

**District Board of Health
Meeting Notice and Agenda - Final**

Members

Kristopher Dahir, Chair
Devon Reese, Vice-Chair
Mariluz Garcia
Dr. Reka Danko, MD
Michael D. Brown
Dr. John Klacking, PhD
Dr. John Novak, DMD

Thursday, August 22, 2024

1:00 p.m.

**Washoe County Administration
Complex
Commission Chambers, Building A
1001 East Ninth Street
Reno, NV**

**TO ATTEND VIRTUALLY OR TELEPHONICALLY PLEASE USE THE LINK/NUMBER
BELOW**

<https://us06web.zoom.us/j/82090181273>

Phone: 1-669-900-6833

Meeting ID: 820 9018 1273

NOTE: This option will require a computer with audio and video capabilities.

(Please be sure to keep your devices on mute and do not place the meeting on hold)

1:00 p.m.

1. Role Call and Determination of Quorum.
2. Pledge of Allegiance.
3. Approval of Agenda. (FOR POSSIBLE ACTION)
4. Recognitions.

YEARS OF SERVICE

- i. Raquel Deputy Grafton - Public Health Emergency Response Coordinator - EPHP - 5 years

1001 East Ninth Street, Building B, Reno, NV 89512

Telephone: 775.328.2416 – Fax: 775.328.3752

(8/5/19)

- ii. Elizabet Munoz - Clinic Assistant - CCHS - 10 years (8/4/14)

RESIGNATIONS

- i. Heather Kerwin - Epidemiology Program Manager, EPHP - Resigned effective 8/9/24

HEALTH HEROES

- i. Kristen deBraga - EHS
- ii. Lauren Huntsman - CCHS
- iii. Diana Karlicek - EHS
- iv. Brittany Lucier - EHS
- v. Noah Glick - ODHO

Honorable Mention: Sandra Puga - EHS

5. Proclamations. (FOR POSSIBLE ACTION)

- A. International Overdose Awareness Day Proclamation.
Staff Representative: Joe Dibble
Accepted by: Anne-Elizabeth Northan, JTNN Executive Director

Attachments: [Overdose Awareness Day](#)

- 6. Public Comment.
Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item. All public comment is limited to three minutes per person. Members of the public may submit public comment by either attending the meeting in person, attending the meeting via teleconference or attending by telephone only.

Requests for public comment via zoom must be submitted to jlawson@nnph.org no later than 4:00 p.m. on the day before the scheduled meeting. **Please log into the ZOOM meeting via the above link** and utilize the **"Raise Hand"** feature during any public comment period. To provide public comment via telephone only, press ***9 and *6 to mute/unmute**. Reasonable efforts will be made to hear all public comment during the meeting.

7. Consent Items. (FOR POSSIBLE ACTION)

- A. Approval of Draft Minutes for the Northern Nevada District Board of Health meeting of July 25, 2024.

Attachments: [07-25-24 Draft minutes](#)

B. Budget Amendments/Interlocal Agreements. (FOR POSSIBLE ACTION)

- Bi. Approve a Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public & Behavioral Health for the period October 1, 2024 through September 30, 2025 in the total amount of \$103,099.00 (no required match) in support of the Community and Clinical Health Services Division (CCHS) Fetal Infant Mortality Review (FIMR) Program and authorize the

District Health Officer to execute the Subaward and any future amendments. (FOR POSSIBLE ACTION)

Staff Representative: Irene Dominguez and Lisa Lottritz

Attachments: [DBOH 08-22-2024-CCHS- FIMR NOSA](#)
[Notice of Subaward-SG-2025-00572 FIMR](#)

- Bii.** Approve the Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health in the total amount of \$1,216,230.00 (no cash match) retroactive to January 1, 2024 through July 31, 2026, in support of the Centers for Disease Control and Prevention (CDC) Epidemiology and Laboratory Capacity Program; the funds will be used to complete epidemiological surveillance and investigation activities in Washoe County and authorize the District Health Officer to execute the Notice of Subaward and any future amendments (FOR POSSIBLE ACTION)

Staff Representatives: Nancy Diao and Kristen Palmer

Attachments: [DBOH 8-22-2024 - EPHP - ELC EDX](#)
[Notice of Subaward-SG-2024-00035](#)

- Biii.** Approve the Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health for the period retroactive to July 1, 2024 through June 30, 2025 in the total amount of \$333,333 (no match required), in support of the Northern Nevada Public Health Sexually Transmitted Disease Prevention and Control Program and authorize the District Health Officer to execute the Subaward and any future amendments. (FOR POSSIBLE ACTION)

Staff Representative: Irene Dominguez

Attachments: [DBOH 08-22-2024 FY25 CCHS STD Program Grant](#)
[DO 1466 Northern Nevada Public Health](#)

- C.** Recommendation to uphold the decision of the Sewage, Wastewater & Sanitation (SWS) Hearing Board to approve Variance Case #H24-0002VARI of the Northern Nevada Public Health Regulations Governing Sewage, Wastewater, and Sanitation, allowing a crossing of a drainage ditch by a septic transmission line with protective mitigation measures, for Page and Olivia Bailey, owners of 14075 Bihler Rd, Washoe County, Nevada, Assessor's Parcel Number 142-241-14. (FOR POSSIBLE ACTION)

Staff Representative: David Kelly

Attachments: [DBOH 8-22-2024 - EHS - Bihler Rd Variance](#)
[08-01-24 sws draft minutes](#)
[080124 BOARD PACKET REDACTED](#)

- D.** Acknowledge receipt of the Health Fund Financial Review for July, Fiscal Year 2025. (FOR POSSIBLE ACTION)

Staff Representative: Jack Zenteno

Attachments: [DBOH 08-22-24 - AHS - July Financials](#)
[Health District Fund Summary Report - July 2024](#)

End of Consent Items

8. Regional Emergency Medical Services Authority.

- A.** Recommendation to accept the REMSA Health Monthly Franchise Report for July 2024 which includes REMSA Health Accounts Receivables Summary, Compliance by Zones, Average Response Times, Incident Details Reporting, Summary Penalty Fund Reconciliation, Ground Ambulance Operations Report, Patient Experience Report and Comments, Education Report, and Public Relations Report, and provide possible Board direction. (FOR POSSIBLE ACTION)
Presented by: Barry Duplantis

Attachments: [DBOH - 8-22-2024 - REMSA Health Monthly Franchise Report](#)
[DBOH - 8-22-2024 - REMSA Health Monthly Franchise Report - July 2024](#)

- 9.** Business Impact Statement - CHAPTER 030 - SOURCE PERMITTING Regulation Development Review, discussion and possible adoption of the Business Impact Statement regarding proposed revisions to the District Board of Health Regulations Governing Air Quality Management, CHAPTER 030 - SOURCE PERMITTING, with associated changes to the Air Quality Management Fee Table which would provide an estimated revenue of approximately \$200,000 based on FY22-23 service volume, with a finding that the revised regulations do not impose a direct and significant economic burden on a business; nor do the revised regulations directly restrict the formation, operation, or expansion of a business; and set a public hearing for possible adoption of the proposed revisions to the Regulations for September 26, 2024, at 1 PM. (FOR POSSIBLE ACTION)
Staff Representative: Francisco Vega

Attachments: [DBOH 8-22-2024 AQMD Chapter 030 Revision BIS Staff Report.docx](#)
[AQMD Chapter 030 Revision BIS.docx](#)
[WCAQMD Listening Sessions Press Release 210813.pdf](#)
[AQMD Chapter 030 Revision Public Workshop Press Release 240612.pdf](#)
[CHAPTER 030 \(As Proposed\).pdf](#)
[CHAPTER 030 \(As Revised\).pdf](#)
[030 Workshop Presentation 20240708.pdf](#)
[030 Workshop Presentation 20240808.pdf](#)
[030 Workshop Sign-in Sheet 20240708.pdf](#)
[030 Workshop Attendance Report 20240708.pdf](#)
[030 Workshop Attendance Report 20240808.pdf](#)
[AQM Fee Table \(As Proposed\).pdf](#)
[AQM Fee Table \(As Revised\).pdf](#)

10. Presentation and possible acceptance of the Annual FY24 Strategic Plan Results
Staff Representative: Rayona LaVoie

Attachments: [Staff Report FY24 Strategic Plan Results August 22 2024](#)
[NNPH FY24 Q4 status snapshot](#)
[NNPH FY24-Q4 Outcomes report](#)
[FY24 Strategic Plan Results](#)

11. Northern Nevada Public Health Quality Improvement Program

Attachments: [Staff Report 24 26 QI Plan August 22 2024](#)
[Quality Improvement DBOH 82224](#)

12. **Staff Report and Program Updates.**

- A. **Air Quality Management** - Research Shows Wildfire Smoke “Greatly Raises” Risk of Dementia, EPA Finds That Agencies Did Not Regulate Synthetic Minor Sources Appropriately, Calls for FEMA to Make Smoke Events Eligible for Disaster Relief Funds, June 2024 EPA Small Business Newsletter, Divisional Update, Program Reports, Monitoring and Planning, Permitting and Compliance
Staff Representative: Francisco Vega

Attachments: [DBOH 8-22-2024 AQMD Division Director Staff Report \(July 2024\).docx](#)

- B. Community and Clinical Health Services** - Divisional Update - National Immunization Awareness Month; Data & Metrics; Sexual Health (Outreach and Disease Investigation), Immunizations, Tuberculosis Prevention and Control Program, Reproductive and Sexual Health Services, Chronic Disease Injury Prevention Program, Maternal Child and Adolescent Health, Women Infants and Children, and Community Health Workers
Staff Representative: Lisa Lottritz

Attachments: [DBOH 08-22-2024 CCHS Director Staff Report](#)

- C. Environmental Health Services** - Program Activities for: Consumer Protection (Food Safety Plan Review & Operations, Commercial Plan Review, Foodborne Illness, Special Events, Permitted Facilities); Environmental Protection (Land Development, Safe Drinking Water, Vector-borne Disease Surveillance, Waste Management / Underground Storage Tanks).
Staff Representative: Robert Fyda

Attachments: [2024.08.22 - DBOH EHS Division Report](#)

- D. Epidemiology and Public Health Preparedness** - Epidemiology, Public Health Preparedness, Emergency Medical Services, Vital Statistics.
Staff Representative: Dr. Nancy Diao

Attachments: [DBOH 08-22-2024 - EPHP-Division Report](#)

- E. District Health Officer Report** - Northern Nevada Public Health Communications Update, Accreditation, Workforce Development, Community Health Improvement Program, Diversity, Equity and Inclusion, Community Events, and Public Communications and Outreach.
Staff Representative: Dr. Chad Kingsley

Attachments: [Staff Report ODHO August 22 2024](#)

13. Board Comment.

Adjournment. (FOR POSSIBLE ACTION)

Possible Changes to Agenda Order and Timing: Items on the agenda may be taken out of order, combined with other items, withdrawn from the agenda, moved to the agenda of another later meeting; moved to or from the Consent section, or they may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later. Items listed in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless withdrawn from the Consent agenda.

Special Accommodations: The Northern Nevada Public Health Meetings are accessible to the disabled. Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify the Office of the District Health Officer in writing at the Northern Nevada Public Health, 1001 E. 9th Street, Building B, Reno, NV 89512, or by calling 775.328.2416, 24 hours prior to the meeting.

Public Comment: During the “Public Comment” items, anyone may speak pertaining to any matter either on or off the agenda, to include items to be heard on consent, by filling out a “Request to Speak” form and/or submit comments for the record to the Recording Secretary. For the remainder of the agenda, public comment will only be heard during items that are marked FOR POSSIBLE ACTION. All public comment should be addressed to the Board of Health and not an individual member. The Board asks that your comments are expressed in a courteous manner. Any public comment for hearing items will be heard before action is taken on the item and must be about the specific item being considered by the Board. Public comment and presentations for individual agenda items are limited as follows: fifteen minutes each for staff and applicant presentations, five minutes for a speaker representing a group, and three minutes for individual speakers unless extended by questions from the Board or by action of the Chair. Reasonable efforts will be made to hear all public comment during the meeting.

All public comment is limited to three minutes per person. Unused time may not be reserved by the speaker nor allocated to another speaker.

Members of the public that wish to attend via zoom may make public comment by submitting an email comment to jlawson@nnph.org before the scheduled meeting, which includes the name of the commenter and the agenda item number for which the comment is submitted.

Response to Public Comment: The Board of Health can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The *Open Meeting Law* does not expressly prohibit responses to public comments by the Board of Health. However, responses from the Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Board of Health will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for Northern Nevada Public Health staff action or to ask that a matter be listed on a future agenda. The Board of Health may do this either during the public comment item or during the following item: “Board Comments – District Board of Health Member’s announcements, reports and updates, request for information or topics for future agendas. (No discussion among Board Members will take place on the item)”

Posting of Agenda; Location of Website:

Pursuant to NRS 241.020, Notice of this meeting was posted electronically at the following locations:

Northern Nevada Public Health, 1001 E. 9th St., Reno, NV
Reno City Hall, 1 E. 1st St., Reno, NV
Sparks City Hall, 431 Prater Way, Sparks, NV
Washoe County Administration Building, 1001 E. 9th St, Reno, NV
Downtown Reno Library, 301 S. Center St., Reno, NV
Northern Nevada Public Health Website <https://www.NNPH.org>
State of Nevada Website: <https://notice.nv.gov>

The meeting will be televised live and replayed on Washoe Channel at:
<https://www.washoecounty.gov/mgrsoff/divisions/Communications/wctv-live.php> and also on
Youtube at: <https://www.youtube.com/user/WashoeCountyTV>

How to Get Copies of Agenda and Support Materials: Supporting materials are available to the public at the Northern Nevada Public Health located at 1001 E. 9th Street, in Reno, Nevada. Ms. Jackie Lawson, Recording Secretary to the Board of Health is the person designated by the Board of Health to respond to requests for supporting materials. Ms. Lawson is located at the Northern Nevada Public Health and may be reached by telephone at (775) 328-2415 or by email at jlawson@nnph.org. Supporting materials are also available at the Northern Nevada Public Health Website <https://www.NNPH.org> pursuant to the requirements of NRS 241.020.

Proclamation

WHEREAS, every year on August 31st, we observe *International Overdose Awareness Day* to honor survivors, their families, friends, and communities, and to raise awareness that overdose deaths can be prevented; and

WHEREAS, *International Overdose Awareness Day* not only serves as a day of remembrance but also as an opportunity to educate our communities, reduce the stigma surrounding addiction and drug-related deaths, and encourage individuals struggling with addiction to seek assistance; and

WHEREAS, in 2023, Nevada reported 1,473 overdose fatalities, contributing to the national toll of approximately 107,543 overdose deaths in the United States; and

WHEREAS, there are available resources and support systems for those who are ready to embrace a healthier physical and emotional lifestyle; and

WHEREAS, in Nevada, Naloxone has continued to become increasingly accessible without a prescription and at no cost; and

WHEREAS, Washoe County has been proactive in equipping the community to combat overdose deaths, especially opioid overdoses, by providing resources and support and increasing the availability of the life-saving drug Naloxone through pharmacies and community organizations; and

WHEREAS, Washoe County joins global efforts to support the families within our community and to secure a healthier future for both our county and nation by working to eliminate addiction and overdose.

NOW, THEREFORE, be it resolved, that the Washoe County District Board of Health does hereby proclaim August 31, 2024, as

International Overdose Awareness Day

ADOPTED this 31st day of August 2024.

Kristopher Dahir, Chairman
District Board of Health

NORTHERN NEVADA
Public Health

Serving Reno, Sparks & Washoe County

District Board of Health Meeting Minutes

Members

Kristopher Dahir, Chair
 Devon Reese, Vice Chair
 Mariluz Garcia
 Michael D. Brown
 Dr. Reka Danko
 John Novak, DMD
 John Klacking, PhD

Thursday, July 25, 2024
 1:00 p.m.

Washoe County Administration Complex
 Commission Chambers, Building A
 1001 East Ninth Street
 Reno, NV

1. Roll Call and Determination of Quorum.

Chair, Kristopher Dahir called the meeting to order at 1:00 p.m.
 The following members and staff were present:

Members present: Kristopher Dahir
 Michael Brown
 Mariluz Garcia
 Dr. Reka Danko
 John Novak, DMD
 Dr. John Klacking
 Devon Reese (via Zoom)

Ms. April Miller verified a quorum was present.

Staff present: Erin Dixon, Deputy District Health Officer
 Jack Zenteno
 Francisco Vega
 Lisa Lottritz
 Robert Fyda
 Dr. Nancy Diao
 Dr. Chad Kingsley (via Zoom)

2. Pledge of Allegiance.

Dr. John Novak led the pledge to the flag.

3. Approval of Agenda.

July 25, 2024

Devon Reese moved to approve the agenda for the July 25, 2024, District Board of Health regular meeting. Michael Brown seconded the motion, which was approved unanimously.

4. Recognitions.

Promotions

- i. Charmaigne Roque, promoted from Juvenile Services RN to NNPH Public Health Nurse II, CCHS – effective 7/1/24

Ms. Lottritz introduced Charmaigne Roque to the Board.

- ii. Susy Valdespin, from NNPH Administrative Assistant I to Legal Assistant Supervisor at the Public Defender’s Office – effective 7/8/24

Deputy Health Officer, Erin Dixon, acknowledged and congratulated Ms. Roque and Ms. Valdespin on their promotions and briefly shared their destinations and new positions.

Years of Service

- i. Keyla Solorio, Community Health Worker, CCHS – 5 years, hired July 8, 2019
- ii. Dianna Karlicek, Environmental Health Specialist, EHS – 10 years, hired July 14, 2014

- iii. Virginia McDonald, Office Specialist, AHS – 5 years, hired July 8, 2019

Ms. Dixon acknowledged and congratulated Ms. Solorio, Ms. Karlicek and Ms. McDonald for their years of service.

Transfers

- i. Jackie Lawson, from Animal Services Program Assistant to NNPH Administrative Assistant I, ODHO – effective 7/8/24

Retirements

- i. Irene Ramos-Hernandez, WIC Human Services Support Specialist, CCHS – effective 6/26/24
- ii. Kevin Dick, Health Officer – effective 7/5/24 (13+ years)

Ms. Dixon shared the tremendous impact on the number of families reached by Ms. Ramos-Hernandez over her 29 years with the Program. She also congratulated Mr. Dick on his retirement.

Washoe County Health Heroes

- | | |
|--|--|
| i. Andrea Esp – EPHP | v. Kelsey Zaski – EPHP |
| ii. Danika Williams – EPHP | vi. Jessica Conner - CCHS |
| iii. Heather Holmstadt – CCHS | vii. Rachel Cord – AHS |
| iv. Immunization Program – Clerical and Billing Staff - CCHS | viii. Intermittent/Hourly Immunization RNs |

Ms. Dixon acknowledged and thanked the awardees for being recognized as Health Heroes.

5. Public Comment.

Chair Dahir opened the public comment period.

Molly Rose Lewis from Senator Jacky Rosen’s office shared her congratulations for awards and promotions. Ms. Lewis reminded the Board to reach out to their office for any assistance needed in terms of funding or other legislative requests. They are also available for Federal Agency assistance. Ms. Lewis is available any time for questions.

With no further Public Comment requests, Chair Dahir closed the Public Comment period.

6. Consent Items.

Matters which the District Board of Health may consider in one motion. Any exceptions to the Consent Agenda must be stated prior to approval.

A. Approval of Draft Minutes.

i. June 27, 2024.

B. Acknowledge receipt of the Health Fund Financial Review for June, Fiscal Year 2023.

Commissioner Garcia made a motion to approve the consent agenda. John Novak, DMD seconded the motions which was approved unanimously.

7. Regional Emergency Medical Services Authority.

A. Recommendation to accept the REMSA Health Monthly Franchise Report for June 2024 which includes REMSA Health Account Receivables Summary, Compliance by Zones, Average Response Times, Incident Details Reporting, Summary Penalty Fund Reconciliation, Ground Ambulance Operations Report, Patient Experience Report and Comments, Education Report, and Public Relations Report, and provide possible Board direction.

Presented by: Barry Duplantis

Mr. Barry Duplantis shared that REMSA met compliance in all zones for the month of June and for the complete fiscal year, which ended June 30. For the month of June, REMSA responded to 8,286 priority 1 calls and transported 5,176 patients to area hospitals, with an average response time of 5 minutes, 53 seconds. The customer survey showed results of 93.23, up compared to May. Over the last year, the data showed the payments have been more commercial payors and less Medicaid, possibly showing a healthy barometer of employment in the community.

Mr. Duplantis opened his item for questions from the Board.

Chair Dahir thanked REMSA and their families for what they do to try to bring safety to those in need and make our region better and better.

Dr. Reka Danko asked if there has been a drop in the number of calls to the Cares Campus that did not require transport since the HOPES clinic opened for walk-in opportunities.

Mr. Duplantis noted that he does not have the data for this, but during the day, the people come and go from the Campus, which makes it difficult to maintain numbers.

Michael Brown moved to accept the REMSA Health Monthly Franchise Report for June 2024. Dr. John Klacking seconded the motion which was approved unanimously.

8. Inter-Hospital Coordinating Council (IHCC) Presentation of Accomplishments.

Staff Representative: Jordyn Marchi

Jordyn Marchi introduced Zeb Nomura, IHCC Chair, who presented on the FY24 IHCC Accomplishments. Ms. Marchi shared that she will be presenting at the Healthcare

Coalition Preparedness Conference in December. Mr. Nomura shared that Andrea Esp and Jordyn Marchi provide excellent support for the coalition, navigating where the funding goes and how to support other facilities, broadening the scope of the coalition's efforts.

John Novak, DMD shared that he has been attending these meetings for many years and IHCC is ahead of most other coalitions and helping assist others in their planning efforts. He is very proud of this organization.

Commissioner Garcia asked about 1) Where the \$1.6M in funding came from and 2) Of the 122 IHCC participants, are there still others that aren't involved and what is being done to draw them in?

Andrea Esp noted that the \$1.6M in funds were unspent funds from the State of Nevada that were going to be sent back to the Federal Government. She petitioned the rest of the state to allow IHCC to use those funds locally. Regarding membership, staff has done a tremendous job over the years of getting partners involved. For most of the partners, this is just another hat they wear and getting them to the meetings can be difficult. The only agency not currently represented are group homes.

