-month periods as calculated on a rolling basis beginning the first of each month. In every 12-month period, emissions shall not exceed:~~

- ~~1. 50 tons per year for all regulated air pollutants (excluding PM10 and Hazardous Air Pollutants); 35 tons per year of PM10; 5 tons per year of any single Hazardous Air Pollutant; 12.5 tons per year of any combination of Hazardous Air Pollutants and 50 percent of any lesser threshold for a single Hazardous Air Pollutant as established by Federal rule.~~

~~Any source that is able to meet the limitations established in this regulation and comply with the provisions of this regulation shall not be designated as a major source. The owner or operator of the source may take into account the operation of air pollution control equipment on the capacity of the source to emit an air contaminant if the equipment is required by Federal, State or District rules and regulations or permit terms and conditions.~~

~~Sources seeking exemption under this regulation shall provide records of operation sufficient to calculate actual emissions annually as a part of their Permit to Operate renewal, including records for each permitted emission unit or group of emissions units. The operator shall also maintain the following records as applicable:~~

- ~~I. A current listing of all coatings, solvents, organic cleaning solutions, thinners, reducers, inks, adhesives or other volatile organic chemicals in use at the source. The list shall include the VOC and HAPS content in lbs per gallon or grams per liter.~~
- ~~II. Equipment information including equipment types, makes, models, sizes, maximum designed throughput rates and process methods.~~
- ~~III. Emission control systems including pollutants controlled, control effectiveness, operational temperatures, rated capacity, concentrations of pollutants controlled, and any stack test data.~~
- ~~IV. Purchase orders, invoices and other documents to support information in the monthly log.~~

~~Operational information shall be summarized in a monthly log containing the following as applicable: fuels consumed including fuel types, fuel usage, fuel heating value and percent sulfur for coal and oil fuels; consumption of each VOC-containing product such as inks, coatings, thinners and adhesives (including those solvents used in clean-up and surface preparation); volumes and throughputs of volatile liquids stored in tanks, hours of operation; system failures including control device failures, upset conditions, equipment breakdowns and any other information as specifically requested by the Control Officer. The information in this log shall be maintained on site for five years, and shall be made available to the Control Officer upon request. The owner or operator of each source seeking exemption under this regulation shall submit a process statement each year at the time of permit renewal containing all the information required in the monthly log and certify under penalty of perjury that the process statement is accurate and true. Data submission shall be made in compliance with sections 020.060 and 030.218 of these regulations. Any source seeking exemption under the provisions of this regulation must request such exemption in writing and provide a plan or demonstration of compliance showing how the source will establish a record of continuous compliance in limiting emissions and which records will be maintained in the monthly log.~~

~~If the operator will exceed any limitation specified in part D(1) above, the operator shall notify the Control Officer at least 30 calendar days in advance of such exceedance and shall submit an complete application for a Part 70 permit or otherwise obtain federally enforceable emission limits within 12 months of the date of notification. The operator of a stationary source subject to this rule shall obtain the necessary permits prior to commencing any physical or operational change or activity which will result in actual emissions that exceed the limits specified in section D(1) above. Exceedance of the limitations specified in this regulation without the notice required above shall be considered a violation of District regulations and each day of violation shall constitute a separate offence.~~

~~The Control Officer shall annually evaluate the compliance of any source operating under the provisions of this section as a part of the District's permit renewal process. Failure on the part of the operator to comply with the provisions of this section shall constitute a violation, and the source shall be designated as a major source and shall be subject to all applicable requirements of federal law, including, but not limited to, all applicable MACT standards.~~

~~The District shall maintain and make available to the public upon request a listing of sources permitted under section D of this regulation and provide information identifying~~

~~the applicable provisions of the rule for each source.~~
~~(Revised XX/XX/18)~~

010.091 Synthetic Minor Source means any source, which, because of its potential emissions, would otherwise be designated as a major source for the purposes of Title V or Part 70 requirements under this regulation, but has chosen to accept federally enforceable emission limitations to remain below the emission triggers for a Part 70 permit. (Renumbered & Revised XX/XX/18)

