

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.100 - GENERAL PERMITS

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CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.100 - GENERAL PERMITS (Adopted 9/26/24, Effective 1/1/25)

SECTION A - GENERAL PROVISIONS

1. PURPOSE: To allow for the issuance of General permits for a source class that contains emission unit(s), activities, and/or sources that are similar in nature, have substantially similar emissions, and would be subject to the same or substantially similar requirements governing operations, emissions, monitoring, testing, reporting, or recordkeeping. A General permit is a permit (a PTO that also serves as a PTC for new sources) for a specific type of source or emission unit(s) at a source. If the source consists solely of one (1) or more emission units or activities subject to a single General permit, such as a Gasoline Dispensing Facility, then the source needs only apply for authority to operate under the specific General permit. If the source includes one (1) or more emission units subject to multiple General permits, then the source must obtain the appropriate facility-wide permit described in PARTS 030.200, 030.300, 030.400, or 030.510. In no case shall a source be issued authority to operate under multiple General permits.
2. The Control Officer may propose a general permit, or any person may submit a petition to the Control Officer requesting the issuance of a general permit for a defined source class.
3. A petition for a general permit shall propose a particular source class, list the approximate number of sources in the proposed class, provide the proposed size, processes, and operating limitations, and provide a list of the applicable requirements.
4. The Control Officer shall provide a written response to the petition within one hundred twenty (120) calendar days of receipt.

SECTION B - DEFINITIONS

Unless the context otherwise requires, the terms used in this PART 030.100 shall have the meaning given in this part, PART 030.000; PARTS 030.200 through 030.510; Nevada Revised Statutes (NRS) 445B; the Federal Clean Air Act, or common usage, in that order of priority.

SIMILAR IN NATURE means similar source size, processes, operating conditions, and nature and quantity of emissions.

SOURCE means any building, structure, facility, or installation that emits or may emit any regulated air pollutant.

SOURCE CLASS means sources that are similar in nature, have substantially similar emissions, and would be subject to the same or substantially similar requirements governing operations, emissions, monitoring, reporting, or recordkeeping.

SECTION C - APPLICABILITY

1. A General permit may only be issued to a source class.
2. This part provides the authority and requirements the Control Officer must meet to issue General permits for a source class.
3. A minor source that is a member of a specific source class and is subject to the permit requirements of CHAPTER 030, shall satisfy the requirement to obtain a permit by obtaining an authority to operate under a General permit pursuant to PART 030.100, when the Control Officer has issued a General permit for that source class.
4. After January 1, 2025, all existing minor sources operating under individual minor source permits, that are members of a specific source class for which the Control Officer has issued a General permit, shall apply for the authority to operate under the General permit no later than sixty (60) calendar days before the individual minor source permit expiration date.
5. The Control Officer shall only issue a General permit after it has been determined that the source or emission units will not interfere with attainment and maintenance of the NAAQS.
6. The Control Officer may issue a General permit for any source class that is determined to be appropriate for a General permit, in accordance with the requirements of this rule.
7. This rule provides the requirements a source must meet to obtain authority to operate under a General permit issued by the Control Officer.
8. A General permit must be obtained prior to commencing construction of new equipment, emission unit(s), activities, and/or sources subject to the General permit requirements.
9. A General permit shall not be issued to sources that require a PART 70 permit.

SECTION D - GENERAL PERMIT CONTENTS

1. Each General permit must include the following:
 - a. A description of the affected source class (e.g., equipment, fuel, size, any limitations);
 - b. The applicability criteria to qualify as a member of the source class;
 - c. Terms and conditions to ensure compliance with all applicable requirements for the emission unit(s) and/or operations covered by the General permit;
 - d. Facility-wide Emission Limits;
 - e. Testing, monitoring, recordkeeping, and reporting requirements necessary to ensure compliance with the Plant Site Emission Limits and other applicable emissions limits and standards; and
 - f. A permit expiration date.
 - g. Terms and conditions to ensure compliance with the applicability provisions for the particular source class (e.g., operational limits, size limits, hours of operation, throughput limits).