Commissioner Garcia thanked the group for their work in keeping the funds in the state. Chair Dahir shared that collaboration is the key, which is not happening in many communities and shared kudos for these efforts.

Mr. Nomura indicated that they have already used some of the new equipment, which has proven to be a valuable resource in patient care.

Brian Taylor, REMSA Emergency Manager and past IHCC chair for two terms, mentioned that this coalition is envied by the rest of the nation because of the collaboration. The organization breaks down political lines to do what is right by the community. It has been his honor to serve this organization from the beginning.

Chair Dahir thanked the group for their work and presentation.

9. **Recommendation for the appointment to the Sewage Wastewater and Sanitation Hearing Board. Staff recommends the reappointments of Matt Buehler as a member and Matt Smith as an alternate, and the appointments Chris Reede as a member and Julianne Zotter as an alternate for three-year terms beginning on August 1, 2024 and concluding on July 30, 2027. Other applicants include: Robert Sweeney.**

Staff Representative: David Kelly

David Kelly, EHS Supervisor, shared the applications and staff recommendations for the Sewage Wastewater and Sanitation Hearing Board. After having reached out to the industry for applications, the applications were reviewed for experience regarding regulations and the industry in which they would be working.

John Novak, DMD moved to approve the reappointments of Matt Buehler as a member and Matt Smith as an alternate, and the appointments Chris Reede as a member and Julianne Zotter as an alternate for three-year terms beginning on August 1, 2024 and concluding on July 30, 2027. Commissioner Garcia seconded the motion which was approved unanimously.

10. **Recommendation to approve a letter of support for the OneWater Nevada Advanced Purified Water Facility at American Flat.**

Staff Representative: Robert Fyda

Robert Fyda, EHS Director, shared the staff report, which states that in accordance with NRS, the NDEP requires a letter of support from the District Board of Health in order for OneWater Nevada Advanced Purified Water Facility at American Flats to obtain their permit. This project is for an A+ category effluent, which is a highly polished effluent designed for indirect potable reuse, which is where water is put through an environmental buffer (the aquifer), then drawn out for use such as drinking or irrigation. This is a joint project between the City of Reno and Truckee Meadows Water Authority to enhance the water resource portfolio, diverting some of the wastewater from traditional discharging points. The facility will be located at the Reno Stead Water Reclamation Facility and will be diverting discharge from Swan Lake. From a Public Health standpoint, there are health benefits, including clean and safe access to water. This facility will be a step toward the goal of direct potable reuse. Initial testing shows that this meets or exceeds all Federal drinking water standards, which are more stringent than the sewage treatment plant discharge standards. Staff recommends this as a boon to the community. Mr. Fyda opened this item to questions from the Board.

Chair Dahir shared that many have seen this in action, and we must be diligent about looking to the future and leaving a legacy for our children of making sure that if our river ever didn't do what our river has done, we have the potential of growing and learning more about the process. Mr. Dahir feels it is good to be looking at options and asked about the maintenance review.

Mr. Fyda shared that regulatory oversight for this facility will fall under NDEP with facility maintenance under TMWA.

Scott Finley, Washoe County resident, shared that he feels the NNPH Board must reject this letter of support. His opinion is none of the water produced at the plant should be injected into our local aquifer for storage, as it does not suffer from evaporation, thus creating an inherent vulnerability. In November 2023, he voiced concerns at a OneWater Nevada meeting.

Mr. Finley noted that when the information was reviewed a new polishing step had been added known as PFAS absorption, and affirmed there were concerns as unknown hazards cannot be monitored which can lead to a failed monitoring systems for those hazards.

Mr. Finley shared it can be assumed that monitors measuring the purity of the water will be connected to the internet for remote access and monitoring, which would mean a vulnerability to being hacked. A hacking could cause PFAS failure.

Mr. Finley mentioned that when, not if, a failure was to occur, contaminants hazardous to human health will be injected into our local aquifer. He feels the modifications in these diagrams suggest a mentality of making it up as you go, which is unacceptable.

Susan Vanness, Washoe County resident shared research documents from the Canada Military Family magazine, where they have shown water polishing is fallible. System failure and equipment malfunctions can reduce treatment effectiveness and inadequate maintenance can lead to reduced performance.

Ms. Vanness noted that no response was received when asked about 24-hour/7 day per week maintenance before release to the public. Incomplete removal of chemicals or incorrect dosing could leave harmful residues, and some pollutants may also not be addressed by conventional polishing methods. To ensure safety, she noted there has to

be regular monitoring before water is distributed into homes.

Devon Reese moved to approve a letter of support for the OneWater Nevada Advanced Purified Water Facility at American Flat. John Novak, DMD seconded the motion which was approved unanimously.

- 11. Review, discussion, and direction to staff regarding the provisions of the Interlocal Agreement (ILA) entered into by the Cities of Reno and Sparks and Washoe County for the creation of the Health District. Take action to accept the ILA in its current form or direct staff to forward any additional recommendations for possible amendments to Reno, Sparks and Washoe County.**

Staff Representative: Dania Reid, DDA

Dania Reid, DDA shared that this was brought forward from the last meeting. The DBOH is required once per year to review the ILA for desired changes. The task of the Board is to determine recommendations from the City of Reno, City of Sparks or Washoe County, then bring them together to discuss. Any changes need to be activated by October 1, 2024, 90 days before the renewal of the agreement, January 1, 2025.

Chair Dahir clarified that this agreement is strictly for the creation and activity of the Board.

Michael Brown moved to accept the Interlocal Agreement (ILA) entered into by the Cities of Reno and Sparks and Washoe County for the creation of the Health District in its current form. Dr. Klacking seconded the motion which was approved unanimously.

- 12. Presentation and Discussion on Status and Design of Tuberculosis Clinic.**

Staff Representative: Erin Dixon

Erin Dixon shared that the Tuberculosis Clinic is on time and budget, will be a freestanding 7,000 square feet building, with state-of-the-art technology, serving TB clients and staff and have additional office space.

Ms. Dixon opened the item for comments or questions.

Dr. John Klacking asked how many patients are anticipated and the anticipated amount of time necessary for treatment.

Ms. Dixon shared that they expect to maintain the current client base, but there is potential for more clients every 23 minutes, utilizing additional areas as necessary.

Ms. Lottritz shared that the range for treatment is dependent upon the particular situation and can be up to 9 months.

Dr. Klacking asked if, with approximately three new cases per 100,000 population in the US, are we prepared for an additional 18 new cases per year.

Ms. Lottritz shared that, in many cases, we are able to go to the client, depending on their current situation, but this new building increases the overall capability.

Dr. Klacking asked if staff go to the prisons, where TB could be a potential hot spot.

Ms. Lottritz shared that they provide technical support to prison staff, but do not do treatments there.

Chair Dahir reminded us that the more prevention and education we can provide, the fewer cases in the community. He shared kudos for finding the funding for the new building.

Commissioner Garcia shared that she was unaware that providing this service was linked

to NRS. She wondered how many such clinics there currently are in Nevada, or if we are treating clients from outside Washoe County.

Ms. Lottritz is unable to speak to the number of these clinics in Nevada. She mentioned the hospitals have negative pressure rooms to also accommodate clients. Our clinic is designed to allow clients the freedom to remove their masks during their several hours of treatment.

Chair Dahir thanked Ms. Dixon for her update on the clinic plans.

13. Staff Report and Program Updates.

A. Air Quality Management – Air Quality Management - SCOTUS Overrules Chevron Decision, Ford Motor Company Moves to Intervene in Support of EPA, May 2024 EPA Small Business Newsletter, Divisional Update, Program Reports, Monitoring and Planning, Permitting and Compliance

Staff Representative: Francisco Vega

Mr. Vega opened his item by mentioning a recent Supreme Court case that may impact how the air quality and clean air act is implemented. He also highlighted that there were two exceedances of ozone, which occurred during overnight hours. The analysis determined the ozone was transported here, making them exceptional events.

Mr. Vega opened his item for questions from the Board.

Chair Dahir asked about the heat index and if it is affecting air quality at this time.

Mr. Vega responded that it would take some time to determine these effects, but so far, we have remained in the moderate zone.

B. Community and Clinical Health Services - 2024 Client Satisfaction Survey Results; Data & Metrics; Sexual Health (Outreach and Disease Investigation), Immunizations, Tuberculosis Prevention and Control Program, Reproductive and Sexual Health Services, Chronic Disease Injury Prevention Program, Maternal Child and Adolescent Health, Women Infants and Children, and Community Health Workers Adolescent Health, Women Infants and Children, and Community Health Workers

Staff Representative: Lisa Lottritz

Ms. Lottritz began her report by sharing that customer satisfaction survey is featured in the report, with staff doing a very good job. For an update of the CCHS Assessment, the Intermittent/Hourly staff are now receiving regular check-ins with their supervisors. The electronic health record data is being used to inform staffing levels.

Ms. Lottritz noted that the Bridge program is coming to an end at the end of August, which is how individuals with no insurance were able to get the COVID vaccine. Work is being done with community partners to ensure we can continue to provide the vaccine. There are two back to school events coming up on August 10, in conjunction with Community Health Alliance. She gave a shout out to the Communications Team for their social media posts.

Ms. Lottritz opened her item for questions from the Board.

Chair Dahir shared that he realizes that we want to help people here, but it is very important to maintain the community partnerships.

Ms. Lottritz shared that they are working on the opportunities and will be sharing more as they come about.

C. Environmental Health Services (EHS) - Program Activities for: Consumer Protection (Food Safety Plan Review & Operations, Commercial Plan Review, Foodborne Illness, Special Events, Permitted Facilities); Environmental Protection (Land Development, Safe Drinking Water, Vector-borne Disease Surveillance, Waste Management / Underground Storage Tanks)

Staff Representative: Robert Fyda

Mr. Fyda opened the item by highlighting some things from his report. They are holding a permitting fair on Monday, July 29, where there will be state, local and community partners available for mobile vendors talk with to provide them the assistance they need for permitting.

Mr. Fyda noted the annual itinerant permit has been rolled out, where with participation in 8 or more events, a permit can be obtained. This will be the trial run, which will be reevaluated next year.

He noted staff has run into challenges with temp events, where some mobiles have not had running water or temperatures out of range and issues with larger events submitting for permits late. Mr. Fyda asked the Board to help get information to event organizers about working with NNPH early, when they hear of upcoming events.

The June Food Safety Letter was released, with Raley's Deli on Caughlin Pkwy and Peg's Glorified Ham and Eggs on Lemmon Drive receiving the Excellence in Food Safety Awards.

Since the start of pool season, staff have inspected 87% of all seasonal pools and they are working toward locating and coordinating openings with the outstanding pools or confirming closure.

Mr. Fyda shared that the lead service line inventory rule will require some of the smaller water systems to submit which lines are lead and which are not. This is expected to be completed by the October deadline.

Mr. Fyda opened his item for questions from the Board.

John Novak, DMD asked if the number of violations for Friday Food Trucks were of a normal level.

Mr. Fyda replied that he isn't sure if this is a trend or a spike.

Chair Dahir noted that there seems to be a lot more events recently. He appreciates the request for reinforcement from the Board for these events.

D. Epidemiology and Public Health Preparedness - Epidemiology, Public Health Preparedness, Emergency Medical Services, Vital Statistics.

Staff Representative: Dr. Nancy Diao

Dr. Diao began her presentation by noting that multiple Epi News publications were distributed in July, with one being the quarterly Communicable Disease Reporting and Statistics. There has been a slight increase in COVID cases, more noticeably since July 4, with an average of about 30 cases per day. The Epidemiology COVID contract staff are transitioning off by July 31, with some permanent staff taking on additional tasks. She noted the temp staff has been a tremendous group of individuals, who helped during the difficult times. Due to demand and capacity, the final date for home testing was July 19.

Dr. Diao opened her item for questions from the Board.

- E. District Health Officer Report - Northern Nevada Public Health Communications Update, Accreditation, Quality Improvement, Workforce Development, Community Health Improvement Program, Equity Projects/collaborations, Community Events, and Public Communications and Outreach**
Staff Representative: Erin Dixon

Deputy Health Officer, Erin Dixon, shared that staff is formatting documents for accreditation submission. The Quality Improvement Training was well done and will be helpful moving forward. Saturday, August 3, there is a Family Health Festival at Hug High School, 9-12. She gave a shout-out to the team invited to do a poster board presentation at the NACCHO 360 Annual Conference on efforts to advance our organization's mission through partnerships. The Legislative Team has been quite busy strategizing with key partners for the upcoming 2025 Legislative Session, which begins in February. Work has been occurring with public health partners on a sustainable funding stream, so money can be allocated non-categorically. In addition, a base funding formula is being sought to provide funding for smaller counties, to include tribal areas. Chair Dahir asked the Board for questions on this item.

14. Board Comment.

Having no comments from the Board, Chair Dahir closed this item.

Adjournment.

Chair Dahir adjourned the meeting at 2:21 p.m.

Possible Changes to Agenda Order and Timing: Items on the agenda may be taken out of order, combined with other items, withdrawn from the agenda, moved to the agenda of another later meeting; moved to or from the Consent section, or they may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later. Items listed in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless withdrawn from the Consent agenda.

Special Accommodations: The District Board of Health Meetings are accessible to the disabled. Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify Administrative Health Services in writing at Northern Nevada Public Health, 1001 E. 9th Street, Building B, Reno, NV 89512, or by calling 775.328.2416, 24 hours prior to the meeting.

Public Comment: Members of the public may make public comment by submitting an email comment to jlawson@nnph.org before the scheduled meeting, which includes the name of the commenter and the agenda item number for which the comment is submitted. Reasonable efforts will be made to hear all public comment during the meeting. During the "Public Comment" items, emails may be submitted pertaining to any matter either on or off the agenda, to include items to be heard on consent. For the remainder of the agenda, public comment emails will only be heard during items that are not marked FOR POSSIBLE ACTION. All public comment should be addressed to the Board of Health and not an individual member. The Board asks that your comments are expressed in a courteous manner. All public comment is limited to three minutes per person. Unused time may not be reserved by the speaker nor allocated to another speaker.

Response to Public Comment: The Board of Health can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The *Open Meeting Law* does not expressly prohibit responses to public comments by the Board of Health. However, responses from the Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Board of Health will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for Health District staff action or to ask that a matter be listed on a future agenda. The Board of Health may do this either during the public comment item or during the following item: "Board Comments – District Board of Health Member's announcements, reports and updates, request for information or topics for future agendas. (No discussion among Board Members will take place on the item)"

Posting of Agenda; Location of Website:

Pursuant to NRS 241.020, Notice of this meeting was posted electronically at the following locations:
Northern Nevada Public Health, 1001 E. 9th St., Reno, NV
Reno City Hall, 1 E. 1st St., Reno, NV

Sparks City Hall, 431 Prater Way, Sparks, NV
Washoe County Administration Building, 1001 E. 9th St, Reno, NV
Downtown Reno Library, 301 S. Center St., Reno, NV
Northern Nevada Public Health Website <https://www.NNPH.org>
State of Nevada Website: <https://notice.nv.gov>

How to Get Copies of Agenda and Support Materials: Supporting materials are available to the public at Northern Nevada Public Health located at 1001 E. 9th Street, in Reno, Nevada. Ms. Jackie Lawson, Recording Secretary to the District Board of Health is the person designated by the District Board of Health to respond to requests for supporting materials. Ms. Lawson is located at Northern Nevada Public Health and may be reached by telephone at (775) 328-2415 or by email at jlawson@nnph.org. Supporting materials are also available at Northern Nevada Public Health Website <https://www.nnph.org> pursuant to the requirements of NRS 241.020.

Staff Report
Board Meeting Date: Aug 22, 2024

DATE: August 12, 2024
TO: District Board of Health
FROM: Irene Dominguez, Fiscal Compliance Officer
775-328-2446, idinguez@nnph.org
Lisa Lottritz, Division Director, Community and Clinical Health Services
775-328-6159, llotritz@nnph.org
SUBJECT: Approve a Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public & Behavioral Health for the period October 1, 2024 through September 30, 2025 in the total amount of \$103,099.00 (no required match) in support of the Community and Clinical Health Services Division (CCHS) Fetal Infant Mortality Review (FIMR) Program and authorize the District Health Officer to execute the Subaward and any future amendments.

SUMMARY

The Community and Clinical Health Services Division received a Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public & Behavioral Health on August 8, 2024 to support the Fetal Infant Mortality Review (FIMR) Program. The funding period is October 1, 2024 through September 30, 2025. A copy of the Notice of Subaward is attached.

District Health Strategic Priority supported by this item:

- 3. Local Culture of Health:** Lead a transformation in our community's awareness, understanding, and appreciation of health resulting in direct action.

PREVIOUS ACTION

There has been no previous action taken by the Board this fiscal year.

BACKGROUND

This Award supports the Fetal Infant Mortality Review (FIMR) Program which looks at a variety of factors that affect the health of the mother, fetus and infant to learn more about how to reduce fetal and infant mortality. The program will develop a periodic local summary report of findings and recommendations that address the identified contributing factors leading to fetal and infant deaths.

The Subaward provides funding for personnel, travel, operating and indirect expenditures.

FISCAL IMPACT

The District anticipated this award and included funding in the adopted FY25 budget. A budget adjustment will be made to move the authority from IO 12272.

RECOMMENDATION

It is recommended that the District Board of Health approve a Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public & Behavioral Health for the period October 1, 2024 through September 30, 2025 in the total amount of \$103,099.00 (no required match) in support of the Community and Clinical Health Services Division (CCHS) Fetal Infant Mortality Review (FIMR) Program and authorize the District Health Officer to execute the Subaward and any future amendments.

POSSIBLE MOTION

Should the Board agree with the staff's recommendation, a possible motion would be: "Move to approve a Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public & Behavioral Health for the period October 1, 2024 through September 30, 2025 in the total amount of \$103,099.00 (no required match) in support of the Community and Clinical Health Services Division (CCHS) Fetal Infant Mortality Review (FIMR) Program and authorize the District Health Officer to execute the Subaward and any future amendments."

**STATE OF NEVADA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC & BEHAVIORAL HEALTH
NOTICE OF SUBAWARD**

Federal Award Computation			Match				
Total Obligated by this Action:	\$58,766.43		Match Required Y Y L N			0.00%	
Cumulative Prior Awards this Budget Period:	\$0.00		Amount Required this Action:			\$0.00	
Total Federal Funds Awarded to Date:	\$58,766.43		Amount Required Prior Awards:			\$0.00	
			Total Match Amount Required:			\$0.00	
Research and Development Y Y L N							
Federal Budget Period			Federal Project Period				
10/1/2023 through 9/30/2025			10/1/2023 through 9/30/2025				
FOR AGENCY USE ONLY							
FEDERAL GRANT #: 6 B04MC52938-01-02	Source of Funds: Maternal and Child Health Services		% Funds: 57.00	CFDA: 93.994	FAIN: B0452938	Federal Grant Award Date by Federal Agency: 2/29/2024	
Budget Account	Category	GL	Function	Sub-org	Job Number		
3222	15	8516	N/A	N/A	9399424		
Non-Federal Source Of Funds	% Funds	Amount	Budget Account	Category	GL	Function	Sub-Org
General	43.00	\$44,332.57	3222	15	8516	N/A	N/A
Job Number: GFUND24		Description: GFUND24					

**STATE OF NEVADA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC & BEHAVIORAL HEALTH
NOTICE OF SUBAWARD**

Scope of work is an attached document shown below

**STATE OF NEVADA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC & BEHAVIORAL HEALTH
NOTICE OF SUBAWARD**

SECTION B

Description of Services, Scope of Work and Deliverables

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Northern Nevada Public Health, hereinafter referred to as Subrecipient, agrees to provide the following services and reports according to the identified timeframes:

Scope of Work for Northern Nevada Public Health

Primary Goal: See attached

Objective	Activities	Due Date	Documentation Needed
1. See attached	See attached	09/30/2025	See attached

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

Title V Maternal and Child Health
Scope of Work for Northern Nevada Public Health (October 1, 2024 – September 30, 2025)

<i>Baseline Narrative: Develop an understanding of how a wide array of social, economic, health, educational, environmental and safety issues relate to fetal and infant loss on a local level.</i>						
<i>Expected Outcomes: Create local solutions, identify partnerships, enhance understanding of community needs, improve existing delivery systems, identify and reduce gaps in care and health inequities.</i>						
<i>Goal 1: Reduce Fetal and Infant Mortality, identifying high risk and underserved populations</i>						
<i>Responsible person(s) Kelly Verling</i>						
<i>Objective</i>	<i>Activities</i>	<i>Outputs</i>	<i>Timeline Begin/Completion</i>	<i>Target Population</i>	<i>Evaluation Measure (indicator)</i>	<i>Evaluation Tool</i>
1.1. Conduct a community-based Fetal Infant Mortality Review (FIMR) Program based on Division of Public and Behavioral Health Maternal and Child Health Program Guidelines	1.1.1. Identify high risk and underserved and/or disparately impacted (race and ethnicity, low socioeconomic status, etc.) populations for Washoe County fetal (greater than 20 weeks), neonatal (birth to 28 days) and post neonatal (29 days to 1 year) deaths	1.1.1. Report summary of information obtained in Quarterly Reports and Annual Report	10/01/2024-09/30/2025	1.1.1. Childbearing biological parents (CBP), families, community. Local stakeholders including healthcare and other community resources	1.1.1 # of fetal and infant deaths in Washoe County	1.1.1. Monthly check-in calls with Title V MCH staff, Quarterly Reports and Annual Report

	<p>1.1.2. Examine preventability and possible contributing factors to fetal, neonatal and post neonatal deaths</p>	<p>1.1.2. Coordinate and lead 10 FIMR CRT meetings per year. Include discussion of possible contributing factors and preventability for every case that is presented</p>	<p>10/01/2024-09/30/2025</p>	<p>1.1.2. Childbearing biological parents (CBP), families, community.</p> <p>Local stakeholders including healthcare and other community resources</p>	<p>1.1.2. Identification and # of possible contributing factors identified</p>	<p>1.1.2. Monthly check-in calls with Title V MCH staff, Quarterly Reports and Annual Report</p> <p>CRT and Northern Nevada Maternal Child Health Coalition (NNMCHC)/CAT minutes</p> <p>Quantitative and qualitative data in annual report (Issues Summary, potential interventions identified by CRT and/or CAT, etc.)</p>
	<p>1.1.3. Collect and enter all required data in a data system as specified by the DPBH</p>	<p>1.1.3. Extraction of data from prenatal, healthcare provider, hospital and other applicable records</p> <p>Data entry of cases into the National Fatality Review-Case Reporting</p>	<p>10/01/2024-09/30/2025</p>	<p>1.1.3. Childbearing biological parents (CBP), families, community.</p> <p>Local stakeholders including healthcare and other community resources</p>	<p>1.1.3. # of cases entered into the NFR-CRS data system</p>	<p>1.1.3. Monthly check-in calls with Title V MCH staff, Quarterly Reports and Annual Report</p> <p>NFR-CRS report data in FIMR Annual Report</p>