~~E. Synthetic Minor Source Rule:~~

~~Any source, which, because of its potential emissions, would otherwise be designated as a major source for the purposes of Title V or Part 70 requirements under this regulation, may choose to seek exemption from designation as a major source by establishing federally enforceable emission limitations. Any source that seeks to limit potential emissions under this regulation must meet all of the following requirements:~~

- ~~1. Any source that is able to meet the limitations established in this regulation and qualify as a synthetic minor shall not be designated as a major source. Sources seeking exemption from Title V as a synthetic minor shall provide records of operation sufficient to calculate actual emissions annually as a part of their Permit to Operate renewal. Such information shall be summarized in a monthly log, maintained on site for five years, and be made available to the Control Officer upon request. The owner or operator shall certify that this log is true and correct. Data submission shall be made in compliance with sections 020.060 and 030.218 of these regulations.~~
- ~~2. Any source seeking Synthetic Minor status under the provisions of this regulation must request such exemption in writing and provide the following information:~~
 - ~~a. The identification and description of all existing emission units at the source and a calculation of the actual and maximum emissions of regulated pollutants;~~
 - ~~b. A plan of compliance showing how the source will establish a record of continuous compliance in limiting emissions and which records will be maintained in the monthly log;~~
 - ~~c. The source must also demonstrate that actual emissions will not exceed: 95 tons per year for all regulated air pollutants (excluding PM-10 and Hazardous Air Pollutants); 70 tons per year of PM-10; 9 tons per year of any single Hazardous Air Pollutant; 23 tons per year of any combination of Hazardous Air Pollutants and 90 percent of any lesser threshold for a single Hazardous Air Pollutant as established by Federal rule;~~
 - ~~d. The source will propose federally enforceable permit conditions, which limit source-wide emissions to below major source thresholds, are at least as stringent as any applicable requirement and are permanent, quantifiable and include short term standards, i.e., no longer than monthly production or other operational limits as necessary to be enforceable as a practical matter in addition to emission limitations.~~

~~If the Control Officer determines the request to be incomplete, he shall notify the applicant within 30 days. If a request is not deemed incomplete within 30 days, it will be considered complete by default. A request for synthetic minor status shall not relieve a source of its responsibility to comply with application deadlines and other requirements under Part 70.~~

~~3. If the operator will exceed any limitation specified in any federally enforceable permit condition, the operator shall notify the Control Officer and shall submit an application for a Part 70 permit at least 30 days in advance of such exceedance or otherwise obtain federally enforceable emission limits. All upset or breakdown conditions will be reported in compliance with Sections 020.075 and 020.076.~~

~~4. The Control Officer shall, after determining an application for synthetic minor status is complete, prepare a draft permit. The draft permit shall include the following:~~

~~a. Annual reporting of operational and emissions data, or more frequent if requested;~~

~~b. Specific record-keeping requirements for operations, emissions and production;~~

~~c. Federally enforceable limits as specified in section 2(d) above;~~

~~d. A compliance plan to verify compliance with applicable limitations and regulations;~~

~~5. Any requirements or operational limitations relied on to meet synthetic minor status.~~

~~After the draft permit has been prepared, the Control Officer shall:~~

~~a. publish notice of the draft permit in a newspaper qualified under NRS 238, make the draft permit available for public review, and allow at least 30 days for public review and comment;~~

~~b. provide a copy of the draft permit to the EPA and allow the Administrator at least 30 days for review and comment.~~

~~Any source that has been granted synthetic minor status in accordance with this regulation shall, for any planned modification, which will increase the source's potential to emit, submit a request for modification of their synthetic minor permit conditions at least 180 days before the modification is made. For any modification, the source shall comply with all applicable requirements of **Sections 030.500 through 030.630**.~~

~~The Control Officer shall annually evaluate the compliance of any source operating under the provisions of this section as a part of the District's permit renewal process.~~

~~Failure of the source to comply with the provisions of this regulation shall constitute a violation, and the source shall be designated as a major source and be subject to all applicable requirements of federal law, including, but not limited to, all, applicable MACT standards.~~

~~Any permit that does not comply with this synthetic minor source rule shall not create federally enforceable limitations. A final copy of each synthetic minor permit will be provided to EPA.
(Amended 7/28/93, 10/20/93, Revised 10/25/95)~~