SECTION E - GENERAL PERMIT DEVELOPMENT

1. A General permit shall be developed for a source class using the same engineering technical review process that applies to permits for individual sources and following the public notice requirements of Section F of this rule.
2. All requirements applicable to the covered the emission unit(s) and/or operations shall be contained in the General permit.
3. The emission limitations, monitoring, recordkeeping, reporting and other enforceable conditions shall be the same for all the emission unit(s) and/or operations covered by the General permit.
4. A General permit shall include the process for individual sources to apply for authority to operate under the General permit.

SECTION F - APPLICATION FOR AUTHORITY TO OPERATE UNDER GENERAL PERMIT

1. Once the Control Officer has issued a General permit, any source which is a member of the General permit source class covered by the General permit shall apply to the Control Officer for authority to operate under the General permit pursuant to paragraph 030.100.C.4. Applicants shall complete the specific application form and submit it with the appropriate fee. The specific application form shall, at a minimum, require the applicant to submit information identifying and describing the source, its processes, and operating conditions in sufficient detail to allow the Control Officer to determine qualification for and to assure compliance with the General permit.
2. The Control Officer shall act on the application for authority to operate under a General permit within thirty (30) calendar days of receipt of a complete application which includes the appropriate fee.
 - a. The Control Officer may defer acting on an application under this rule, if the Control Officer has provided notice of intent to renew or not to renew the General permit for the source class.
 - b. The Control Officer shall approve or deny the request based on applicability criteria specified in the general permit for that source class.
 - c. If the application is approved, the Control Officer shall issue an authority to operate under the general permit to the source.
 - d. If the application for authority to operate under the general permit is denied, the Control Officer shall notify the source that it may apply for a minor source permit if it intends to proceed with construction or continue to operate.
3. A minor source that has applied for authority to operate shall not initiate construction, modification, or operation until the Control Officer has issued the authority to operate under the general permit to the minor source.
4. The Control Officer shall maintain a record of all stationary sources that are covered by a specific general permit and this record shall be available for public review.

SECTION G - PUBLIC NOTICE

1. The Control Officer shall provide public notice for a proposed initial General permit, for a revision of an existing General permit, and for renewal of an existing General permit.
2. As part of the public notice, the Control officer shall make available for review the following information:
 - a. The proposed General permit.
 - b. The affected source class.
 - c. The air contaminants expected to be emitted by a typical source in the source class and by source class as a whole.
 - d. The Control Officer's proposed actions and effective date for the actions.
 - e. The name, address, and telephone number of a person within the Department who may be contacted for further information.
 - f. The address where any person may submit comments and/or request a public hearing and the date and time by which comments or public hearing request are required to be received.
 - g. The process by which sources may obtain authority to operate under the General permit.
3. The public notice shall consist of the following:
 - a. Posting a notice on a website maintained by the agency; and
 - b. Establishing a list of persons interested in receiving air quality information and notifying those people, by email or other means.
 - c. Upon request, a copy of all materials shall be provided.
4. The Control Officer shall provide at least thirty (30) calendar days for public review and comment.
5. Written comments to the Control Officer shall include the name of the person and/or the person's agent or attorney and shall clearly set forth reasons why the General permit should or should not be issued as proposed.
6. At the time a General permit is issued, the Control Officer shall make available a response to all relevant comments on the proposed permit raised during the public comment period and during any requested public hearing. The response shall specify which provisions, if any, of the proposed permit have been changed and the reason for the changes.