		System (NFR-CRS), as specified by the DPBH				
	1.1.4. Complete the FIMR review on at least 40 cases. This is 85% all fetal, neonatal and postnatal deaths in Washoe County per year	1.1.4. Coordinate and lead 10 FIMR CRT meetings and review at least 40 cases per year	10/01/2024-09/30/2025	1.1.4. Childbearing biological parents (CBP), families, community. Local stakeholders including healthcare and other community resources	1.1.4. # of CRT Meetings # of cases reviewed during CRT Meetings	1.1.4. Monthly check-in calls with Title V MCH staff, Quarterly Reports and Annual Report CRT Minutes
	1.1.5. Identify three recommendations and implement a least one intervention involving policy, systems or community norm changes leading to the prevention of fetal, neonatal and post neonatal deaths	1.1.5. Identify common themes relating to social, cultural, economic, health, educational and safety issues related to fetal/infant deaths	10/01/2024-09/30/2025	1.1.5. Childbearing biological parents (CBP), families, community. Local stakeholders including healthcare and other community resources	1.1.5. # and description of recommendations documented in CRT and NNMCHC/CAT Minutes	1.1.5. Monthly check-in calls with Title V MCH staff, Quarterly Reports and Annual Report CRT and NNMCHC/CAT meeting minutes

	<p>1.1.6. Maintain an interlocal agreement with the Division of Public and Behavioral Health (DPHB) granting authority to WCHD to implement NAC 442.054 in respect to fetal neonatal and postnatal deaths in Washoe County as they apply to FIMR, which authorizes identification and contact of patients who have been discharged with birth defects or adverse birth outcomes (including fetal and infant deaths)</p>	<p>1.1.6. Maintain Interlocal Agreement</p>	<p>10/01/2024-09/30/2025</p>	<p>1.1.6. DPBH, local hospitals, healthcare providers, childbearing biological parents (CBP), families</p>	<p>1.1.6. Interlocal Agreement</p>	<p>1.1.6. Monthly check-in calls with Title V MCH staff, Quarterly Reports and Annual Report Interlocal Agreement</p>
	<p>1.1.7. Update and review the Washoe County FIMR Policies Procedures, which are derived from the National FIMR Policies</p>	<p>1.1.7. Annual Policy Review</p>	<p>10/01/2024-09/30/2025</p>	<p>1.1.7. FIMR Staff</p>	<p>1.1.7. Updated FIMR Policies and Procedures Manual</p>	<p>1.1.7. Annual Report Updated FIMR Policies and Procedures Manual and Policy signature page</p>

	1.1.8. The WCHD will facilitate and maintain a CRT and CAT to review selected cases, identify medical and nonmedical factors contributing to fetal and infant deaths, recommend and implement changes addressing the review findings designed to decrease the incidence of local fetal and infant deaths	1.1.8. Conduct meetings for CRT. Provide the CAT with periodic FIMR program updates and facilitate program action plan discussions	10/01/2024-09/30/2025	1.1.8 CRT, NNMCH/CAT	1.1.8. Number of CRT and NNMCH/CAT meetings attended	1.1.8. Monthly check-in calls with Title V MCH staff, Quarterly Reports and Annual Report CRT and NNMCHC/CAT Minutes
1.2. Develop periodic local summary report of findings and recommendations addressing the identified contributing factors leading to fetal and infant deaths	1.2.1 Based on case findings with community input develop and implement objectives, interventions, timelines and evaluation components for identified recommendations addressing systems, community norm or public policy changes	1.2.1. Review case findings from NFR-CRS and case review data with CRT and CAT to develop and implement action plans to address systems, community norm or public policy changes	10/01/2024-09/30/2025	1.2.1. Childbearing biological parents (CBP), families, community. Local stakeholders including healthcare and other community resources.	1.2.1. CRT /CAT goals, objectives and action plans	1.2.1. Monthly check-in calls with Title V MCH staff, Quarterly Reports and Annual Report CRT and NNMCHC/CAT Meeting Minutes

	1.2.2. Disseminate local periodic summary report findings and recommendations to the CRT, CAT, WC Child Death Review, local and state policymakers, the community at large and other key stakeholders	1.2.2. Reports submitted to State of Nevada, DHHS, DPBH and approved for dissemination to key stakeholders	10/01/2024-09/30/2025	1.2.2. CRT, CAT, WC Child Death Review, local and state policymakers, community at large and other key stakeholders	1.2.2. # reports completed and distributed	1.2.2. Monthly check-in calls with Title V MCH staff, Quarterly Reports and Annual Report
	1.2.3. Disseminate Maternal and Child Health Programs information through published reports, press releases and presentations to increase public awareness of recurring factors causing or contributing to local fetal and infant deaths	1.2.3. Development of reports, press releases and presentations as requested and approved by DPBH	10/01/2024-09/30/2025	1.2.3. Community at large, key stakeholders	1.2.3. # of reports, press releases and presentations	1.2.3. Monthly check-in calls with Title V MCH staff, Quarterly Reports and Annual Report

Baseline Narrative: Develop an understanding of how a wide array of social, economic, health, educational, environmental and safety issues relate to fetal and infant loss on a local level.

Expected Outcomes: Create local solutions, identify partnerships, enhance understanding of community needs, improve existing delivery systems, identify and reduce gaps in care and health inequities.

Goal 2: Promote health equity by analyzing work to ensure it is culturally responsive and helping to identify economic, social, and other obstacles to health and health care including identifying possible interventions to decrease fetal and infant mortality

Responsible person(s) Kelly Verling

<i>Objective</i>	<i>Activities</i>	<i>Outputs</i>	<i>Timeline Begin/Completion</i>	<i>Target Population</i>	<i>Evaluation Measure (indicator)</i>	<i>Evaluation Tool</i>
2.1. Report demographic data collected from cases reviewed by the CRT during every quarter	2.1.1. Include demographic and other key data on FIMR case log and case summaries for CRT meetings	2.1.1. Demographic data from cases reviewed by the CRT included in quarterly reports	10/01/2024-09/30/2025	2.1.1. CRT, DPBH	2.1.1. # of cases reviewed during CRT meetings Demographic data for cases reviewed during CRT meetings	2.1.1. Monthly check-in calls with Title V MCH staff, and Quarterly Reports
2.2. Analyze FIMR program work to ensure it is culturally responsive and helping to address economic, social, and other obstacles to health and health care access	2.2.1. Complete the Health Equity Assessment and review results halfway through the subaward period	2.2.1. Review Health Equity Assessment results halfway through the subaward period during a FIMR staff meeting	10/01/2024-09/30/2025	2.2.1. DPBH, Childbearing biological parents (CBP), families, community. Local stakeholders including healthcare and other community resources	2.2.1. FIMR staff meeting minutes, updated Health Equity Assessment	2.2.1. Monthly check-in calls with Title V MCH staff, Quarterly Reports and Annual Report
	2.2.2. Identify and discuss health inequities, including potential interventions to improve access to care and/or resources for high risk and underserved populations to decrease fetal	2.2.2. List of potential interventions to improve access to care and/or resources for high risk and underserved populations	10/01/2024-09/30/2025	2.2.2. Childbearing biological parents (CBP), families, community. Local stakeholders including healthcare and other community resources	2.2.2 # and description of potential interventions to address health inequities and improve access to care and resources for all high risk and underserved populations	2.2.2. Monthly check-in calls with Title V MCH staff, CRT Minutes Quarterly Reports and Annual Report

	and infant mortality					
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Baseline Narrative: Nevada 211 is an informational database dedicated to helping Nevadans find the Services they need. Nevada also has resources to encourage breastfeeding, substance abuse treatment centers and other resources for childbearing persons, a Tobacco Quit Line for free and confidential online and telephone-based counseling.

Expected Outcomes: Easy access to updated MCH resource information at WCHD to improve health outcomes.

Goal 3: Provide and promote MCH resource and referral information at Northern Nevada Public Health.

Responsible person(s) Kelly Verling

<i>Objective</i>	<i>Activities</i>	<i>Outputs</i>	<i>Timeline Begin/Completion</i>	<i>Target Population</i>	<i>Evaluation Measure (indicator)</i>	<i>Evaluation Tool</i>
3.1. Promote Nevada 211, NevadaBreastfeeds.org, Sobermomshealthhybabies.org, safe sleep, maternal warning signs, and other MCH related priorities	3.1.1. Review and update 211 forms with both program and agency information	3.1.1. Correct, updated WCHD information on 211	10/01/2024-09/30/2025	3.1.1. Community	3.1.1. Review of 211 Information	3.1.1. Annual report
	3.1.2. Encourage CAT and CRT members to update 211 information	3.1.2. Nevada 211 updates discussed at CAT and CRT meetings	10/01/2024-09/30/2025	3.1.2. Community	3.1.2. NNMCHC/ CAT and CRT minutes	3.1.2. Annual report

	3.1.3 Provide referrals to NevadaBreastfeeds.org, Sobermomshealthbabies.org, and other MCH resources as needed	3.1.3 Resource Information available at NNPH	10/01/2024-09/30/2025	3.1.3 NNPH clients, community	3.1.3 Resource information available at NNPH	3.1.3 Annual report
	3.1.4 Nevada Tobacco Quitline cards available at NNPH.	3.1.4 Information shared with clients that use tobacco	10/01/2024-09/30/2025	3.1.4 Clients that use tobacco products and are interested in quitting	3.1.4 Quit Cards available at NNPH	3.1.4 Annual report Resource information

Baseline Narrative: FIMR receives Title V MCH Block Grant Funding through the Nevada Department of Health and Human Services, Department of Public and Behavioral Health

Expected Outcomes: Identification and procurement of long-term alternative and/or additional funding to enhance or expand FIMR program activities.

Goal 4: Identification and procurement of long-term alternative and/or additional funding for FIMR program activities

Responsible Party: Kelly Verling

<i>Objective</i>	<i>Activities</i>	<i>Outputs</i>	<i>Timeline Begin/Completion</i>	<i>Target Population</i>	<i>Evaluation Measure (indicator)</i>	<i>Evaluation Tool</i>
4.1. Develop a sustainability plan to secure new funding	4.1.1. Identify potential new funding sources for FIMR	4.1.1. List of potential new funding sources identified, applications	10/01/2024-09/30/2025	4.1.1 FIMR Staff and program management, DPBH	4.1.1. # of alternate funding sources located and evaluated for feasibility	4.1.1. Annual report

		completed and/or barriers identified				
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Baseline Narrative: WCHD FIMR staff and/or management participate in several MCH related community meetings and trainings.

Expected Outcomes: Promote maternal and infant health and reduce infant morbidity and mortality through education, networking, and resource awareness.

Goal 5: FIMR staff and/or program manager will attend key Maternal and Child Health community meetings including but not limited to Maternal and Child Health Advisory Board (MCHAB) quarterly meetings, MCH Coalition meetings, Breastfeeding Coalition meetings, etc.

Responsible person(s): Kelly Verling

<i>Objective</i>	<i>Activities</i>	<i>Outputs</i>	<i>Timeline Begin/Completion</i>	<i>Target Population</i>	<i>Evaluation Measure (indicator)</i>	<i>Evaluation Tool</i>
5.1.1 FIMR staff and/or program manager participation in key MCH related community meetings	5.1.1. Participate in key MCH meetings including but not limited to MCHAB, Northern Nevada MCH Coalition meetings, Breastfeeding Coalition meetings, and other meetings as indicated	5.1.1. FIMR Staff and/or program manager attendance at meetings	10/01/2024-09/30/2025	5.1.1. FIMR Staff, DBPH, community partners and stakeholders	5.1.1. # of meetings attended	5.1.1. Monthly check-in calls with Title V MCH staff, Quarterly Reports and Annual Report
5.2. FIMR staff and/or program manager to attend key MCH trainings to increase knowledge and improve	5.2.1. FIMR staff will attend key MCH trainings to increase knowledge and improve program activities	5.2.1. MCH trainings completed by FIMR staff	10/01/2024-09/30/2025	5.2.1. Childbearing biological parents (CBP), families, community. Local stakeholders including healthcare and other	5.2.1. # of trainings attended	5.2.1 Monthly check-in calls with Title V MCH staff, Quarterly Reports and Annual Report

program activities				community resources		
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**STATE OF NEVADA
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SECTION C

Budget and Financial Reporting Requirements

Identify the source of funding on all printed documents purchased or produced within the scope of this subaward, using a statement similar to: This publication (journal, article, etc.) was supported by the Nevada State Department of Health and Human Services through Grant # 6 B04MC52938-01-02 from Maternal and Child Health Services. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the Department nor Maternal and Child Health Services.

Any activities performed under this subaward shall acknowledge the funding was provided through the Department by Grant Number 6 B04MC52938-01-02 from Maternal and Child Health Services.

Subrecipient agrees to adhere to the following budget:

Total Personnel Costs including fringe							Total: \$93,047.00
<u>Employee</u>	<u>Annual Salary</u>	<u>Fringe Rate</u>	<u>% of Time</u>	<u>Months</u>	<u>Annual % of Months worked</u>	<u>Amount Requested</u>	<u>Subject to Indirect? Fringe Salary</u>
Public Health Nurse I PC#10650	\$80,038.47	52.50%	25.00%	12.00	100.00%	\$30,514.67	L L
Public Health Nurse - attends relevant community meetings, receives death notifications, requests prenatal records, extracts information, enters data, select and prepare cases for review, facilitates review meetings, facilitates recommendations to Community Action Team, and provides quarterly and annual reporting.							
Public Health Nurse II PC # 5200	\$79,423.17	52.80%	36.00%	12.00	100.00%	\$43,689.10	L L
Public Health Nurse - attends relevant community meetings, receives death notifications, requests prenatal records, extracts information, enters data, select and prepare cases for review, facilitates review meetings, facilitates recommendations to Community Action Team, and provides quarterly and annual reporting.							
Intermittent Hourly Registered Nurse PC- 0163	\$82,264.00	1.80%	22.50%	12.00	100.00%	\$18,842.57	L L
Intermittent Hourly Registered Nurse - Obtains prenatal records from providers, performs data extraction, data entry, prepares cases for review by FIMR, produces agendas, minutes and assists in facilitation of meetings.							

In-State Travel						Total: \$97.00
Destination of Trip: Reno						
	Cost	# of Trips	# of Days	# of Staff	Total	
Cost of trips x # of staff	\$0.00	0	0	0	\$0.00	
Baggage fee: \$ amount per person x # of trips x # of staff	\$0.00	0	0	0	\$0.00	
Uniform allowance: \$ amount per person x # of trips x # of staff	\$0.00	0	0	0	\$0.00	
Lodging: \$ per day + \$ tax = total \$ x # of trips x # of nights x # of staff	\$0.00	0	0	0	\$0.00	
Other: \$ amount per person x # of trips x # of staff	\$0.00	0	0	0	\$0.00	
Mileage: (rate per mile x # of miles per r/trip) x # of trips x # of staff	\$8.04	6	0	0	\$97.00	
Uniform allowance: \$ amount per person x # of trips x # of staff	\$0.00	0	0	0	\$0.00	
Milage for home interviews and local trips to community agencies, doctors offices and hospitals for medical record reviews. 0.67/milx12 miles x 6 trips x 2 staff						\$97.00

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Out of State Travel	Total:	\$0.00
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Operating					Total:	\$581.00
	Amount	# of FTE or Units	# of Months or Occurrences	Cost	Subject to Indirect?	
Copier Lease	\$15.00	1.0	12.0	\$180.00	L	
Office supplies (papers, folders, etc.), postage, and copier are needed for informational packets and materials provided to the case review team.						
Postage	\$5.00	1.0	12.0	\$60.00	L	
Postage is needed for informational packets and materials provided to the case review team.						
Operating Costs	\$16.67	1.0	12.0	\$201.00	L	
Operating costs (educational materials and cards) are for clients. \$16.67/month						
Conference Calls	\$20.00	1.0	4.0	\$80.00	L	
Conference line is utilized for board members to participate remotely in meetings; \$20/call x 4 calls per year						
Office Supplies	\$5.00	1.0	12.0	\$60.00	L	
Office supplies (papers, folders, etc.), and copier are needed for informational packets and materials provided to the case review team. \$5/month						

Equipment	Total:	\$0.00
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Contractual/Contractual and all Pass-thru Subawards	Total:	\$0.00
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Training	Total:	\$0.00
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Other	Total:	\$0.00
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					\$0.00	
Justification:						

TOTAL DIRECT CHARGES		\$93,725.00
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Indirect Charges	Indirect Rate:	10.0%	\$9,374.00
Indirect Methodology: Indirect rate agreement			

TOTAL BUDGET		\$103,099
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Applicant Name: Northern Nevada Public Health

Form 2

PROPOSED BUDGET SUMMARY

A. PATTERN BOXES ARE FORMULA DRIVEN - DO NOT OVERRIDE - SEE INSTRUCTIONS

FUNDING SOURCES	Maternal Child & Adolescent Health	Other Funding	Other Funding	Other Funding	Other Funding	Other Funding	Other Funding	Program Income	TOTAL
SECURED									
ENTER TOTAL REQUEST	\$103,099.00								\$103,099.00

EXPENSE CATEGORY

Personnel	\$93,047.00								\$93,047.00
Travel	\$97.00								\$97.00
Operating	\$581.00								\$581.00
Equipment	\$0.00								\$0.00
Contractual/Consultant	\$0.00								\$0.00
Training	\$0.00								\$0.00
Other Expenses	\$0.00								\$0.00
Indirect	\$9,374.00								\$9,374.00
TOTAL EXPENSE	\$103,099.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$103,099.00
These boxes should equal 0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00
Total Indirect Cost	\$9,374.00	Total Agency Budget							\$103,099.00
Percent of Subrecipient Budget									100.00%

B. Explain any items noted as pending:

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C. Program Income Calculation:

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within the approved Scope of Work/Budget. Subrecipient will obtain written permission to redistribute funds within categories. **Note: the redistribution cannot alter the total not to exceed amount of the subaward. Modifications in excess of 10% require a formal amendment.**

the program upon termination of this agreement.

State Employees. The State of Nevada reimburses at rates comparable to the rates established by the US General Services Administration, with some exceptions (State Administrative Manual 0200.0 and 0320.0).

Note: If match funds are required, Section H: Matching Funds Agreement must accompany the subaward packet.

The Subrecipient agrees:

To request reimbursement according to the schedule specified below for the actual expenses incurred related to the Scope of Work during the subaward period.

- <*****Total reimbursement through this subaward will not exceed \$103,099.00;
- <*****Requests for Reimbursement will be accompanied by supporting documentation, including a line item description of expenses incurred;
- <*****Indicate what additional supporting documentation is needed in order to request reimbursement;

The Subrecipient agrees:

To request reimbursement according to the schedule specified below for the actual expenses incurred related to the Scope of Work during the subaward period.

- ~Total reimbursement through this subaward will not exceed \$103,099.
- ~Requests for Reimbursement will be accompanied by supporting documentation, including a line item description of expenses incurred; receipts for expenditures;
- ~Additional expenditure detail will be provided upon request from the Department.
- Additionally, the Subrecipient agrees to provide:
 - ~ complete financial accounting of all expenditures to the Department within 30 days of the CLOSE OF THE SUBAWARD PERIOD. Any un-obligated funds shall be returned to the Department at that time, or if not already requested, shall be deducted from the final award.
 - ~Any work performed after the BUDGET PERIOD will not be reimbursed.
 - ~If a Request for Reimbursement (RFR) is received after the 45-day closing period, the Department may not be able to provide reimbursement.
 - ~If a credit is owed to the Department after the 45-day closing period, the funds must be returned to the Department within 30 days of identification.
 - ~Request for Reimbursement is due on a monthly basis, based on the terms of the subaward agreement, no later than the 15th of the month. June Request for Reimbursement is due July 12th.
 - ~Reimbursement is based on actual expenditures incurred during the period being reported.
 - ~Payment will not be processed without all reporting being current.
 - ~Reimbursement may only be claimed for expenditures approved within the Notice of Subaward

; and

- <*****Additional expenditure detail will be provided upon request from the Department.

Additionally, the Subrecipient agrees to provide:

- <*****A complete financial accounting of all expenditures to the Department within 30 days of the CLOSE OF THE SUBAWARD PERIOD. Any un-obligated funds shall be returned to the Department at that time, or if not already requested, shall be deducted from the final award.
- <*****Any work performed after the BUDGET PERIOD will not be reimbursed.
- <*****If a Request for Reimbursement (RFR) is received after the 45-day closing period, the Department may not be able to provide reimbursement.
- <*****If a credit is owed to the Department after the 45-day closing period, the funds must be returned to the Department within 30 days of identification.

The Department agrees:

- <*****Identify specific items the program or Bureau must provide or accomplish to ensure successful completion of this project, such as:
 - §***Providing technical assistance, upon request from the Subrecipient;
 - §***Providing prior approval of reports or documents to be developed;
 - §***Forwarding a report to another party, i.e. CDC.
- §***The Department agrees:
 - ~Identify specific items the program or OCPG must provide or accomplish to ensure successful completion of this project, such as:
 - technical assistance, upon request from the Subrecipient;
 - Providing prior approval of reports or documents to be developed;
 - Forwarding a report to another party, i.e. CDC.
 - ~The Department reserves the right to hold reimbursement under this subaward until any delinquent forms, reports, and expenditure documentation are submitted to and accepted by the Department.

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<*****The Department reserves the right to hold reimbursement under this subaward until any delinquent forms, reports, and expenditure documentation are submitted to and accepted by the Department.

Both parties agree:

- <*****The site visit/monitoring schedule may be clarified here. Both parties agree:
 - ~**The site visit/monitoring will occur at a minimum bi-annually if no findings from prior monitor. If findings occur, an annual site visit is required.
 - ~**The Subrecipient will, in the performance of the Scope of Work specified in this subaward, perform functions and/or activities that could involve confidential information; therefore, the Subrecipient is requested to fill out Section G, which is specific to this subaward, and will be in effect for the term of this subaward.
 - ~**All reports of expenditures and requests for reimbursement processed by the Department are SUBJECT TO AUDIT.
 - ~**This subaward agreement may be TERMINATED by either party prior to the date set forth on the Notice of Subaward, provided the termination shall not be effective until 30 days after a party has served written notice upon the other party. This agreement may be terminated by mutual consent of both parties or unilaterally by either party without cause. The parties expressly agree that this Agreement shall be terminated immediately if for any reason the Department, state, and/or federal funding ability to satisfy this Agreement is withdrawn, limited, or impaired.
- <*****The Subrecipient will, in the performance of the Scope of Work specified in this subaward, perform functions and/or activities that could involve confidential information; therefore, the Subrecipient is requested to fill out Section G, which is specific to this subaward, and will be in effect for the term of this subaward.
- <*****All reports of expenditures and requests for reimbursement processed by the Department are SUBJECT TO AUDIT.
- <*****This subaward agreement may be TERMINATED by either party prior to the date set forth on the Notice of Subaward, provided the termination shall not be effective until 30 days after a party has served written notice upon the other party. This agreement may be terminated by mutual consent of both parties or unilaterally by either party without cause. The parties expressly agree that this Agreement shall be terminated immediately if for any reason the Department, state, and/or federal funding ability to satisfy this Agreement is withdrawn, limited, or impaired.

Financial Reporting Requirements

- <*****A Request for Reimbursement is due on a Monthly basis, based on the terms of the subaward agreement, no later than the 15th of the month.
- <*****Reimbursement is based on actual expenditures incurred during the period being reported.
- <*****Payment will not be processed without all reporting being current.
- <*****Reimbursement may only be claimed for expenditures approved within the Notice of Subaward.

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**SECTION D
Request for Reimbursement**

<u>Program Name:</u> Maternal Child & Adolescent Health	<u>Subrecipient Name:</u> Northern Nevada Public Health
<u>Address:</u> 4150 Technology Way, Carson City, Nevada 89706	<u>Address:</u> 1001 E 9Th St Bldg B, Reno, Nevada 89512-2845
<u>Subaward Period:</u> 10/01/2024 - 09/30/2025	<u>Subrecipient's:</u> EIN: 88-6000138 Vendor #: T40283400Q

FINANCIAL REPORT AND REQUEST FOR REIMBURSEMENT

(must be accompanied by expenditure report/back-up)

Month(s)	Calendar Year
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Approved Budget Category	A Approved Budget	B Total Prior Requests	C Current Request	D Year to Date Total	E Budget Balance	F Percent Expended
1. Personnel	\$93,047.00	\$0.00	\$0.00	\$0.00	\$93,047.00	0.00%
2. Travel	\$97.00	\$0.00	\$0.00	0.0000	\$97.00	0.00%
3. Operating	\$581.00	\$0.00	\$0.00	\$0.00	\$581.00	0.00%
4. Equipment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
5. Contractual/Consultant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
6. Training	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
7. Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
8. Indirect	\$9,374.00	\$0.00	\$0.00	\$0.00	\$9,374.00	0.00%
Total	\$103,099.00	\$0.00	\$0.00	\$0.00	\$103,099.00	0.00%

MATCH REPORTING	Approved Match Budget	Total Prior Reported Match	Current Match Reported	Year to Date Total	Match Balance	Percent Complete
						0.00%

I, a duly authorized signatory for the applicant, certify to the best of my knowledge and belief that this report is true, complete and accurate; that the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the grant award; and that I am aware that any false, fictitious or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties.

Authorized Signature _____ Title _____ Date _____

FOR DEPARTMENT USE ONLY

Is program contact required? Yes No

Contact Person _____

Reason for contact: _____

Fiscal review/approval date: _____

Scope of Work review/approval date: _____

ASO or Bureau Chief (as required): _____

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SECTION E

Audit Information Request

1. Non-Federal entities that **expend** \$750,000.00 or more in total federal awards are required to have a single or program-specific audit conducted by an independent accounting firm.
 Yes No
2. Did your organization expend \$750,000 or more in all federal awards during your organization's most recent fiscal year? Y Yes Y No
3. When does your organization's fiscal year end? _____
4. What is the official name of your organization? _____
5. How often is your organization audited? _____
6. When was your last audit performed? _____
7. What time-period did your last audit cover? _____
8. Which accounting firm conducted your last audit? _____

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

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SECTION F

Current or Former State Employee Disclaimer

For the purpose of State compliance with NRS 333.705, subrecipient represents and warrants that if subrecipient, or any employee of subrecipient who will be performing services under this subaward, is a current employee of the State or was employed by the State within the preceding 24 months, subrecipient has disclosed the identity of such persons, and the services that each such person will perform, to the issuing Agency. Subrecipient agrees they will not utilize any of its employees who are Current State Employees or Former State Employees to perform services under this subaward without first notifying the Agency and receiving from the Agency approval for the use of such persons. This prohibition applies equally to any subcontractors that may be used to perform the requirements of the subaward.

The provisions of this section do not apply to the employment of a former employee of an agency of this State who is not receiving retirement benefits under the Public Employees Retirement System (PERS) during the duration of the subaward.

Are any current or former employees of the State of Nevada assigned to perform work on this subaward?

- YES Y If YES, list the names of any current or former employees of the State and the services that each person will perform.
- NO L Subrecipient agrees that if a current or former state employee is assigned to perform work on this subaward at any point after execution of this agreement, they must receive prior approval from the Department.

Name

Services

Subrecipient agrees that any employees listed cannot perform work until approval has been given from the Department.

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

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SECTION G

Business Associate Addendum

BETWEEN

Nevada Department of Health and Human Services

Hereinafter referred to as the "Covered Entity"

And

Northern Nevada Public Health

Hereinafter referred to as the "Business Associate"

PURPOSE. In order to comply with the requirements of HIPAA and the HITECH Act, this Addendum is hereby added and made part of the agreement between the Covered Entity and the Business Associate. This Addendum establishes the obligations of the Business Associate and the Covered Entity as well as the permitted uses and disclosures by the Business Associate of protected health information it may possess by reason of the agreement. The Covered Entity and the Business Associate shall protect the privacy and provide for the security of protected health information disclosed to the Business Associate pursuant to the agreement and in compliance with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, HIPAA, the Health Information Technology for Economic and Clinical Health Act, Public Law 111-5, the HITECH Act, and regulation promulgated there under by the U.S. Department of Health and Human Services (the HIPAA Regulations) and other applicable laws.

WHEREAS, the Business Associate will provide certain services to the Covered Entity, and, pursuant to such arrangement, the Business Associate is considered a business associate of the Covered Entity as defined in HIPAA, the HITECH Act, the Privacy Rule and Security Rule; and

WHEREAS, Business Associate may have access to and/or receive from the Covered Entity certain protected health information, in fulfilling its responsibilities under such arrangement; and

WHEREAS, the HIPAA Regulations, the HITECH Act, the Privacy Rule and the Security Rule require the Covered Entity to enter into an agreement containing specific requirements of the Business Associate prior to the disclosure of protected health information, as set forth in, but not limited to, 45 CFR Parts 160 & 164 and Public Law 111-5.

THEREFORE, in consideration of the mutual obligations below and the exchange of information pursuant to this Addendum, and to protect the interests of both Parties, the Parties agree to all provisions of this Addendum.

- I. DEFINITIONS. The following terms shall have the meaning ascribed to them in this Section. Other capitalized terms shall have the meaning ascribed to them in the context in which they first appear.
1. **Breach** means the unauthorized acquisition, access, use, or disclosure of protected health information which compromises the security or privacy of the protected health information. The full definition of breach can be found in 42 USC 17921 and 45 CFR 164.402.
 2. **Business Associate** shall mean the name of the organization or entity listed above and shall have the meaning given to the term under the Privacy and Security Rule and the HITECH Act. For full definition refer to 45 CFR 160.103.
 3. **CFR** stands for the Code of Federal Regulations.
 4. **Agreement** shall refer to this Addendum and that particular agreement to which this Addendum is made a part.
 5. **Covered Entity** shall mean the name of the Department listed above and shall have the meaning given to such term under the Privacy Rule and the Security Rule, including, but not limited to 45 CFR 160.103.
 6. **Designated Record Set** means a group of records that includes protected health information and is maintained by or for a covered entity or the Business Associate that includes, but is not limited to, medical, billing, enrollment, payment, claims adjudication, and case or medical management records. Refer to 45 CFR 164.501 for the complete definition.
 7. **Disclosure** means the release, transfer, provision of, access to, or divulging in any other manner of information outside the entity holding the information as defined in 45 CFR 160.103.
 8. **Electronic Protected Health Information** means individually identifiable health information transmitted by electronic media or maintained in electronic media as set forth under 45 CFR 160.103.
 9. **Electronic Health Record** means an electronic record of health-related information on an individual that is created, gathered, managed, and consulted by authorized health care clinicians and staff. Refer to 42 USC 17921.
 10. **Health Care Operations** shall have the meaning given to the term under the Privacy Rule at 45 CFR 164.501.
 11. **Individual** means the person who is the subject of protected health information and is defined in 45 CFR 160.103.
 12. **Individually Identifiable Health Information** means health information, in any form or medium, including demographic information collected from an individual, that is created or received by a covered entity or a business associate of the covered entity and relates to the past, present, or future care of the individual. Individually identifiable health information is information that identifies the individual directly or there is a reasonable basis to believe the information can be used to identify the

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individual. Refer to 45 CFR 160.103.

13. **Parties** shall mean the Business Associate and the Covered Entity.
14. **Privacy Rule** shall mean the HIPAA Regulation that is codified at 45 CFR Parts 160 and 164, Subparts A, D and E.
15. **Protected Health Information** means individually identifiable health information transmitted by electronic media, maintained in electronic media, or transmitted or maintained in any other form or medium. Refer to 45 CFR 160.103 for the complete definition.
16. **Required by Law** means a mandate contained in law that compels an entity to make a use or disclosure of protected health information and that is enforceable in a court of law. This includes but is not limited to: court orders and court-ordered warrants; subpoenas, or summons issued by a court; and statutes or regulations that require the provision of information if payment is sought under a government program providing public benefits. For the complete definition refer to 45 CFR 164.103.
17. **Secretary** shall mean the Secretary of the federal Department of Health and Human Services (HHS) or the Secretary's designee.
18. **Security Rule** shall mean the HIPAA regulation that is codified at 45 CFR Parts 160 and 164 Subparts A and C.
19. **Unsecured Protected Health Information** means protected health information that is not rendered unusable, unreadable, or indecipherable to unauthorized individuals through the use of a technology or methodology specified by the Secretary in the guidance issued in Public Law 111-5. Refer to 42 USC 17932 and 45 CFR 164.402.
20. **USC** stands for the United States Code.

II. OBLIGATIONS OF THE BUSINESS ASSOCIATE.

1. **Access to Protected Health Information.** The Business Associate will provide, as directed by the Covered Entity, an individual or the Covered Entity access to inspect or obtain a copy of protected health information about the Individual that is maintained in a designated record set by the Business Associate or, its agents or subcontractors, in order to meet the requirements of the Privacy Rule, including, but not limited to 45 CFR 164.524 and 164.504(e)(2)(ii)(E). If the Business Associate maintains an electronic health record, the Business Associate or, its agents or subcontractors shall provide such information in electronic format to enable the Covered Entity to fulfill its obligations under the HITECH Act, including, but not limited to 42 USC 17935.
2. **Access to Records.** The Business Associate shall make its internal practices, books and records relating to the use and disclosure of protected health information available to the Covered Entity and to the Secretary for purposes of determining Business Associate's compliance with the Privacy and Security Rule in accordance with 45 CFR 164.504(e)(2)(ii)(H).
3. **Accounting of Disclosures.** Promptly, upon request by the Covered Entity or individual for an accounting of disclosures, the Business Associate and its agents or subcontractors shall make available to the Covered Entity or the individual information required to provide an accounting of disclosures in accordance with 45 CFR 164.528, and the HITECH Act, including, but not limited to 42 USC 17935. The accounting of disclosures, whether electronic or other media, must include the requirements as outlined under 45 CFR 164.528(b).
4. **Agents and Subcontractors.** The Business Associate must ensure all agents and subcontractors to whom it provides protected health information agree in writing to the same restrictions and conditions that apply to the Business Associate with respect to all protected health information accessed, maintained, created, retained, modified, recorded, stored, destroyed, or otherwise held, transmitted, used or disclosed by the agent or subcontractor. The Business Associate must implement and maintain sanctions against agents and subcontractors that violate such restrictions and conditions and shall mitigate the effects of any such violation as outlined under 45 CFR 164.530(f) and 164.530(e)(1).
5. **Amendment of Protected Health Information.** The Business Associate will make available protected health information for amendment and incorporate any amendments in the designated record set maintained by the Business Associate or, its agents or subcontractors, as directed by the Covered Entity or an individual, in order to meet the requirements of the Privacy Rule, including, but not limited to, 45 CFR 164.526.
6. **Audits, Investigations, and Enforcement.** The Business Associate must notify the Covered Entity immediately upon learning the Business Associate has become the subject of an audit, compliance review, or complaint investigation by the Office of Civil Rights or any other federal or state oversight agency. The Business Associate shall provide the Covered Entity with a copy of any protected health information that the Business Associate provides to the Secretary or other federal or state oversight agency concurrently with providing such information to the Secretary or other federal or state oversight agency. The Business Associate and individuals associated with the Business Associate are solely responsible for all civil and criminal penalties assessed as a result of an audit, breach, or violation of HIPAA or HITECH laws or regulations. Reference 42 USC 17937.
7. **Breach or Other Improper Access, Use or Disclosure Reporting.** The Business Associate must report to the Covered Entity, in writing, any access, use or disclosure of protected health information not permitted by the agreement, Addendum or the Privacy and Security Rules. The Covered Entity must be notified immediately upon discovery or the first day such breach or suspected breach is known to the Business Associate or by exercising reasonable diligence would have been known by the Business Associate in accordance with 45 CFR 164.410, 164.504(e)(2)(ii)(C) and 164.308(b) and 42 USC 17921. The Business Associate must report any improper access, use or disclosure of protected health information by: The Business Associate or its agents or subcontractors. In the event of a breach or suspected breach of protected health information, the report to the Covered Entity must be in writing and include the following: a brief description of the incident; the date of the incident; the date the incident was discovered by the Business Associate; a thorough description of the unsecured protected health information that was involved in the incident; the number of individuals whose protected health information was involved in the incident; and the steps the Business Associate is taking to investigate the incident and to protect against further incidents. The Covered Entity will determine if a breach of unsecured protected health information has occurred and will notify the Business Associate of the determination. If a breach of unsecured protected health information is determined, the Business Associate must take prompt corrective action to cure any such deficiencies and mitigate any significant harm that may have occurred to individual(s) whose information was disclosed inappropriately.
8. **Breach Notification Requirements.** If the Covered Entity determines a breach of unsecured protected health information by the Business Associate has occurred, the Business Associate will be responsible for notifying the individuals whose unsecured protected health information was breached in accordance with 42 USC 17932 and 45 CFR 164.404 through 164.406. The Business Associate must provide evidence to the Covered Entity that appropriate notifications to individuals and/or media,

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when necessary, as specified in 45 CFR 164.404 and 45 CFR 164.406 has occurred. The Business Associate is responsible for all costs associated with notification to individuals, the media or others as well as costs associated with mitigating future breaches. The Business Associate must notify the Secretary of all breaches in accordance with 45 CFR 164.408 and must provide the Covered Entity with a copy of all notifications made to the Secretary.

9. **Breach Pattern or Practice by Covered Entity.** Pursuant to 42 USC 17934, if the Business Associate knows of a pattern of activity or practice of the Covered Entity that constitutes a material breach or violation of the Covered Entity's obligations under the Contract or Addendum, the Business Associate must immediately report the problem to the Secretary.
10. **Data Ownership.** The Business Associate acknowledges that the Business Associate or its agents or subcontractors have no ownership rights with respect to the protected health information it accesses, maintains, creates, retains, modifies, records, stores, destroys, or otherwise holds, transmits, uses or discloses.
11. **Litigation or Administrative Proceedings.** The Business Associate shall make itself, any subcontractors, employees, or agents assisting the Business Associate in the performance of its obligations under the agreement or Addendum, available to the Covered Entity, at no cost to the Covered Entity, to testify as witnesses, or otherwise, in the event litigation or administrative proceedings are commenced against the Covered Entity, its administrators or workforce members upon a claimed violation of HIPAA, the Privacy and Security Rule, the HITECH Act, or other laws relating to security and privacy.
12. **Minimum Necessary.** The Business Associate and its agents and subcontractors shall request, use and disclose only the minimum amount of protected health information necessary to accomplish the purpose of the request, use or disclosure in accordance with 42 USC 17935 and 45 CFR 164.514(d)(3).
13. **Policies and Procedures.** The Business Associate must adopt written privacy and security policies and procedures and documentation standards to meet the requirements of HIPAA and the HITECH Act as described in 45 CFR 164.316 and 42 USC 17931.
14. **Privacy and Security Officer(s).** The Business Associate must appoint Privacy and Security Officer(s) whose responsibilities shall include: monitoring the Privacy and Security compliance of the Business Associate; development and implementation of the Business Associate's HIPAA Privacy and Security policies and procedures; establishment of Privacy and Security training programs; and development and implementation of an incident risk assessment and response plan in the event the Business Associate sustains a breach or suspected breach of protected health information.
15. **Safeguards.** The Business Associate must implement safeguards as necessary to protect the confidentiality, integrity, and availability of the protected health information the Business Associate accesses, maintains, creates, retains, modifies, records, stores, destroys, or otherwise holds, transmits, uses or discloses on behalf of the Covered Entity. Safeguards must include administrative safeguards (e.g., risk analysis and designation of security official), physical safeguards (e.g., facility access controls and workstation security), and technical safeguards (e.g., access controls and audit controls) to the confidentiality, integrity and availability of the protected health information, in accordance with 45 CFR 164.308, 164.310, 164.312, 164.316 and 164.504(e)(2)(ii)(B). Sections 164.308, 164.310 and 164.312 of the CFR apply to the Business Associate of the Covered Entity in the same manner that such sections apply to the Covered Entity. Technical safeguards must meet the standards set forth by the guidelines of the National Institute of Standards and Technology (NIST). The Business Associate agrees to only use or disclose protected health information as provided for by the agreement and Addendum and to mitigate, to the extent practicable, any harmful effect that is known to the Business Associate, of a use or disclosure, in violation of the requirements of this Addendum as outlined under 45 CFR 164.530(e)(2)(f).
16. **Training.** The Business Associate must train all members of its workforce on the policies and procedures associated with safeguarding protected health information. This includes, at a minimum, training that covers the technical, physical and administrative safeguards needed to prevent inappropriate uses or disclosures of protected health information; training to prevent any intentional or unintentional use or disclosure that is a violation of HIPAA regulations at 45 CFR 160 and 164 and Public Law 111-5; and training that emphasizes the criminal and civil penalties related to HIPAA breaches or inappropriate uses or disclosures of protected health information. Workforce training of new employees must be completed within 30 days of the date of hire and all employees must be trained at least annually. The Business Associate must maintain written records for a period of six years. These records must document each employee that received training and the date the training was provided or received.
17. **Use and Disclosure of Protected Health Information.** The Business Associate must not use or further disclose protected health information other than as permitted or required by the agreement or as required by law. The Business Associate must not use or further disclose protected health information in a manner that would violate the requirements of the HIPAA Privacy and Security Rule and the HITECH Act.

III. PERMITTED AND PROHIBITED USES AND DISCLOSURES BY THE BUSINESS ASSOCIATE. The Business Associate agrees to these general use and disclosure provisions:

1. **Permitted Uses and Disclosures:**

- a. Except as otherwise limited in this Addendum, the Business Associate may use or disclose protected health information to perform functions, activities, or services for, or on behalf of, the Covered Entity as specified in the agreement, provided that such use or disclosure would not violate the HIPAA Privacy and Security Rule or the HITECH Act, if done by the Covered Entity in accordance with 45 CFR 164.504(e)(2)(i) and 42 USC 17935 and 17936.
- b. Except as otherwise limited by this Addendum, the Business Associate may use or disclose protected health information received by the Business Associate in its capacity as a Business Associate of the Covered Entity, as necessary, for the proper management and administration of the Business Associate, to carry out the legal responsibilities of the Business Associate, as required by law or for data aggregation purposes in accordance with 45 CFR 164.504(e)(2)(A), 164.504(e)(4)(i)(A), and 164.504(e)(2)(i)(B).
- c. Except as otherwise limited in this Addendum, if the Business Associate discloses protected health information to a third party, the Business Associate must obtain, prior to making any such disclosure, reasonable written assurances from the third party that such protected health information will be held confidential pursuant to this Addendum and only disclosed as required by law or for the purposes for which it was disclosed to the third party. The written agreement from the third party must include requirements to immediately notify the Business Associate of any

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breaches of confidentiality of protected health information to the extent it has obtained knowledge of such breach. Refer to 45 CFR 164.502 and 164.504 and 42 USC 17934.

- d. The Business Associate may use or disclose protected health information to report violations of law to appropriate federal and state authorities, consistent with 45 CFR 164.502(j)(1).

2. **Prohibited Uses and Disclosures:**

- a. Except as otherwise limited in this Addendum, the Business Associate shall not disclose protected health information to a health plan for payment or health care operations purposes if the patient has required this special restriction and has paid out of pocket in full for the health care item or service to which the protected health information relates in accordance with 42 USC 17935.
- b. The Business Associate shall not directly or indirectly receive remuneration in exchange for any protected health information, as specified by 42 USC 17935, unless the Covered Entity obtained a valid authorization, in accordance with 45 CFR 164.508 that includes a specification that protected health information can be exchanged for remuneration.