SECTION H - GENERAL PERMIT RENEWAL

1. The Control Officer shall review and may renew, if determined appropriate, each General permit every five (5) years or sooner, if warranted. When renewing a General permit, the Control Officer shall ensure that the General permit meets all the applicable requirements in accordance with this rule.
2. A source's authority to operate under a General permit shall expire when the General permit expires regardless of when the authorization began during the five (5) year period, except as provided in SECTION 030.100.H.
3. In addition to the public notice required to issue a proposed permit under SECTION 030.100.G, the Control Officer shall notify in writing all sources who have been granted, or who have applications pending for, authorization to operate under the general permit. The written notice shall describe the source's duty to reapply and may include requests for information required under the proposed renewal permit.
4. At the time a General permit is renewed, the Control Officer shall notify in writing all sources that were granted authority to operate under the previous General permit and shall require such sources to submit a timely renewal application. For purposes of General permits, a timely application is one that is submitted within the timeframe specified by the Control Officer in the written notification. Failure to submit a timely application terminates the source's right to operate. If a source submits a timely and complete application for an authority to operate under a General permit, but the Control Officer has failed to issue or deny the authority to operate under the renewed General permit before the end of the term of the previous General permit, then the General permit shall not expire until the authority to operate under renewed General permit has been issued or denied.

SECTION I - TERMINATIONS OF GENERAL PERMITS AND REVOCATIONS OF AUTHORITY TO OPERATE UNDER A GENERAL PERMIT

1. The Control Officer may terminate a general permit at any time if either:
 - a. The Control Officer has determined that the emissions from the sources in the source class cause or contribute to ambient air quality standard violations which are not adequately addressed by the requirements in the general permit.
 - b. The Control Officer has determined that the terms and conditions of the general permit no longer meet the requirements of PART 030.100.
2. The Control Officer shall provide at least twelve (12) months written notice to all sources operating under a General permit prior to termination of a general permit. Such notice shall include an explanation of the basis for the proposed action. Within one hundred eighty (180) calendar days of receipt of the notice of the expiration, termination or cancellation of any general permit, sources notified shall submit an application to the Control Officer for a Permit to Construct/Permit to Operate. Each source previously authorized to operate under such General permit may operate under the terms of such General permit, until the Permit to Construct/Permit to Operate is approved or denied by the Control Officer.
3. The Control Officer may revoke a source's authority to operate under a General permit if the source is not in compliance with any term or condition of the General permit.
4. If the Control Officer revokes a source's authority to operate under a General permit pursuant to paragraph 030.100.I.4, the Control Officer shall notify the Responsible Official by certified mail, return receipt requested.

SECTION J - CHANGES TO FACILITIES GRANTED AUTHORITY TO OPERATE UNDER GENERAL PERMIT

1. An owner or operator of a source that has been granted authority to operate under a General permit may make the following changes at the source five (5) business days after the owner or operator provides written notification to the Control Officer, and only if such changes do not require the owner or operator to obtain a PART 70 permit:
 - a. Adding new emissions units of the same type operating under a General permit issued to the source.
 - b. Installing a replacement emissions unit operating under a General permit issued to the source.
 - c. Adding or replacing air pollution control equipment operating under a General permit issued to the source.
2. The written notification required in this section shall include:
 - a. When the proposed change will occur;
 - b. A description of the change; and
 - c. Any change in potential emissions of regulated air pollutants.
3. If the change meets the requirements of paragraph 030.100.J.1, the Control Officer shall provide written acknowledgment of the change.
4. If the change does not meet the requirements of paragraph 030.100.J.1, the Control Officer shall notify the source that it may apply for a minor source permit in accordance with the requirements of PART 030.200.
5. An owner or operator of a source that has been granted authority to operate under a General permit shall keep on site a record of any physical change or change in the method of operation that could affect emissions. The record shall include a description of the change and the date the change occurred.

SECTION K - RECORDERKEEPING AND REPORTING

1. An owner or operator must furnish to the Control Officer, within a reasonable time, any information that the Control Officer may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the authority to operate or to determine compliance with the General permit. Upon request, the permittee shall also furnish to the Control Officer copies of records required to be kept by the General permit or, for information claimed to be confidential, the permittee may furnish such records directly to the Control Officer along with a claim of confidentiality pursuant to SECTION 020.000.D and NRS 445B.570.
2. Any owner or operator subject to the provisions of PART 030.100 may be required to submit reports including, but not limited to, throughput, production, fuel consumption, hours of operation, emissions, emission factors and calculations used to determine the reported emissions from each permitted emissions unit for the previous calendar year. These reports will be submitted to the Control Officer for all emissions units/systems. The completed report must be submitted to the Control Officer no later than March 31 annually for the preceding calendar year.