IV. OBLIGATIONS OF COVERED ENTITY

1. The Covered Entity will inform the Business Associate of any limitations in the Covered Entity's Notice of Privacy Practices in accordance with 45 CFR 164.520, to the extent that such limitation may affect the Business Associate's use or disclosure of protected health information.
2. The Covered Entity will inform the Business Associate of any changes in, or revocation of, permission by an individual to use or disclose protected health information, to the extent that such changes may affect the Business Associate's use or disclosure of protected health information.
3. The Covered Entity will inform the Business Associate of any restriction to the use or disclosure of protected health information that the Covered Entity has agreed to in accordance with 45 CFR 164.522 and 42 USC 17935, to the extent that such restriction may affect the Business Associate's use or disclosure of protected health information.
4. Except in the event of lawful data aggregation or management and administrative activities, the Covered Entity shall not request the Business Associate to use or disclose protected health information in any manner that would not be permissible under the HIPAA Privacy and Security Rule and the HITECH Act, if done by the Covered Entity.

V. TERM AND TERMINATION

1. **Effect of Termination:**

- a. Except as provided in paragraph (b) of this section, upon termination of this Addendum, for any reason, the Business Associate will return or destroy all protected health information received from the Covered Entity or created, maintained, or received by the Business Associate on behalf of the Covered Entity that the Business Associate still maintains in any form and the Business Associate will retain no copies of such information.
 - b. If the Business Associate determines that returning or destroying the protected health information is not feasible, the Business Associate will provide to the Covered Entity notification of the conditions that make return or destruction infeasible. Upon a mutual determination that return, or destruction of protected health information is infeasible, the Business Associate shall extend the protections of this Addendum to such protected health information and limit further uses and disclosures of such protected health information to those purposes that make return or destruction infeasible, for so long as the Business Associate maintains such protected health information.
 - c. These termination provisions will apply to protected health information that is in the possession of subcontractors, agents, or employees of the Business Associate.
2. **Term.** The Term of this Addendum shall commence as of the effective date of this Addendum herein and shall extend beyond the termination of the contract and shall terminate when all the protected health information provided by the Covered Entity to the Business Associate, or accessed, maintained, created, retained, modified, recorded, stored, or otherwise held, transmitted, used or disclosed by the Business Associate on behalf of the Covered Entity, is destroyed or returned to the Covered Entity, or, if it not feasible to return or destroy the protected health information, protections are extended to such information, in accordance with the termination.
3. **Termination for Breach of Agreement.** The Business Associate agrees that the Covered Entity may immediately terminate the agreement if the Covered Entity determines that the Business Associate has violated a material part of this Addendum.

VI. MISCELLANEOUS

1. **Amendment.** The parties agree to take such action as is necessary to amend this Addendum from time to time for the Covered Entity to comply with all the requirements of the Health Insurance Portability and Accountability Act (HIPAA) of 1996, Public Law No. 104-191 and the Health Information Technology for Economic and Clinical Health Act (HITECH) of 2009, Public Law No. 111-5.
2. **Clarification.** This Addendum references the requirements of HIPAA, the HITECH Act, the Privacy Rule and the Security Rule, as well as amendments and/or provisions that are currently in place and any that may be forthcoming.
3. **Indemnification.** Each party will indemnify and hold harmless the other party to this Addendum from and against all claims, losses, liabilities, costs and other expenses incurred as a result of, or arising directly or indirectly out of or in conjunction with:
 - a. Any misrepresentation, breach of warranty or non-fulfillment of any undertaking on the part of the party under this Addendum; and
 - b. Any claims, demands, awards, judgments, actions, and proceedings made by any person or organization arising out of or in any way connected with the party's performance under this Addendum.
4. **Interpretation.** The provisions of the Addendum shall prevail over any provisions in the agreement that may conflict or appear inconsistent with any provision in this Addendum. This Addendum and the agreement shall be interpreted as broadly as necessary to implement and comply with HIPAA, the HITECH Act, the Privacy Rule and the Security Rule. The parties agree that any ambiguity in this Addendum shall be resolved to permit the Covered Entity and the Business Associate to comply with HIPAA, the HITECH Act, the Privacy Rule and the Security Rule.

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5. **Regulatory Reference.** A reference in this Addendum to a section of the HITECH Act, HIPAA, the Privacy Rule and Security Rule means the sections as in effect or as amended.
6. **Survival.** The respective rights and obligations of Business Associate under Effect of Termination of this Addendum shall survive the termination of this Addendum.

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

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Section H is not applicable for this Subaward

Staff Report
Board Meeting Date: August 22, 2024

DATE: August 12, 2024
TO: District Board of Health
FROM: Kristen Palmer, Fiscal Compliance Officer
kpalmer@nmph.org, 775-328-2419
Nancy Diao, Division Director
ndiao@nmph.org, 775-328-2443

SUBJECT: Approve the Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health in the total amount of \$1,216,230.00 (no cash match) retroactive to January 1, 2024 through July 31, 2026, in support of the Centers for Disease Control and Prevention (CDC) Epidemiology and Laboratory Capacity Program; the funds will be used to complete epidemiological surveillance and investigation activities in Washoe County and authorize the District Health Officer to execute the Notice of Subaward and any future amendments.

SUMMARY

Northern Nevada Public Health received the Notice of Subaward on May 24, 2024, from the State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health in support of the CDC Epidemiology and Laboratory Capacity Grant Program. The funding period is retroactive to January 1, 2024 through July 31, 2026. A copy of the Subaward is attached.

District Health Strategic Priorities supported by this item:

- 4. Impactful Partnerships:** Extend our impact by leveraging partnerships to make meaningful progress on health issues.
- 5. Organizational Capacity:** Strengthen our workforce and increase operational capacity to support a growing population.

PREVIOUS ACTION

On December 14, 2023, the Board approved the Notice of Subaward for the Epidemiology and Laboratory Capacity Enhancing Detection Expansion Grant Program.

BACKGROUND

This Award supports the Epidemiology and Public Health Preparedness (EPHP) Division's Epidemiology Program by maintaining data for the reported COVID-19 cases as directed by federal and state partners, involving conducting case investigations to collect and report the bare minimum variables including age, race,

ethnicity, address at the time of infection, outcomes such as hospitalizations or deaths. Funding supports staff to investigate, follow up and analyze communicable disease reports. This item is retroactive because the notice of subaward wasn't received until May 24, 2024, and was postponed for DBOH approval pending budget planning.

FISCAL IMPACT

As this grant was not anticipated in the FY24 budget, a budget adjustment in the amount of \$1,105,662 in revenue and \$1,105,662 in expenditures is necessary to bring the Notice of Subgrant Award into alignment with the program budget. **No amendment is necessary for the indirect revenue.** Adjustments will be as follows:

<u>Account Number</u>		<u>Description</u>	<u>Amount of Increase/(Decrease)</u>
2002-IO-TBD	-431100	Federal Revenue	\$ 1,105,662
		Total Revenue	\$ 1,105,662
2002-IO-TBD	-701412	Salary Adjustment	\$ 81,000
2002-IO-TBD	-705360	Benefit Adjustment	\$ 54,000
2002-IO-TBD	-710110	Contracted/Temp Svcs	\$ 956,360
2002-IO-TBD	-710512	Auto Expense	\$ 1,392
2002-IO-TBD	-710509	Seminars and Meetings	\$ 3,725
2002-IO-TBD	-711210	Travel	\$ 9,185
		Total Expenditures	\$ 1,105,662

RECOMMENDATION

It is recommended that the District Board of Health approve the Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health in the total amount of \$1,216,230.00 (no cash match) retroactive to January 1, 2024 through July 31, 2026, in support of the Centers for Disease Control and Prevention (CDC) Epidemiology and Laboratory Capacity Program; the funds will be used to complete epidemiological surveillance and investigation activities in Washoe County and authorize the District Health Officer to execute the Notice of Subaward and any future amendments.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve the Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health in the total amount of \$1,216,230.00 (no cash match) retroactive to January 1, 2024 through July 31, 2026, in support of the Centers for Disease Control and Prevention (CDC) Epidemiology and Laboratory Capacity Program; the funds will be used to complete epidemiological surveillance and investigation activities in Washoe County and authorize the District Health Officer to execute the Notice of Subaward and any future amendments."

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Federal Award Computation		Match			
Total Obligated by this Action:	\$1,216,230.00	Match Required <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	0.00%		
Cumulative Prior Awards this Budget Period:	\$0.00	Amount Required this Action:	\$0.00		
Total Federal Funds Awarded to Date:	\$1,216,230.00	Amount Required Prior Awards:	\$1,216,230.00		
		Total Match Amount Required:	\$1,216,230.00		
Research and Development <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					
Federal Budget Period		Federal Project Period			
8/1/2023 through 7/31/2026		8/1/2019 through 7/31/2026			
FOR AGENCY USE ONLY					
FEDERAL GRANT #: 6 NU50CK000560-05-02 (20V)	Source of Funds: Epidemiology and Laboratory Capacity for Infectious Diseases (ELC)	% Funds: 100.00	CFDA: 93.323		
			FAIN: NU50CK000560		
			Federal Grant Award Date by Federal Agency: 10/19/2023		
Budget Account	Category	GL	Function	Sub-org	Job Number
3219	13	8516	COVD	C4	9332320V

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Scope of work is an attached document shown below

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SECTION B

Description of Services, Scope of Work and Deliverables

*In some instances, it may be helpful / useful to provide a brief summary of the project or its intent. This is at the discretion of the author of the subaward. This section should be written in complete sentences.

Northern Nevada Public Health, hereinafter referred to as Subrecipient, agrees to provide the following services and reports according to the identified timeframes:

Scope of Work for Northern Nevada Public Health

Primary Goal: Maintain data for reported COVID-19 cases as directed by federal and state partners, involving conducting case investigations to collect and report the bare minimum variables including age, race, ethnicity, address at time of infection, outcomes such as hospitalizations or deaths.

Objective	Activities	Due Date	Documentation Needed
<ol style="list-style-type: none"> 1. Keep up to date with live cases as they are reported, with at least 50% being investigated day of report. 2. Attend national calls for updates on COVID-19 reporting activity and changes. 3. Determine how to best incorporate COVID-19 surveillance into regular programmatic duties. 	<ol style="list-style-type: none"> 1. Daily assignment of live cases as reported, using EpiTrax to triage and assign cases to disease investigators. 2. Listen to national calls to learn about changes from the federal level on COVID-19 data completeness. 3. Communicate with state partners on how COVID-19 activities will be incorporated into general programs. 	07/31/2026	<ol style="list-style-type: none"> 1. Performance measures reported monthly to ELC Program at state. 2. Attendance on national calls related to COVID or COVID. 3. Emails to state partners on how COVID-19 activities are being incorporated or modified to be able to include in standard surveillance activities.

Goal: Provide SARS-CoV-2 testing to individuals in their place of residence.

Objective	Activities	Due Date	Documentation Needed
<ol style="list-style-type: none"> 1. Offer mobile SARS-CoV-2 testing for persons unable to leave their home. 2. Provide testing services for persons living in congregate settings. 	<ol style="list-style-type: none"> 1. Requests for testing to be received, logged, and approved. 2. Testing route to be determined for efficient fuel use/best routes. 3. Test individuals and symptomatic household members for SARS-CoV-2 as needed. 4. Deliver specimens to Nevada State Public Health Laboratory. 5. Report out test results to individuals tested. 	07/31/2026	<ol style="list-style-type: none"> 1. Number of tests conducted. 2. Number of congregate facilities testing occurred in.

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Goal: Increase staff knowledge and ability to conduct investigations for other public health conditions of importance in the Epidemiology Program in order to assist staff and build capacity in the Epidemiology Program overall.

Objective	Activities	Due Date	Documentation Needed
<ol style="list-style-type: none"> 1. 1. Train staff to take on at least 5 more diseases, in order to increase capacity across all program areas. 2. Increase number of staff with ability to take on disease reports. 3. Improve proportion of cases followed up within the initial timeframe to contact a case, as designated by medical director. 4. Improve data quality submitted into EpiTrax for reporting to Nevada Department of Public and Behavioral Health. 	<ol style="list-style-type: none"> 1. Train staff on at least 5 additional diseases. 2. Shadow staff taking on new diseases, to ensure critical steps in the investigation process are conducted. 3. Develop quality assurance reports for key metrics, run reports at regular frequencies to identify and resolve data discrepancies or errors. 	06/30/2025	<ol style="list-style-type: none"> 1. Training meetings for disease investigator leads. 2. Training meetings for disease investigators. 3. Number of investigators trained on each disease. 4. Proportion of case investigations started within designated timeframe to initiate.

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

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SECTION C

Budget and Financial Reporting Requirements

Identify the source of funding on all printed documents purchased or produced within the scope of this subaward, using a statement similar to: "This publication (journal, article, etc.) was supported by the Nevada State Department of Health and Human Services through Grant # 6 NU50CK000560-05-02 (20V) from Epidemiology and Laboratory Capacity for Infectious Diseases (ELC) . Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the Department nor Epidemiology and Laboratory Capacity for Infectious Diseases (ELC) ."

Any activities performed under this subaward shall acknowledge the funding was provided through the Department by Grant Number 6 NU50CK000560-05-02 (20V) from Epidemiology and Laboratory Capacity for Infectious Diseases (ELC) .

Subrecipient agrees to adhere to the following budget:

Total Personnel Costs							Total:
							\$135,000.00
Employee	Annual Salary	Fringe Rate	% of Time	Months	Annual % of Months worked	Amount Requested	Subject to Indirect? Fringe Salary
Communications, Epidemiology, Fiscal and Technology Staff Overtime: Heather Kerwin, Christabell Sotello, Victoria LeGarde, Danika Williams, Liliana Wilbert, Elena Varganova, Gloriana Alvarez, Kristen Palmer, Lissa Callahan, Adam Vazquez, and the Public Health Investigators	\$60,000.00	0.00%	100.00%	27.00	225.00%	\$135,000.00	<input type="checkbox"/> Indirect? <input checked="" type="checkbox"/> Fringe Salary
Overtime for COVID response to assist in epidemiological assessment to include Heather Kerwin, Christabell Sotello, Victoria LeGarde, Danika Williams, Liliana Wilbert, Elena Varganova, Gloriana Alvarez, Kristen Palmer, Lissa Callahan, Adam Vazquez, and the Public Health Investigators.							

In-State Travel						Total:
						\$1,392.00
Destination of Trip: Mileage around Reno						
	Cost	# of Trips	# of Days	# of Staff	Total	
Airfare: cost per trip (origin & designation) x # of trips x # of staff	\$0.00	0	0	0	\$0.00	
Baggage fee: \$ amount per person x # of trips x # of staff	\$0.00	0	0	0	\$0.00	
Per Diem: \$ per day per GSA rate for area x # of trips x # of staff	\$0.00	0	0	0	\$0.00	
Lodging: \$ per day + \$ tax = total \$ x # of trips x # of nights x # of staff	\$0.00	0	0	0	\$0.00	
Ground Transportation: \$ per r/trip x # of trips x # of staff	\$0.00	0	0	0	\$0.00	
Mileage: (rate per mile x # of miles per r/trip) x # of trips x # of staff	\$13.92	25	0	4	\$1,392.00	
Parking: \$ per day x # of trips x # of days x # of staff	\$0.00	0	0	0	\$0.00	
Mileage for Epidemiology staff (.67/per mile X 20.77 miles per r/trip) x 25 trips X 4 staff - Mileage for staff to drive to State lab, care facilities, etc. when county vehicle is not available.						\$1,392.00

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Out of State Travel					Total:	\$9,185.00
Destination of Trip: CSTE Conference: Pittsburgh, PA						
	Cost	# of Trips	# of Days	# of Staff	Total	
Airfare: cost per trip (origin & designation) x # of trips x # of staff	\$541.00	1		5	\$2,705.00	
Baggage fee: \$ amount per person x # of trips x # of staff	\$0.00				\$0.00	
Per Diem: \$ per day per GSA rate for area x # of trips x # of staff	\$64.00	1	6	5	\$1,920.00	
Lodging: \$ per day + \$ tax = total \$ x # of trips x # of nights x # of staff	\$136.00	1	5	5	\$3,400.00	
Ground Transportation: \$ per r/trip x # of trips x # of staff	\$40.00	2		5	\$800.00	
Mileage: (rate per mile x # of miles per r/trip) x # of trips x # of staff	\$0.00				\$0.00	
Parking: \$ per day x # of trips x # of days x # of staff	\$12.00	1	6	5	\$360.00	
County staff that directly impact SOW will travel to the CSTE Conference - Ellie Cook, Emily Kummer, Karina Tomco, Christabel Sotelo-Zecena, Adam Vasquez					\$9,185.00	

Operating	Total:	\$0.00
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Equipment	Total:	\$0.00
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Contractual/Contractual and all Pass-thru Subawards			Total:	\$956,360.00
<u>Name of Contractor/Subrecipient:</u> Talent Framework - Disease Investigators 31 FTE				
<u>Method of Selection:</u> Competitive Bid				
<u>Period of Performance:</u> 7/26/2024 - 11/26/2024				
<u>Scope of Work:</u> The Disease Investigator positions are responsible for the following: Interviewing people with communicable disease infections using motivational interviewing techniques, • Dissemination of education and resources as appropriate to those who are infected • Communicating to contacts of their exposure, assessing their symptoms and risk, and providing instructions for the next steps • Linking those with symptoms to testing and care • Maintaining accurate record keeping and following data entry protocol • Maintaining high standards of confidentiality and contact information security				
<u>Budget</u>				
Personnel	\$694,400.00			
<u>Method of Accountability:</u> Supervised by the Disease Investigator Managers, productivity monitored through data QA and cases assigned and closed. \$35/hour x 40/hours x 31/staff x 4/weeks per month x 4/months				Total: \$694,400.00

<u>Name of Contractor/Subrecipient:</u> Talent Framework - Call Center Representative 6 FTE				
<u>Method of Selection:</u> Competitive Bid				
<u>Period of Performance:</u> 4/20/2024 - 1/30/2025				
<u>Scope of Work:</u> "Scope of Work:Scope of Work: Define scope of work • Collecting basic demographic information, symptoms, and other public health information from providers and the public • Telephone handing to assist and direct callers with respective public health inquires • Entering and retrieving data including lab results in database according to clearly defined instructions and criteria • Filing, locating, and retrieving information according to alphabetical, numerical, coded, or other established records maintenance systems • Ongoing maintenance, updating, and data filing to ensure accuracy and timely completion for records • Other administrative duties and process improvements as assigned • Entering and retrieving data including test results in database according to clearly defined instructions and criteria • Maintaining and updating filing and/or record systems • Reviewing and entering basic demographic information, symptoms, occupation, and other health information from questionnaires into the database • Retrieving and correcting data according to clearly defined instructions and criteria Additionally, these positions are responsible for answering telephone calls and assisting callers with information regarding COVID-19 testing procedures and providing basic information regarding COVID-19 testing and processing of results; and other duties as assigned."				
<u>Budget</u>				
Personnel	\$261,960.00			
<u>Method of Accountability:</u> Supervised by the Call Center Manager \$29.50/hour x 40/hours per week x 6/employees x 4/weeks per month x 9.25/months				Total: \$261,960.00

Training				Total:	\$3,725.00
	Amount	# of FTE or Units	# of Months or Occurrences	Cost	
CSTE Annual Conference	\$745.00	5	1	\$3,725.00	
Conference registration to send 5 staff to the 2025 CSTE Annual Conference (Budget based off the CSTE Conference in Pittsburgh, PA in June 2024)- Ellie Cook, Emily Kummer, Karina Tomco, Christabel Sotelo-Zecena, Adam Vasquez					

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Other					Total:	\$0.00
					\$0.00	<input type="checkbox"/>
Justification:						

TOTAL DIRECT CHARGES	\$1,105,662.00
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Indirect Charges	Indirect Rate:	10.0%	\$110,568.00
Indirect Methodology: 10% Indirect			

TOTAL BUDGET	\$1,216,230
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Form 2

Applicant Name: Northern Nevada Public Health

PROPOSED BUDGET SUMMARY

A. PATTERN BOXES ARE FORMULA DRIVEN - DO NOT OVERRIDE - SEE INSTRUCTIONS

FUNDING SOURCES	Epidemiology	Other Funding	Other Funding	Other Funding	Other Funding	Other Funding	Other Funding	Other Funding	Program Income	TOTAL
SECURED										
ENTER TOTAL REQUEST	\$1,216,230.00									\$1,216,230.00
EXPENSE CATEGORY										
Personnel	\$135,000.00									\$135,000.00
Travel	\$10,577.00									\$10,577.00
Operating	\$0.00									\$0.00
Equipment	\$0.00									\$0.00
Contractual/Consultant	\$956,360.00									\$956,360.00
Training	\$3,725.00									\$3,725.00
Other Expenses	\$0.00									\$0.00
Indirect										
TOTAL EXPENSE	\$1,216,230.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,216,230.00
These boxes should equal 0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Indirect Cost	\$110,568.00									\$110,568.00
Total Agency Budget										\$1,216,230.00
Percent of Subrecipient Budget										100.00%

B. Explain any items noted as pending:

C. Program Income Calculation:

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- Department of Health and Human Services policy allows no more than 10% flexibility of the total not to exceed amount of the subaward, within the approved Scope of Work/Budget. Subrecipient will obtain written permission to redistribute funds within categories. **Note: the redistribution cannot alter the total not to exceed amount of the subaward. Modifications in excess of 10% require a formal amendment.**
- Equipment purchased with these funds belongs to the federal program from which this funding was appropriated and shall be returned to the program upon termination of this agreement.
- Travel expenses, per diem, and other related expenses must conform to the procedures and rates allowed for State officers and employees. It is the Policy of the Board of Examiners to restrict contractors/ Subrecipients to the same rates and procedures allowed State Employees. The State of Nevada reimburses at rates comparable to the rates established by the US General Services Administration, with some exceptions (State Administrative Manual 0200.0 and 0320.0).

Note: If match funds are required, Section H: Matching Funds Agreement must accompany the subaward packet.

The Subrecipient agrees:

To request reimbursement according to the schedule specified below for the actual expenses incurred related to the Scope of Work during the subaward period.

- Total reimbursement through this subaward will not exceed \$1,216,230.00;
- Requests for Reimbursement will be accompanied by supporting documentation, including a line item description of expenses incurred;
- Indicate what additional supporting documentation is needed in order to request reimbursement;
 - Requests for Reimbursements will be accompanied by supporting documentation including a line item description of expenses ; and
- Additional expenditure detail will be provided upon request from the Department.

Additionally, the Subrecipient agrees to provide:

- A complete financial accounting of all expenditures to the Department within 30 days of the CLOSE OF THE SUBAWARD PERIOD. Any un-obligated funds shall be returned to the Department at that time, or if not already requested, shall be deducted from the final award.
- Any work performed after the BUDGET PERIOD will not be reimbursed.
- If a Request for Reimbursement (RFR) is received after the 45-day closing period, the Department may not be able to provide reimbursement.
- If a credit is owed to the Department after the 45-day closing period, the funds must be returned to the Department within 30 days of identification.

The Department agrees:

- Identify specific items the program or Bureau must provide or accomplish to ensure successful completion of this project, such as:
 - Providing technical assistance, upon request from the Subrecipient;
 - Providing prior approval of reports or documents to be developed;
 - Forwarding a report to another party, i.e. CDC.
 - The department reserves the right to hold reimbursement under this subaward until any delinquent forms, reports, and expenditure documentation are submitted to and accepted by the department.
- The Department reserves the right to hold reimbursement under this subaward until any delinquent forms, reports, and expenditure documentation are submitted to and accepted by the Department.

Both parties agree:

- The site visit/monitoring schedule may be clarified here. Annual site visit
- The Subrecipient will, in the performance of the Scope of Work specified in this subaward, perform functions and/or activities that could involve confidential information; therefore, the Subrecipient is requested to fill out Section G, which is specific to this subaward, and will be in effect for the term of this subaward.
- All reports of expenditures and requests for reimbursement processed by the Department are SUBJECT TO AUDIT.
- This subaward agreement may be TERMINATED by either party prior to the date set forth on the Notice of Subaward, provided the termination shall not be effective until 30 days after a party has served written notice upon the other party. This agreement may be terminated by mutual consent of both parties or unilaterally by either party without cause. The parties expressly agree that this Agreement shall be terminated immediately if for any reason the Department, state, and/or federal funding ability to satisfy this Agreement is withdrawn, limited, or impaired.

Financial Reporting Requirements

- A Request for Reimbursement is due on a Monthly basis, based on the terms of the subaward agreement, no later than the 15th of the month.
- Reimbursement is based on actual expenditures incurred during the period being reported.
- Payment will not be processed without all reporting being current.
- Reimbursement may only be claimed for expenditures approved within the Notice of Subaward.

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**SECTION D
Request for Reimbursement**

<u>Program Name:</u> Epidemiology	<u>Subrecipient Name:</u> Northern Nevada Public Health
<u>Address:</u> 500 Damonte Ranch Pkwy Ste 657 , Reno, Nevada 89521	<u>Address:</u> 1001 E 9Th St, Reno, Nevada 89512-2845
<u>Subaward Period:</u> 01/01/2024 - 07/31/2026	<u>Subrecipient's:</u> EIN: 88-6000138 Vendor #: T40283400Q

FINANCIAL REPORT AND REQUEST FOR REIMBURSEMENT

(must be accompanied by expenditure report/back-up)

Month(s)	Calendar Year
----------	---------------

Approved Budget Category	A Approved Budget	B Total Prior Requests	C Current Request	D Year to Date Total	E Budget Balance	F Percent Expended
1. Personnel	\$135,000.00	\$0.00	\$0.00	\$0.00	\$135,000.00	0.00%
2. Travel	\$10,577.00	\$0.00	\$0.00	0.0000	\$10,577.00	0.00%
3. Operating	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
4. Equipment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
5. Contractual/Consultant	\$956,360.00	\$0.00	\$0.00	\$0.00	\$956,360.00	0.00%
6. Training	\$3,725.00	\$0.00	\$0.00	\$0.00	\$3,725.00	0.00%
7. Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
8. Indirect	\$110,568.00	\$0.00	\$0.00	\$0.00	\$110,568.00	0.00%
Total	\$1,216,230.00	\$0.00	\$0.00	\$0.00	\$1,216,230.00	0.00%

MATCH REPORTING	Approved Match Budget	Total Prior Reported Match	Current Match Reported	Year to Date Total	Match Balance	Percent Complete
						0.00%

I, a duly authorized signatory for the applicant, certify to the best of my knowledge and belief that this report is true, complete and accurate; that the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the grant award; and that the amount of this request is not in excess of current needs or, cumulatively for the grant term, in excess of the total approved grant award. I am aware that any false, fictitious or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims, or otherwise. I verify that the cost allocation and backup documentation attached is correct.

Authorized Signature _____ Title _____ Date _____

FOR DEPARTMENT USE ONLY

Is program contact required? Yes No

Contact Person

Reason for contact:

Fiscal review/approval date:

Scope of Work review/approval date:

ASO or Bureau Chief (as required):

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SECTION E

Audit Information Request

1. Non-Federal entities that **expend** \$750,000.00 or more in total federal awards are required to have a single or program-specific audit conducted for that year, in accordance with 2 CFR § 200.501(a).

2. Did your organization expend \$750,000 or more in all federal awards during your organization's most recent fiscal year?

Yes No

3. When does your organization's fiscal year end?

6/30/2024

4. What is the official name of your organization?

Northern Nevada Public Health

5. How often is your organization audited?

Annually

6. When was your last audit performed?

12/27/2023

7. What time-period did your last audit cover?

7/1/2022 - 6/30/2023

8. Which accounting firm conducted your last audit?

Eide Bailly

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

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SECTION F

Current or Former State Employee Disclaimer

For the purpose of State compliance with NRS 333.705, subrecipient represents and warrants that if subrecipient, or any employee of subrecipient who will be performing services under this subaward, is a current employee of the State or was employed by the State within the preceding 24 months, subrecipient has disclosed the identity of such persons, and the services that each such person will perform, to the issuing Agency. Subrecipient agrees they will not utilize any of its employees who are Current State Employees or Former State Employees to perform services under this subaward without first notifying the Agency and receiving from the Agency approval for the use of such persons. This prohibition applies equally to any subcontractors that may be used to perform the requirements of the subaward.

The provisions of this section do not apply to the employment of a former employee of an agency of this State who is not receiving retirement benefits under the Public Employees' Retirement System (PERS) during the duration of the subaward.

Are any current or former employees of the State of Nevada assigned to perform work on this subaward?

- YES If "YES", list the names of any current or former employees of the State and the services that each person will perform.
- NO Subrecipient agrees that if a current or former state employee is assigned to perform work on this subaward at any point after execution of this agreement, they must receive prior approval from the Department.

Name

Services

Subrecipient agrees that any employees listed cannot perform work until approval has been given from the Department.

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

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SECTION G

Business Associate Addendum

BETWEEN

Nevada Department of Health and Human Services

Hereinafter referred to as the "Covered Entity"

And

Northern Nevada Public Health

Hereinafter referred to as the "Business Associate"

PURPOSE. In order to comply with the requirements of HIPAA and the HITECH Act, this Addendum is hereby added and made part of the agreement between the Covered Entity and the Business Associate. This Addendum establishes the obligations of the Business Associate and the Covered Entity as well as the permitted uses and disclosures by the Business Associate of protected health information it may possess by reason of the agreement. The Covered Entity and the Business Associate shall protect the privacy and provide for the security of protected health information disclosed to the Business Associate pursuant to the agreement and in compliance with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 ("HIPAA"), the Health Information Technology for Economic and Clinical Health Act, Public Law 111-5 ("the HITECH Act"), and regulation promulgated there under by the U.S. Department of Health and Human Services (the "HIPAA Regulations") and other applicable laws.

WHEREAS, the Business Associate will provide certain services to the Covered Entity, and, pursuant to such arrangement, the Business Associate is considered a business associate of the Covered Entity as defined in HIPAA, the HITECH Act, the Privacy Rule and Security Rule; and

WHEREAS, Business Associate may have access to and/or receive from the Covered Entity certain protected health information, in fulfilling its responsibilities under such arrangement; and

WHEREAS, the HIPAA Regulations, the HITECH Act, the Privacy Rule and the Security Rule require the Covered Entity to enter into an agreement containing specific requirements of the Business Associate prior to the disclosure of protected health information, as set forth in, but not limited to, 45 CFR Parts 160 & 164 and Public Law 111-5.

THEREFORE, in consideration of the mutual obligations below and the exchange of information pursuant to this Addendum, and to protect the interests of both Parties, the Parties agree to all provisions of this Addendum.

- I. DEFINITIONS. The following terms shall have the meaning ascribed to them in this Section. Other capitalized terms shall have the meaning ascribed to them in the context in which they first appear.
1. **Breach** means the unauthorized acquisition, access, use, or disclosure of protected health information which compromises the security or privacy of the protected health information. The full definition of breach can be found in 42 USC 17921 and 45 CFR 164.402.
 2. **Business Associate** shall mean the name of the organization or entity listed above and shall have the meaning given to the term under the Privacy and Security Rule and the HITECH Act. For full definition refer to 45 CFR 160.103.
 3. **CFR** stands for the Code of Federal Regulations.
 4. **Agreement** shall refer to this Addendum and that particular agreement to which this Addendum is made a part.
 5. **Covered Entity** shall mean the name of the Department listed above and shall have the meaning given to such term under the Privacy Rule and the Security Rule, including, but not limited to 45 CFR 160.103.
 6. **Designated Record Set** means a group of records that includes protected health information and is maintained by or for a covered entity or the Business Associate that includes, but is not limited to, medical, billing, enrollment, payment, claims adjudication, and case or medical management records. Refer to 45 CFR 164.501 for the complete definition.
 7. **Disclosure** means the release, transfer, provision of, access to, or divulging in any other manner of information outside the entity holding the information as defined in 45 CFR 160.103.
 8. **Electronic Protected Health Information** means individually identifiable health information transmitted by electronic media or maintained in electronic media as set forth under 45 CFR 160.103.
 9. **Electronic Health Record** means an electronic record of health-related information on an individual that is created, gathered, managed, and consulted by authorized health care clinicians and staff. Refer to 42 USC 17921.
 10. **Health Care Operations** shall have the meaning given to the term under the Privacy Rule at 45 CFR 164.501.
 11. **Individual** means the person who is the subject of protected health information and is defined in 45 CFR 160.103.
 12. **Individually Identifiable Health Information** means health information, in any form or medium, including demographic information collected from an individual, that is created or received by a covered entity or a business associate of the covered entity and relates to the past, present, or future care of the individual. Individually identifiable health information is information that identifies the individual directly or there is a reasonable basis to believe the information can be used to identify the

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individual. Refer to 45 CFR 160.103.

13. **Parties** shall mean the Business Associate and the Covered Entity.
14. **Privacy Rule** shall mean the HIPAA Regulation that is codified at 45 CFR Parts 160 and 164, Subparts A, D and E.
15. **Protected Health Information** means individually identifiable health information transmitted by electronic media, maintained in electronic media, or transmitted or maintained in any other form or medium. Refer to 45 CFR 160.103 for the complete definition.
16. **Required by Law** means a mandate contained in law that compels an entity to make a use or disclosure of protected health information and that is enforceable in a court of law. This includes but is not limited to: court orders and court-ordered warrants; subpoenas, or summons issued by a court; and statutes or regulations that require the provision of information if payment is sought under a government program providing public benefits. For the complete definition refer to 45 CFR 164.103.
17. **Secretary** shall mean the Secretary of the federal Department of Health and Human Services (HHS) or the Secretary's designee.
18. **Security Rule** shall mean the HIPAA regulation that is codified at 45 CFR Parts 160 and 164 Subparts A and C.
19. **Unsecured Protected Health Information** means protected health information that is not rendered unusable, unreadable, or indecipherable to unauthorized individuals through the use of a technology or methodology specified by the Secretary in the guidance issued in Public Law 111-5. Refer to 42 USC 17932 and 45 CFR 164.402.
20. **USC** stands for the United States Code.

II. OBLIGATIONS OF THE BUSINESS ASSOCIATE.

1. **Access to Protected Health Information.** The Business Associate will provide, as directed by the Covered Entity, an individual or the Covered Entity access to inspect or obtain a copy of protected health information about the Individual that is maintained in a designated record set by the Business Associate or, its agents or subcontractors, in order to meet the requirements of the Privacy Rule, including, but not limited to 45 CFR 164.524 and 164.504(e)(2)(ii)(E). If the Business Associate maintains an electronic health record, the Business Associate or, its agents or subcontractors shall provide such information in electronic format to enable the Covered Entity to fulfill its obligations under the HITECH Act, including, but not limited to 42 USC 17935.
2. **Access to Records.** The Business Associate shall make its internal practices, books and records relating to the use and disclosure of protected health information available to the Covered Entity and to the Secretary for purposes of determining Business Associate's compliance with the Privacy and Security Rule in accordance with 45 CFR 164.504(e)(2)(ii)(H).
3. **Accounting of Disclosures.** Promptly, upon request by the Covered Entity or individual for an accounting of disclosures, the Business Associate and its agents or subcontractors shall make available to the Covered Entity or the individual information required to provide an accounting of disclosures in accordance with 45 CFR 164.528, and the HITECH Act, including, but not limited to 42 USC 17935. The accounting of disclosures, whether electronic or other media, must include the requirements as outlined under 45 CFR 164.528(b).
4. **Agents and Subcontractors.** The Business Associate must ensure all agents and subcontractors to whom it provides protected health information agree in writing to the same restrictions and conditions that apply to the Business Associate with respect to all protected health information accessed, maintained, created, retained, modified, recorded, stored, destroyed, or otherwise held, transmitted, used or disclosed by the agent or subcontractor. The Business Associate must implement and maintain sanctions against agents and subcontractors that violate such restrictions and conditions and shall mitigate the effects of any such violation as outlined under 45 CFR 164.530(f) and 164.530(e)(1).
5. **Amendment of Protected Health Information.** The Business Associate will make available protected health information for amendment and incorporate any amendments in the designated record set maintained by the Business Associate or, its agents or subcontractors, as directed by the Covered Entity or an individual, in order to meet the requirements of the Privacy Rule, including, but not limited to, 45 CFR 164.526.
6. **Audits, Investigations, and Enforcement.** The Business Associate must notify the Covered Entity immediately upon learning the Business Associate has become the subject of an audit, compliance review, or complaint investigation by the Office of Civil Rights or any other federal or state oversight agency. The Business Associate shall provide the Covered Entity with a copy of any protected health information that the Business Associate provides to the Secretary or other federal or state oversight agency concurrently with providing such information to the Secretary or other federal or state oversight agency. The Business Associate and individuals associated with the Business Associate are solely responsible for all civil and criminal penalties assessed as a result of an audit, breach, or violation of HIPAA or HITECH laws or regulations. Reference 42 USC 17937.
7. **Breach or Other Improper Access, Use or Disclosure Reporting.** The Business Associate must report to the Covered Entity, in writing, any access, use or disclosure of protected health information not permitted by the agreement, Addendum or the Privacy and Security Rules. The Covered Entity must be notified immediately upon discovery or the first day such breach or suspected breach is known to the Business Associate or by exercising reasonable diligence would have been known by the Business Associate in accordance with 45 CFR 164.410, 164.504(e)(2)(ii)(C) and 164.308(b) and 42 USC 17921. The Business Associate must report any improper access, use or disclosure of protected health information by: The Business Associate or its agents or subcontractors. In the event of a breach or suspected breach of protected health information, the report to the Covered Entity must be in writing and include the following: a brief description of the incident; the date of the incident; the date the incident was discovered by the Business Associate; a thorough description of the unsecured protected health information that was involved in the incident; the number of individuals whose protected health information was involved in the incident; and the steps the Business Associate is taking to investigate the incident and to protect against further incidents. The Covered Entity will determine if a breach of unsecured protected health information has occurred and will notify the Business Associate of the determination. If a breach of unsecured protected health information is determined, the Business Associate must take prompt corrective action to cure any such deficiencies and mitigate any significant harm that may have occurred to individual(s) whose information was disclosed inappropriately.
8. **Breach Notification Requirements.** If the Covered Entity determines a breach of unsecured protected health information by the Business Associate has occurred, the Business Associate will be responsible for notifying the individuals whose unsecured protected health information was breached in accordance with 42 USC 17932 and 45 CFR 164.404 through 164.406. The Business Associate must provide evidence to the Covered Entity that appropriate notifications to individuals and/or media,

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when necessary, as specified in 45 CFR 164.404 and 45 CFR 164.406 has occurred. The Business Associate is responsible for all costs associated with notification to individuals, the media or others as well as costs associated with mitigating future breaches. The Business Associate must notify the Secretary of all breaches in accordance with 45 CFR 164.408 and must provide the Covered Entity with a copy of all notifications made to the Secretary.

9. **Breach Pattern or Practice by Covered Entity.** Pursuant to 42 USC 17934, if the Business Associate knows of a pattern of activity or practice of the Covered Entity that constitutes a material breach or violation of the Covered Entity's obligations under the Contract or Addendum, the Business Associate must immediately report the problem to the Secretary.
10. **Data Ownership.** The Business Associate acknowledges that the Business Associate or its agents or subcontractors have no ownership rights with respect to the protected health information it accesses, maintains, creates, retains, modifies, records, stores, destroys, or otherwise holds, transmits, uses or discloses.
11. **Litigation or Administrative Proceedings.** The Business Associate shall make itself, any subcontractors, employees, or agents assisting the Business Associate in the performance of its obligations under the agreement or Addendum, available to the Covered Entity, at no cost to the Covered Entity, to testify as witnesses, or otherwise, in the event litigation or administrative proceedings are commenced against the Covered Entity, its administrators or workforce members upon a claimed violation of HIPAA, the Privacy and Security Rule, the HITECH Act, or other laws relating to security and privacy.
12. **Minimum Necessary.** The Business Associate and its agents and subcontractors shall request, use and disclose only the minimum amount of protected health information necessary to accomplish the purpose of the request, use or disclosure in accordance with 42 USC 17935 and 45 CFR 164.514(d)(3).
13. **Policies and Procedures.** The Business Associate must adopt written privacy and security policies and procedures and documentation standards to meet the requirements of HIPAA and the HITECH Act as described in 45 CFR 164.316 and 42 USC 17931.
14. **Privacy and Security Officer(s).** The Business Associate must appoint Privacy and Security Officer(s) whose responsibilities shall include: monitoring the Privacy and Security compliance of the Business Associate; development and implementation of the Business Associate's HIPAA Privacy and Security policies and procedures; establishment of Privacy and Security training programs; and development and implementation of an incident risk assessment and response plan in the event the Business Associate sustains a breach or suspected breach of protected health information.
15. **Safeguards.** The Business Associate must implement safeguards as necessary to protect the confidentiality, integrity, and availability of the protected health information the Business Associate accesses, maintains, creates, retains, modifies, records, stores, destroys, or otherwise holds, transmits, uses or discloses on behalf of the Covered Entity. Safeguards must include administrative safeguards (e.g., risk analysis and designation of security official), physical safeguards (e.g., facility access controls and workstation security), and technical safeguards (e.g., access controls and audit controls) to the confidentiality, integrity and availability of the protected health information, in accordance with 45 CFR 164.308, 164.310, 164.312, 164.316 and 164.504(e)(2)(ii)(B). Sections 164.308, 164.310 and 164.312 of the CFR apply to the Business Associate of the Covered Entity in the same manner that such sections apply to the Covered Entity. Technical safeguards must meet the standards set forth by the guidelines of the National Institute of Standards and Technology (NIST). The Business Associate agrees to only use or disclose protected health information as provided for by the agreement and Addendum and to mitigate, to the extent practicable, any harmful effect that is known to the Business Associate, of a use or disclosure, in violation of the requirements of this Addendum as outlined under 45 CFR 164.530(e)(2)(f).
16. **Training.** The Business Associate must train all members of its workforce on the policies and procedures associated with safeguarding protected health information. This includes, at a minimum, training that covers the technical, physical and administrative safeguards needed to prevent inappropriate uses or disclosures of protected health information; training to prevent any intentional or unintentional use or disclosure that is a violation of HIPAA regulations at 45 CFR 160 and 164 and Public Law 111-5; and training that emphasizes the criminal and civil penalties related to HIPAA breaches or inappropriate uses or disclosures of protected health information. Workforce training of new employees must be completed within 30 days of the date of hire and all employees must be trained at least annually. The Business Associate must maintain written records for a period of six years. These records must document each employee that received training and the date the training was provided or received.
17. **Use and Disclosure of Protected Health Information.** The Business Associate must not use or further disclose protected health information other than as permitted or required by the agreement or as required by law. The Business Associate must not use or further disclose protected health information in a manner that would violate the requirements of the HIPAA Privacy and Security Rule and the HITECH Act.

III. PERMITTED AND PROHIBITED USES AND DISCLOSURES BY THE BUSINESS ASSOCIATE. The Business Associate agrees to these general use and disclosure provisions:

1. **Permitted Uses and Disclosures:**

- a. Except as otherwise limited in this Addendum, the Business Associate may use or disclose protected health information to perform functions, activities, or services for, or on behalf of, the Covered Entity as specified in the agreement, provided that such use or disclosure would not violate the HIPAA Privacy and Security Rule or the HITECH Act, if done by the Covered Entity in accordance with 45 CFR 164.504(e)(2)(i) and 42 USC 17935 and 17936.
- b. Except as otherwise limited by this Addendum, the Business Associate may use or disclose protected health information received by the Business Associate in its capacity as a Business Associate of the Covered Entity, as necessary, for the proper management and administration of the Business Associate, to carry out the legal responsibilities of the Business Associate, as required by law or for data aggregation purposes in accordance with 45 CFR 164.504(e)(2)(A), 164.504(e)(4)(i)(A), and 164.504(e)(2)(i)(B).
- c. Except as otherwise limited in this Addendum, if the Business Associate discloses protected health information to a third party, the Business Associate must obtain, prior to making any such disclosure, reasonable written assurances from the third party that such protected health information will be held confidential pursuant to this Addendum and only disclosed as required by law or for the purposes for which it was disclosed to the third party. The written agreement from the third party must include requirements to immediately notify the Business Associate of any

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breaches of confidentiality of protected health information to the extent it has obtained knowledge of such breach. Refer to 45 CFR 164.502 and 164.504 and 42 USC 17934.

- d. The Business Associate may use or disclose protected health information to report violations of law to appropriate federal and state authorities, consistent with 45 CFR 164.502(j)(1).
2. **Prohibited Uses and Disclosures:**
 - a. Except as otherwise limited in this Addendum, the Business Associate shall not disclose protected health information to a health plan for payment or health care operations purposes if the patient has required this special restriction and has paid out of pocket in full for the health care item or service to which the protected health information relates in accordance with 42 USC 17935.
 - b. The Business Associate shall not directly or indirectly receive remuneration in exchange for any protected health information, as specified by 42 USC 17935, unless the Covered Entity obtained a valid authorization, in accordance with 45 CFR 164.508 that includes a specification that protected health information can be exchanged for remuneration.

IV. OBLIGATIONS OF COVERED ENTITY

1. The Covered Entity will inform the Business Associate of any limitations in the Covered Entity's Notice of Privacy Practices in accordance with 45 CFR 164.520, to the extent that such limitation may affect the Business Associate's use or disclosure of protected health information.
2. The Covered Entity will inform the Business Associate of any changes in, or revocation of, permission by an individual to use or disclose protected health information, to the extent that such changes may affect the Business Associate's use or disclosure of protected health information.
3. The Covered Entity will inform the Business Associate of any restriction to the use or disclosure of protected health information that the Covered Entity has agreed to in accordance with 45 CFR 164.522 and 42 USC 17935, to the extent that such restriction may affect the Business Associate's use or disclosure of protected health information.
4. Except in the event of lawful data aggregation or management and administrative activities, the Covered Entity shall not request the Business Associate to use or disclose protected health information in any manner that would not be permissible under the HIPAA Privacy and Security Rule and the HITECH Act, if done by the Covered Entity.

V. TERM AND TERMINATION

1. Effect of Termination:

- a. Except as provided in paragraph (b) of this section, upon termination of this Addendum, for any reason, the Business Associate will return or destroy all protected health information received from the Covered Entity or created, maintained, or received by the Business Associate on behalf of the Covered Entity that the Business Associate still maintains in any form and the Business Associate will retain no copies of such information.
- b. If the Business Associate determines that returning or destroying the protected health information is not feasible, the Business Associate will provide to the Covered Entity notification of the conditions that make return or destruction infeasible. Upon a mutual determination that return, or destruction of protected health information is infeasible, the Business Associate shall extend the protections of this Addendum to such protected health information and limit further uses and disclosures of such protected health information to those purposes that make return or destruction infeasible, for so long as the Business Associate maintains such protected health information.
- c. These termination provisions will apply to protected health information that is in the possession of subcontractors, agents, or employees of the Business Associate.
2. **Term.** The Term of this Addendum shall commence as of the effective date of this Addendum herein and shall extend beyond the termination of the contract and shall terminate when all the protected health information provided by the Covered Entity to the Business Associate, or accessed, maintained, created, retained, modified, recorded, stored, or otherwise held, transmitted, used or disclosed by the Business Associate on behalf of the Covered Entity, is destroyed or returned to the Covered Entity, or, if it not feasible to return or destroy the protected health information, protections are extended to such information, in accordance with the termination.
3. **Termination for Breach of Agreement.** The Business Associate agrees that the Covered Entity may immediately terminate the agreement if the Covered Entity determines that the Business Associate has violated a material part of this Addendum.

VI. MISCELLANEOUS

1. **Amendment.** The parties agree to take such action as is necessary to amend this Addendum from time to time for the Covered Entity to comply with all the requirements of the Health Insurance Portability and Accountability Act (HIPAA) of 1996, Public Law No. 104-191 and the Health Information Technology for Economic and Clinical Health Act (HITECH) of 2009, Public Law No. 111-5.
2. **Clarification.** This Addendum references the requirements of HIPAA, the HITECH Act, the Privacy Rule and the Security Rule, as well as amendments and/or provisions that are currently in place and any that may be forthcoming.
3. **Indemnification.** Each party will indemnify and hold harmless the other party to this Addendum from and against all claims, losses, liabilities, costs and other expenses incurred as a result of, or arising directly or indirectly out of or in conjunction with:
 - a. Any misrepresentation, breach of warranty or non-fulfillment of any undertaking on the part of the party under this Addendum; and
 - b. Any claims, demands, awards, judgments, actions, and proceedings made by any person or organization arising out of or in any way connected with the party's performance under this Addendum.
4. **Interpretation.** The provisions of the Addendum shall prevail over any provisions in the agreement that may conflict or appear inconsistent with any provision in this Addendum. This Addendum and the agreement shall be interpreted as broadly as necessary to implement and comply with HIPAA, the HITECH Act, the Privacy Rule and the Security Rule. The parties agree that any ambiguity in this Addendum shall be resolved to permit the Covered Entity and the Business Associate to comply with HIPAA, the HITECH Act, the Privacy Rule and the Security Rule.

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5. **Regulatory Reference.** A reference in this Addendum to a section of the HITECH Act, HIPAA, the Privacy Rule and Security Rule means the sections as in effect or as amended.
6. **Survival.** The respective rights and obligations of Business Associate under Effect of Termination of this Addendum shall survive the termination of this Addendum.

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

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Section H is not applicable for this Subaward

Staff Report
Board Meeting Date: August 22, 2024

DATE: August 12, 2024
TO: District Board of Health
FROM: Irene Dominguez, Fiscal Compliance Office
775-328-2446, idinguez@nnph.org
Erin Dixon, Deputy District Health Officer
775-328-2644, edixon@nnph.org
SUBJECT: Approve the Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health for the period retroactive to July 1, 2024 through June 30, 2025 in the total amount of \$333,333 (no match required), in support of the Northern Nevada Public Health Sexually Transmitted Disease Prevention and Control Program and authorize the District Health Officer to execute the Subaward and any future amendments.

SUMMARY

Northern Nevada Public Health received a Notice of Subaward from the State of Nevada Department of Health and Human Services, Fund for Healthy Nevada on August 9, 2024. This funding is to support the Community and Clinical Health Services Division Sexually Transmitted Disease Prevention and Control Program. A copy of the Notice of Subaward is attached.

District Health Strategic Priority supported by this item:

- 1. Healthy Lives:** Improve the health of our community by empowering individuals to live healthier lives.

PREVIOUS ACTION

There has been no previous action for this fiscal year.

BACKGROUND

The scope of work includes conducting disease investigation, Partner Services, linkage to care for patients with STIs, quality assurance of services provided. Training staff who directly support disease investigations, building organizational capacity for outbreak response through establishing and updating policies and providing outbreak response training, and outbreak response efforts through skill building, evaluations and implementing training plans for the Sexually Transmitted Disease Prevention and Control Program.

The Subaward provides funding for personnel, other, and indirect expenditures. This item is retroactive due to the Notice of Subaward being issued on August 9, 2024, and is being brought for approval at the nearest scheduled District Board of Health meeting.

FISCAL IMPACT

Should the Board approve this subaward, a request will be made to the Board of County Commissioners to amend the adopted FY25 budget, increasing it by \$242,016.06. (\$12,636.00 indirect expenses) in the following accounts:

<u>Account Number</u>	<u>General Ledger</u>	<u>Description</u>	<u>Amount of Increase</u>
2002 - IO12385	-432100	State Grant	\$ 242,016.06
		Total Revenue:	\$ 242,016.06
2002 - IO12385	-701412	Salary Adjustment	\$ 159,316.83
2002 - IO12385	-705360	Benefit Adjustment	\$ 64,699.23
2002 - IO12385	-710721	Outpatient	\$ 18,000.00
		Total Expenditures:	\$ 242,016.06

RECOMMENDATION

It is recommended that the District Board of Health approve the Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health for the period retroactive to July 1, 2024 through June 30, 2025 in the total amount of \$333,333 (no match required), in support of the Northern Nevada Public Health Sexually Transmitted Disease Prevention and Control Program and authorize the District Health Officer to execute the Subaward and any future amendments.

POSSIBLE MOTION

Should the Board agree with staff’s recommendation, a possible motion would be: “Move to Approve the Notice of Subaward from the State of Nevada Department of Health and Human Services, Division of Public and Behavioral Health for the period retroactive to July 1, 2024 through June 30, 2025 in the total amount of \$333,333 (no match required), in support of the Northern Nevada Public Health Sexually Transmitted Disease Prevention and Control Program and authorize the District Health Officer to execute the Subaward and any future amendments.”



State of Nevada
 Department of Health and Human Services
Director's Office
 (Hereinafter referred to as the Department)

Agency Ref. #: DO 1466
 BA / CAT: 3195 / 17
 GL: 8516
 Job Number: PHD
 Sub Org: _____

NOTICE OF SUBAWARD

Program Name: DHHS, Grant Management Unit, Fund for Healthy Nevada Michelle McNeely, mmcneely@dhhs.nv.gov	Subrecipient's Name: Northern Nevada Public Health Erin Dixon, Edixon@nnph.org
Address: 1000 N. Division St., Ste. 201 Carson City, NV 89703	Address: 1001 E Ninth Street Reno, NV 89512
Subaward Period: 07/01/2024 through 06/30/2025	Subrecipient's: EIN: 88-6000138 Vendor #: T40283400 UEI #: GPR1NY74XPQ5

Purpose of Award: Conduct disease investigation, Partner Services, and linkage to care for patients with STDs, and quality assurance of services provided.

Region(s) to be served: Statewide Specific County or counties: Washoe County

Approved Budget Categories:	
1. Personnel	\$290,642.00
2. Travel	\$0.00
3. Operating	\$0.00
4. Equipment	\$0.00
5. Contractual/Consultant	\$0.00
6. Training	\$0.00
7. Other	\$18,000.00
TOTAL DIRECT COSTS	\$308,642.00
8. Indirect Costs	\$24,691.00
TOTAL APPROVED BUDGET	\$333,333.00

FEDERAL AWARD COMPUTATION:	
Total Obligated by this Action:	\$ 0.00
Cumulative Prior Awards this Budget Period:	\$ 0.00
Total Federal Funds Awarded to Date:	\$ 0.00
Match Required <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
Amount Required this Action:	\$ 0.00
Amount Required Prior Awards:	\$ 0.00
Total Match Amount Required:	\$ 0.00
Research and Development (R&D) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
FOR AGENCY USE, ONLY	

Source of Funds: Fund for a Healthy Nevada FHN	% Funds: 100%	CFDA: N/A	FAIN: N/A	Federal Grant #: N/A	Grant Award Date by Federal Agency: N/A
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Agency Approved Indirect Rate: N/A **Subrecipient Approved Indirect Rate:** 8%

Terms and Conditions:
 In accepting these grant funds, it is understood that:

- This award is subject to the availability of appropriate funds.
- Expenditures must comply with any statutory guidelines, the DHHS Grant Instructions and Requirements, and the State Administrative Manual.
- Expenditures must be consistent with the narrative, goals and objectives, and budget as approved and documented
- Subrecipient must comply with all applicable Federal regulations
- Quarterly progress reports are due by the 30th of each month following the end of the quarter, unless specific exceptions are provided in writing by the grant administrator.
- Financial Status Reports and Requests for Funds must be submitted monthly, unless specific exceptions are provided in writing by the grant administrator.

Incorporated Documents: Section A: Grant Conditions and Assurances. Section B: Description of Services, Scope of Work and Deliverables. Section C: Budget and Financial Reporting Requirements. Section D: Request for Reimbursement;	Section E: Audit Information Request. Section F: Current/Former State Employee Disclaimer. Section G: DHHS Business Associate Addendum
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Name	Signature	Date
Jack Zenteno, Administrative Health Services Officer Northern Nevada Public Health		
Kelli Quintero, Social Services Chief Grants Management Unit		
For Richard Whitley, Director Department of Health and Human Services		

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SECTION A
GRANT CONDITIONS AND ASSURANCES

General Conditions

1. Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating, or establishing the relationship of employer/employee between the parties. The Subrecipient shall at all times remain an "independent contractor" with respect to the services to be performed under this Agreement. The Department of Health and Human Services (hereafter referred to as "Department") shall be exempt from payment of all Unemployment Compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance as the Subrecipient is an independent entity.
2. The Subrecipient shall hold harmless, defend and indemnify the Department from any and all claims, actions, suits, charges and judgments whatsoever that arise out of the Subrecipient's performance or nonperformance of the services or subject matter called for in this Agreement.
3. The Department or Subrecipient may amend this Agreement at any time provided that such amendments make specific reference to this Agreement, and are executed in writing, and signed by a duly authorized representative of both organizations. Such amendments shall not invalidate this Agreement, nor relieve or release the Department or Subrecipient from its obligations under this Agreement.
 - The Department may, in its discretion, amend this Agreement to conform with federal, state or local governmental guidelines, policies and available funding amounts, or for other reasons. If such amendments result in a change in the funding, the scope of services, or schedule of the activities to be undertaken as part of this Agreement, such modifications will be incorporated only by written amendment signed by both the Department and Subrecipient.
4. Either party may terminate this Agreement at any time by giving written notice to the other party of such termination and specifying the effective date thereof at least 30 days before the effective date of such termination. Partial terminations of the Scope of Work in Section B may only be undertaken with the prior approval of the Department. In the event of any termination for convenience, all finished or unfinished documents, data, studies, surveys, reports, or other materials prepared by the Subrecipient under this Agreement shall, at the option of the Department, become the property of the Department, and the Subrecipient shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents or materials prior to the termination.
 - The Department may also suspend or terminate this Agreement, in whole or in part, if the Subrecipient materially fails to comply with any term of this Agreement, or with any of the rules, regulations or provisions referred to herein; and the Department may declare the Subrecipient ineligible for any further participation in the Department's grant agreements, in addition to other remedies as provided by law. In the event there is probable cause to believe the Subrecipient is in noncompliance with any applicable rules or regulations, the Department may withhold funding.

Grant Assurances

A signature on the cover page of this packet indicates that the applicant is capable of and agrees to meet the following requirements, and that all information contained in this proposal is true and correct.

1. Adopt and maintain a system of internal controls which results in the fiscal integrity and stability of the organization, including the use of Generally Accepted Accounting Principles (GAAP).
2. Compliance with state insurance requirements for general, professional, and automobile liability; workers' compensation and employer's liability; and, if advance funds are required, commercial crime insurance.
3. These grant funds will not be used to supplant existing financial support for current programs.
4. No portion of these grant funds will be subcontracted without prior written approval unless expressly identified in the grant agreement.
5. Compliance with the requirements of the Civil Rights Act of 1964, as amended, and the Rehabilitation Act of 1973, P.L. 93-112, as amended, and any relevant program-specific regulations, and shall not discriminate against any employee for employment because of race, national origin, creed, color, sex, religion, age, disability or handicap condition (including AIDS and AIDS-related conditions).
6. Compliance with the Americans with Disabilities Act of 1990 (P.L. 101-136), 42 U.S.C. 12101, as amended, and regulations adopted there under contained in 28 CFR 26.101-36.999 inclusive, and any relevant program-specific regulations.
7. Compliance with Title 2 of the Code of Federal Regulations (CFR) and any guidance in effect from the Office of Management and Budget (OMB) related (but not limited to) audit requirements for grantees that expend \$750,000 or more in Federal awards during the grantee's fiscal year must have an annual audit prepared by an independent auditor in accordance with the terms and requirements of the appropriate circular. **To acknowledge this requirement, Section E of this notice of subaward must be completed.**
8. Compliance with the Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
9. Certification that neither the Subrecipient nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. This certification is made pursuant to regulations

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implementing Executive Order 12549, Debarment and Suspension, 28 C.F.R. pt. 67 § 67.510, as published as pt. VII of May 26, 1988, Federal Register (pp. 19150-19211).

10. No funding associated with this grant will be used for lobbying.
11. Disclosure of any existing or potential conflicts of interest relative to the performance of services resulting from this grant award.
12. Provision of a work environment in which the use of tobacco products, alcohol, and illegal drugs will not be allowed.
13. An organization receiving grant funds through the Department of Health and Human Services shall not use grant funds for any activity related to the following:
 - Any attempt to influence the outcome of any federal, state or local election, referendum, initiative or similar procedure, through in-kind or cash contributions, endorsements, publicity or a similar activity.
 - Establishing, administering, contributing to or paying the expenses of a political party, campaign, political action committee or other organization established for the purpose of influencing the outcome of an election, referendum, initiative or similar procedure.
 - Any attempt to influence:
 - The introduction or formulation of federal, state or local legislation; or
 - The enactment or modification of any pending federal, state or local legislation, through communication with any member or employee of Congress, the Nevada Legislature or a local governmental entity responsible for enacting local legislation, including, without limitation, efforts to influence State or local officials to engage in a similar lobbying activity, or through communication with any governmental official or employee in connection with a decision to sign or veto enrolled legislation.
 - Any attempt to influence the introduction, formulation, modification or enactment of a federal, state or local rule, regulation, executive order or any other program, policy or position of the United States Government, the State of Nevada or a local governmental entity through communication with any officer or employee of the United States Government, the State of Nevada or a local governmental entity, including, without limitation, efforts to influence state or local officials to engage in a similar lobbying activity.
 - Any attempt to influence:
 - The introduction or formulation of federal, state, or local legislation.
 - The enactment or modification of any pending federal, state, or local legislation; or
 - The introduction, formulation, modification or enactment of a federal, state or local rule, regulation, executive order or any other program, policy or position of the United States Government, the State of Nevada or a local governmental entity, **by preparing, distributing or using** publicity or propaganda, or by urging members of the general public or any segment thereof to contribute to or participate in any mass demonstration, march, rally, fundraising drive, lobbying campaign or letter writing or telephone campaign.
 - Legislative liaison activities, including, without limitation, attendance at legislative sessions or committee hearings, gathering information regarding legislation and analyzing the effect of legislation, when such activities are carried on in support of or in knowing preparation for an effort to engage in an activity prohibited pursuant to subsections 1 to 5, inclusive.
 - Executive branch liaison activities, including, without limitation, attendance at hearings, gathering information regarding a rule, regulation, executive order or any other program, policy or position of the United States Government, the State of Nevada or a local governmental entity and analyzing the effect of the rule, regulation, executive order, program, policy or position, when such activities are carried on in support of or in knowing preparation for an effort to engage in an activity prohibited pursuant to subsections 1 to 5, inclusive.
14. An organization receiving grant funds through the Department of Health and Human Services may, to the extent and in the manner authorized in its grant, use grant funds for any activity directly related to educating persons in a nonpartisan manner by providing factual information in a manner that is:
 - Made in a speech, article, publication, or other material that is distributed and made available to the public, or through radio, television, cable television or other medium of mass communication; and
 - Not specifically directed at:
 - Any member or employee of Congress, the Nevada Legislature or a local governmental entity responsible for enacting local legislation;
 - Any governmental official or employee who is or could be involved in a decision to sign or veto enrolled legislation; or
 - Any officer or employee of the United States Government, the State of Nevada or a local governmental entity who is involved in introducing, formulating, modifying or enacting a Federal, State or local rule, regulation, executive order or any other program, policy or position of the United States Government, the State of Nevada or a local governmental entity.

This provision does not prohibit a subrecipient or an applicant for a grant from providing information that is directly related to the grant or the application for the grant to the granting agency.

To comply with reporting requirements of the Federal Funding and Accountability Transparency Act (FFATA), the sub-grantee agrees to provide the Department with copies of all contracts, sub-grants, and or amendments to either such documents, which are funded by funds allotted in this agreement.

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

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SECTION B

Scope of Work for: Subrecipient

Northern Nevada Public Health (previously Washoe County Health District), hereinafter referred to as Subrecipient, agrees to provide the following services and reports according to the identified timeframes:

Project #1 - STI

Description of Services, Scope of Work and Deliverables

To address the syndemics of STIs and HIV in Washoe County (WC), a fully funded STI/HIV DIS workforce is needed. Reportable STIs continue to represent a high burden of disease in WC. Co-infections between PLHIV and those who have acquired STIs are a significant public health concern, particularly with syphilis. In addition, the rise in congenital syphilis cases has led to a prioritized response. With the great number of annual cases and the expected increase when people seek services following COVID restrictions being released, it is critical to have an adequate, fully funded workforce available to conduct evidence-based, public health interventions. The number of STI cases, especially gonorrhea and syphilis, cannot be adequately addressed with the current funding. In addition, staff duties related to increasing appropriate data reporting and community engagement with providers have been hampered by competing priorities.

Northern Nevada Public Health will provide STI surveillance and disease investigation services to Washoe County residents and healthcare providers. These services include, Partner Services (contact tracing), prioritized investigations, and education to clients and providers on following the current CDC STI Treatment Guidelines.

Goal 1: Conduct STI surveillance, reporting, and identification of chlamydia, gonorrhea, syphilis and congenital syphilis, and adverse outcomes of STIs.						
Objective	Activities	Expected Outcomes	Timeline: Begin-Completion	Target Population	Evaluation Measure (indicator)	Evaluation Tool
1.1 Through June 30, 2025, WCHD will identify, track, and report all individuals with suspected or confirmed STIs to include chlamydia, gonorrhea, syphilis and congenital syphilis.	Maintain and update EpiTrax STI surveillance system to capture the CDC required information.	STI Surveillance System output	July 1, 2024 – June 30, 2025	Washoe County residents with a reported STI	# of reported chlamydia, gonorrhea, syphilis and congenital syphilis cases	EpiTrax report output

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1.2 Through June 30, 2025, WCHD will collaborate with the STI Program to identify and investigate data quality issues.	Perform a quarterly match of HIV cases through eHARS with STI data and update the patient status to be consistent between the two data sets.	Report of reconciled cases	July 1, 2024 – June 30, 2025	Washoe County residents with a reported STI	# of quarterly checks completed	STI Tracking spreadsheet documentation
	Conduct an edit check report on STI data quarterly to identify and reconcile errors and inconsistencies.	Edit check report	July 1, 2024 – June 30, 2025	Washoe County residents with a reported STI	# of reports addressed through QA	Edit check line listing provided by DPBH

Goal 2: Develop and maintain an outbreak capacity plan to respond to significant changes in STI epidemiology. Ensure that staff are trained and ready to implement the outbreak capacity plan.

Objective	Activities	Expected Outcomes	Timeline: Begin-Completion	Target Population	Evaluation Measure (indicator)	Evaluation Tool
2.1 Through June 2025, respond to STI outbreaks in Washoe County.	Develop capacity plan.	Outbreak Response Plan	July 1, 2024 – June 30, 2025	Washoe County residents	Completed Outbreak Response Plan	Completed Outbreak Response Plan
2.2 Develop and maintain a monitoring tool for WCHD to utilize for reporting on outbreak activities.	Outbreak monitoring tool	Weekly assessment of disease thresholds to identify outbreaks	July 1, 2024 – June 30, 2025	Washoe County residents with a reported STI	Weekly threshold assessments	Weekly STI report

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Goal 3: Conduct congenital syphilis surveillance, disease investigation, and case management.						
Objective	Activities	Expected Outcomes	Timeline: Begin-Completion	Target Population	Evaluation Measure (indicator)	Evaluation Tool
3.1 Through June 30, 2025, WCHD will develop a mechanism to collect, track, analyze, and investigate 100% of infants diagnosed with Congenital Syphilis (CS).	Report all congenital syphilis cases to DPBH monthly.	Case information reported to DPBH monthly	July 1, 2024 – June 30, 2025	Cases of congenital syphilis and the maternal case	# of congenital syphilis cases in Washoe County	Data transmission to DPBH
	Utilizing the Council for State and Territorial Epidemiologists (CSTE) case definition, collect, verify, categorize, and report infants diagnosed with CS for confirmed, probable, and syphilitic stillbirth CS cases.	Investigation of cases to determine status per the CSTE case definition.	July 1, 2024 – June 30, 2025	Infants diagnosed with congenital syphilis	# of congenital syphilis cases in Washoe County investigated	<ul style="list-style-type: none"> • EpiTrax data entry • REDCap data entry • DPBH data transmissions
	Review the reported CS cases, as well as female syphilis surveillance data, to understand the populations affected and missed opportunities for prevention.	Case preparation for Congenital Syphilis Review Board (CSRB) Review Team	July 1, 2024 – June 30, 2025	Cases of congenital and maternal syphilis in Washoe County	# of congenital syphilis cases reviewed	CSRB presentation

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	Link the infant CS cases to the mother's syphilis case report record to further examine potential maternal demographic or risk behaviors associated with CS in your jurisdiction.	Maternal syphilis cases reported in EpiTrax	July 1, 2024 – June 30, 2025	Cases of congenital and maternal syphilis in Washoe County	# of congenital and maternal syphilis cases linked in Washoe County	<ul style="list-style-type: none"> • CSRB presentation • EpiTrax data entry • REDCap data entry
	Examine congenital syphilis cases to identify providers not following screening recommendations.	Congenital syphilis case review	July 1, 2024 – June 30, 2025	Cases of congenital and maternal syphilis in Washoe County	# of providers not following screening recommendations	Tracking spreadsheet

Goal 4: Conduct disease investigation, Partner Services, and linkage to care for patients with STIs.

Objective	Activities	Expected Outcomes	Timeline: Begin-Completion	Target Population	Evaluation Measure (indicator)	Evaluation Tool
4.1 Through June 30, 2025, WCHD will provide partner services (contact tracing) to STI patients, with priority assigned to cases of syphilis, gonorrhea and select cases of chlamydia.	Maintain local prioritization matrix that prioritizes people that are pregnant, people with syphilis and people with gonorrhea as eligible for disease investigation and Partner Services.		July 1, 2024 – June 30, 2025	Washoe County residents	<ul style="list-style-type: none"> • Completion of priority grid. 	Priority Grid
	Provide Partner Services to prioritized cases	Disease investigations including contact tracing (Partner Services)	July 1, 2024 – June 30, 2025	Washoe County residents	# of cases receiving Partner Services	<ul style="list-style-type: none"> • Tracking spreadsheet • EpiTrax

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Goal 5: Conduct quality assurance for STI reporting to the CDC and the DPBH STI Prevention and Control Program.						
Objective	Activities	Expected Outcomes	Timeline: Begin-Completion	Target Population	Evaluation Measure (indicator)	Evaluation Tool
5.1 Through June 30, 2025, conduct epidemiological analysis, and data quality assurance of STI data.	Respond to Quarterly report of data by meaningful geographic level, demographics, reporting provider and laboratory, and key dates.	<ul style="list-style-type: none"> WCHD Annual Communicable Disease Report DPBH Annual Fast Facts 	July 1, 2024 – June 30, 2025	Washoe County residents diagnosed with a reported STI	Completed quarterly report	<ul style="list-style-type: none"> EpiTrax Tracking spreadsheet
	Respond to a report of completed missing variables for CDC assigned core epidemiological STI and Syphilis variables.	Response/corrections to missing variables report	July 1, 2024 – June 30, 2025	Washoe County residents diagnosed with a reported STI	Completed missing variables report response	<ul style="list-style-type: none"> EpiTrax Tracking spreadsheet

Goal 6: Promote quality STI specialty care services.						
Objective	Activities	Expected Outcomes	Timeline: Begin-Completion	Target Population	Evaluation Measure (indicator)	Evaluation Tool
6.1 Through June 30, 2025, assess and promote correct STI treatment.	Identify community providers not adhering to CDC STI Treatment Guidelines for appropriate treatment.	Identify community providers not adhering to STI treatment guidelines	July 1, 2024 – June 30, 2025	Community healthcare providers	# of providers identified that are not following current CDC STI Treatment Guidelines	Tracking spreadsheet

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	Provide community providers with information on appropriate STI treatment per the current CDC STI Treatment Guidelines	Provide education to providers to follow current CDC STI Treatment Guidelines	July 1, 2024 – June 30, 2025	Community healthcare providers	# of providers that receive education on current CDC STI Treatment Guidelines	Tracking spreadsheet
	Assess percentage of STI cases with complete and correct treatment data	Annual treatment report	July 1, 2024 – June 30, 2025	Community healthcare providers	# of cases appropriately treated per current CDC STI Treatment Guidelines	EpiTrax
6.2 Through June 30, 2025, WCHD will maintain an inventory of medications for the treatment of an STI.	Develop and maintain a process to an appropriate inventory of Benzathine penicillin G medication to treat and address any shortages.	Inventory of medications	July 1, 2024 – June 30, 2025	Washoe County residents diagnosed with a reported STI	Inventory of medication available	Patagonia Electronic Health Record
Through June 30, 2025, provide community-based testing for STIs and HIV.	Testing for chlamydia, gonorrhea, syphilis, and HIV at community-based venues.	Increased number of individuals knowing their STI/HIV status	July 1, 2024 – June 30, 2025	People with a higher chance of acquiring STIs or HIV	# of tests provided	EvaluationWeb (CDC HIV testing database)

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

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SECTION C**

Budget and Financial Reporting Requirements

Applicant Name: Northern Nevada Public Health

BUDGET NARRATIVE

Total Personnel Costs	including fringe	Total:	\$290,642
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	<u>Annual Salary</u>	<u>Fringe Rate</u>	<u>% of Time</u>	<u>Months</u>	<u>Percent of Annual</u>	<u>Amount Requested</u>
Allison Schleicher, Epidemiologist	\$ 94,131.32	54.491%	100.000%	12	100.00%	\$145,424

Coordinate data management for the Sexual Health Program (SHP) STD section as well as provide oversight for STD case investigations. Responsible for data management by coordinating training, data collection and entry, and conducting quality assurance. Provide oversight and guidance of STD Public Health Investigator and Public Service Intern activities. Prepare reports and data for funders, community, and agency partners. Communicate with community members, healthcare providers and agencies to address STDs in Washoe County. Develop and maintain investigation and outbreak response protocols with program coordinator and management. Conduct investigations and serve as subject matter expert. Provides epidemiology support for all STD program activities.

Karley Crane, Office Support Specialist	\$60,103.44	62.906%	50.000%	12	100.00%	\$48,956
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Maintain and update tracking and appropriate databases with case information in an accurate and timely manner. Communicate with healthcare providers regarding case medical information and reporting guidelines per statute. Communicate with cases in a respectful and effective manner. Reviews medical history for case investigation. Assists epidemiologist in data management including quality assurance. Process daily laboratory results in electronic health record. Conduct low level case investigations and partner notification. Assists with overall STD program activities and projects to provide quality assurance and support.

J. Cook, Public Health Investigator	\$79,455.71	49.752%	46.804%	12	100.00%	\$55,691
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Ensure the Health District's compliance with State communicable disease control statutes (NRS 441a) regarding reportable STDs. They investigate all laboratory-confirmed cases of reportable STDs, confirm appropriate treatment, elicit contact information, notify partners, and provide partner counseling and referral services. They also provide interview and investigative services per STD epidemiology performance standards approved by the Centers for Disease Control and Prevention (CDC), manage the health district's Sexually Transmitted Disease, database entry, and provide data reports and uploads per protocol. This position will also participate in STD program projects that support disease prevention and investigation.

Intermitted Hourly Staff-Registered Nurse	\$71,323.20	1.750%	30.000%	12	100.00%	\$21,771
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Provide community-based testing to cases, contacts, and cluster identified individuals to discover disease status and provide intervention. Provide community-based treatment to confirmed cases and their contacts as a disease intervention activity.

Intermitted Hourly Staff-Health Educator	\$64,916.80	1.750%	28.46%	12	100.00%	\$18,800
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Provide community education, participate in community-based interventions, and carry out integrated messaging by working with program leads including management, STD Epidemiologist and Sexual Health Program Supervisor.

Total Fringe Cost	\$89,397	Total Salary Cost:	\$201,245
Total Budgeted FTE	2.55266		

Other	Total:	\$18,000
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Laboratory Services - STI Testing \$1500/mo x 12 mo	\$18,000
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Justification: Nevada State Lab testing to include chlamydia, gonorrhea & syphilis.

TOTAL DIRECT CHARGES	\$308,642
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Indirect Charges	Indirect Rate:	8.000%	\$24,691
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Indirect Methodology: 8% per NRS 439.630.

TOTAL BUDGET	Total:	\$333,333
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Applicant Name: Northern Nevada Public Health

Form 2

PROPOSED BUDGET SUMMARY

A. PATTERN BOXES ARE FORMULA DRIVEN - DO NOT OVERRIDE - SEE INSTRUCTIONS

FUNDING SOURCES	DDC	Other Funding	Other Funding	Other Funding	Other Funding	Other Funding	Other Funding	Other Funding	Program Income	TOTAL
SECURED										
ENTER TOTAL REQUEST	\$333,333									\$333,333

EXPENSE CATEGORY

Personnel	\$290,642									\$290,642
Travel	\$0									\$0
Operating	\$0									\$0
Equipment	\$0									\$0
Contractual/Consultant	\$0									\$0
Training	\$0									\$0
Other Expenses	\$18,000									\$18,000
Indirect	\$24,691									\$24,691

TOTAL EXPENSE	\$333,333	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$333,333
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These boxes should equal 0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
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Total Indirect Cost	\$24,691
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Total Agency Budget	\$333,333
Percent of Subrecipient Budget	100%

B. Explain any items noted as pending:

C. Program Income Calculation:

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- Department of Health and Human Services policy allows no more than 10% flexibility of the total not to exceed amount of the subaward, within the approved Scope of Work/Budget. Subrecipient will obtain written permission to redistribute funds within categories. **Note: the redistribution cannot alter the total not to exceed amount of the subaward. Modifications in excess of 10% require a formal amendment.**
- Equipment purchased with these funds belongs to the federal program from which this funding was appropriated and shall be returned to the program upon termination of this agreement.
- Travel expenses, per diem, and other related expenses must conform to the procedures and rates allowed for State officers and employees. It is the Policy of the Board of Examiners to restrict contractors/ Subrecipients to the same rates and procedures allowed State Employees. The State of Nevada reimburses at rates comparable to the rates established by the US General Services Administration, with some exceptions (State Administrative Manual 0200.0 and 0320.0).

The Subrecipient agrees:

To request reimbursement according to the schedule specified below for the actual expenses incurred related to the Scope of Work during the subaward period.

- Total reimbursement through this subaward will not exceed **\$333,333**.
- Requests for Reimbursement will be accompanied by supporting documentation, including a line-item description of expenses incurred.
- Additional expenditure detail will be provided upon request from the Department.

Additionally, the Subrecipient agrees to provide:

- A complete financial accounting of all expenditures to the Department within 30 days of the CLOSE OF THE SUBAWARD PERIOD. Any un-obligated funds shall be returned to the Department at that time, or if not already requested, shall be deducted from the final award.
- Any work performed after the BUDGET PERIOD will not be reimbursed.
- If a Request for Reimbursement (RFR) is received after the 45-day closing period, the Department may not be able to provide reimbursement.
- If a credit is owed to the Department after the 45-day closing period, the funds must be returned to the Department within 30 days of identification.

The Department agrees:

- Identify specific items the program or OCPG must provide or accomplish to ensure successful completion of this project, such as:
 - Providing technical assistance, upon request from the Subrecipient.
 - Providing prior approval of reports or documents to be developed.
 - Forwarding a report to another party, i.e., CDC.
- The Department reserves the right to hold reimbursement under this subaward until any delinquent forms, reports, and expenditure documentation are submitted to and accepted by the Department.

Both parties agree:

- The site visit/monitoring schedule may be clarified here.
- The Subrecipient will, in the performance of the Scope of Work specified in this subaward, perform functions and/or activities that could involve confidential information; therefore, the Subrecipient is requested to fill out Section G, which is specific to this subaward, and will be in effect for the term of this subaward.
- All reports of expenditures and requests for reimbursement processed by the Department are SUBJECT TO AUDIT.
- This subaward agreement may be TERMINATED by either party prior to the date set forth on the Notice of Subaward, provided the termination shall not be effective until 30 days after a party has served written notice upon the other party. This agreement may be terminated by mutual consent of both parties or unilaterally by either party without cause. The parties expressly agree that this Agreement shall be terminated immediately if for any reason the Department, state, and/or federal funding ability to satisfy this Agreement is withdrawn, limited, or impaired.

Financial Reporting Requirements

- A Request for Reimbursement is due on a monthly basis, based on the terms of the subaward agreement, no later than the 15th of the month.
- Reimbursement is based on actual expenditures incurred during the period being reported.
- Payment will not be processed without all reporting being current.
- Reimbursement may only be claimed for expenditures approved within the Notice of Subaward.

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SECTION D**

Agency Ref. #: _____
Budget Account: _____
GL: _____
Draw #: _____

Request for Reimbursement

Program Name:	Subrecipient Name:
Address:	Address:
Subaward Period:	Subrecipient's: EIN: Vendor #:

FINANCIAL REPORT AND REQUEST FOR REIMBURSEMENT

(must be accompanied by expenditure report/back-up)

Month(s) Calendar year

Approved Budget Category	A Approved Budget	B Total Prior Requests	C Current Request	D Year to Date Total	E Budget Balance	F Percent Expended
1. Personnel	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-
2. Travel	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-
3. Operating	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-
4. Equipment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-
5. Contractual/Consultant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-
6. Training	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-
7. Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-
8. Indirect	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-
Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-

MATCH REPORTING	Approved Match Budget	Total Prior Reported Match	Current Match Reported	Year to Date Total	Match Balance	Percent Completed
<i>INSERT MONTH/QUARTER</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-

I, a duty authorized signatory for the applicant, certify to the best of my knowledge and belief that this report is true, complete and accurate; that the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the grant award; and that the amount of this request is not in excess of current needs or, cumulatively for the grant term, in excess of the total approved grant award. I am aware that any false, fictitious or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims, or otherwise. I verify that the cost allocation and backup documentation attached is correct.

Authorized Signature _____ Title _____ Date _____

FOR Department USE ONLY

Is program contact required? ___ Yes ___ No Contact Person: _____

Reason for contact: _____

Fiscal review/approval date: _____

Scope of Work review/approval date: _____

Chief (as required): _____ Date _____

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SECTION E

Audit Information Request

1. Non-Federal entities that **expend** \$750,000.00 or more in total federal awards are required to have a single or program-specific audit conducted for that year, in accordance with 2 CFR § 200.501(a).
2. Did your organization expend \$750,000 or more in all federal awards during your organization's most recent fiscal year? YES NO
3. When does your organization's fiscal year end? _____
4. What is the official name of your organization? _____
5. How often is your organization audited? _____
6. When was your last audit performed? _____
7. What time-period did your last audit cover? _____
8. Which accounting firm conducted your last audit? _____

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

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SECTION F

Current or Former State Employee Disclaimer

For the purpose of State compliance with NRS 333.705, subrecipient represents and warrants that if subrecipient, or any employee of subrecipient who will be performing services under this subaward, is a current employee of the State or was employed by the State within the preceding 24 months, subrecipient has disclosed the identity of such persons, and the services that each such person will perform, to the issuing Agency. Subrecipient agrees they will not utilize any of its employees who are Current State Employees or Former State Employees to perform services under this subaward without first notifying the Agency and receiving from the Agency approval for the use of such persons. This prohibition applies equally to any subcontractors that may be used to perform the requirements of the subaward.

The provisions of this section do not apply to the employment of a former employee of an agency of this State who is not receiving retirement benefits under the Public Employees' Retirement System (PERS) during the duration of the subaward.

Are any current or former employees of the State of Nevada assigned to perform work on this subaward?

YES If "YES", list the names of any current or former employees of the State and the services that each person will perform.

NO Subrecipient agrees that if a current or former state employee is assigned to perform work on this subaward at any point after execution of this agreement, they must receive prior approval from the Department.

Name	Services
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Subrecipient agrees that any employees listed cannot perform work until approval has been given from the Department.

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

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SECTION G

Business Associate Addendum

BETWEEN

Nevada Department of Health and Human Services

Hereinafter referred to as the "Covered Entity"

and

Northern Nevada Public Health

Hereinafter referred to as the "Business Associate"

PURPOSE. In order to comply with the requirements of HIPAA and the HITECH Act, this Addendum is hereby added and made part of the agreement between the Covered Entity and the Business Associate. This Addendum establishes the obligations of the Business Associate and the Covered Entity as well as the permitted uses and disclosures by the Business Associate of protected health information it may possess by reason of the agreement. The Covered Entity and the Business Associate shall protect the privacy and provide for the security of protected health information disclosed to the Business Associate pursuant to the agreement and in compliance with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 ("HIPAA"), the Health Information Technology for Economic and Clinical Health Act, Public Law 111-5 ("the HITECH Act"), and regulation promulgated there under by the U.S. Department of Health and Human Services (the "HIPAA Regulations") and other applicable laws.

WHEREAS, the Business Associate will provide certain services to the Covered Entity, and, pursuant to such arrangement, the Business Associate is considered a business associate of the Covered Entity as defined in HIPAA, the HITECH Act, the Privacy Rule and Security Rule; and

WHEREAS, Business Associate may have access to and/or receive from the Covered Entity certain protected health information, in fulfilling its responsibilities under such arrangement; and

WHEREAS, the HIPAA Regulations, the HITECH Act, the Privacy Rule and the Security Rule require the Covered Entity to enter into an agreement containing specific requirements of the Business Associate prior to the disclosure of protected health information, as set forth in, but not limited to, 45 CFR Parts 160 & 164 and Public Law 111-5.

THEREFORE, in consideration of the mutual obligations below and the exchange of information pursuant to this Addendum, and to protect the interests of both Parties, the Parties agree to all provisions of this Addendum.

I. DEFINITIONS. The following terms shall have the meaning ascribed to them in this Section. Other capitalized terms shall have the meaning ascribed to them in the context in which they first appear.

1. **Breach** means the unauthorized acquisition, access, use, or disclosure of protected health information which compromises the security or privacy of the protected health information. The full definition of breach can be found in 42 USC 17921 and 45 CFR 164.402.
2. **Business Associate** shall mean the name of the organization or entity listed above and shall have the meaning given to the term under the Privacy and Security Rule and the HITECH Act. For full definition refer to 45 CFR 160.103.
3. **CFR** stands for the Code of Federal Regulations.
4. **Agreement** shall refer to this Addendum and that particular agreement to which this Addendum is made a part.
5. **Covered Entity** shall mean the name of the Department listed above and shall have the meaning given to such term under the Privacy Rule and the Security Rule, including, but not limited to 45 CFR 160.103.
6. **Designated Record Set** means a group of records that includes protected health information and is maintained by or for a covered entity or the Business Associate that includes, but is not limited to, medical, billing, enrollment, payment, claims adjudication, and case or medical management records. Refer to 45 CFR 164.501 for the complete definition.
7. **Disclosure** means the release, transfer, provision of, access to, or divulging in any other manner of information outside the entity holding the information as defined in 45 CFR 160.103.
8. **Electronic Protected Health Information** means individually identifiable health information transmitted by electronic media or maintained in electronic media as set forth under 45 CFR 160.103.
9. **Electronic Health Record** means an electronic record of health-related information on an individual that is created, gathered, managed, and consulted by authorized health care clinicians and staff. Refer to 42 USC 17921.
10. **Health Care Operations** shall have the meaning given to the term under the Privacy Rule at 45 CFR 164.501.
11. **Individual** means the person who is the subject of protected health information and is defined in 45 CFR 160.103.
12. **Individually Identifiable Health Information** means health information, in any form or medium, including demographic information collected from an individual, that is created or received by a covered entity or a business associate of the covered entity and relates to the past, present, or future care of the individual. Individually identifiable health information is information that identifies the individual directly or there is a reasonable basis to believe the information can be used to identify the individual. Refer to 45 CFR 160.103.
13. **Parties** shall mean the Business Associate and the Covered Entity.
14. **Privacy Rule** shall mean the HIPAA Regulation that is codified at 45 CFR Parts 160 and 164, Subparts A, D and E.
15. **Protected Health Information** means individually identifiable health information transmitted by electronic media, maintained in electronic media, or transmitted or maintained in any other form or medium. Refer to 45 CFR 160.103 for the complete definition.

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16. **Required by Law** means a mandate contained in law that compels an entity to make a use or disclosure of protected health information and that is enforceable in a court of law. This includes but is not limited to: court orders and court-ordered warrants; subpoenas, or summons issued by a court; and statutes or regulations that require the provision of information if payment is sought under a government program providing public benefits. For the complete definition refer to 45 CFR 164.103.
17. **Secretary** shall mean the Secretary of the federal Department of Health and Human Services (HHS) or the Secretary's designee.
18. **Security Rule** shall mean the HIPAA regulation that is codified at 45 CFR Parts 160 and 164 Subparts A and C.
19. **Unsecured Protected Health Information** means protected health information that is not rendered unusable, unreadable, or indecipherable to unauthorized individuals through the use of a technology or methodology specified by the Secretary in the guidance issued in Public Law 111-5. Refer to 42 USC 17932 and 45 CFR 164.402.
20. **USC** stands for the United States Code.

II. OBLIGATIONS OF THE BUSINESS ASSOCIATE.

1. **Access to Protected Health Information.** The Business Associate will provide, as directed by the Covered Entity, an individual or the Covered Entity access to inspect or obtain a copy of protected health information about the Individual that is maintained in a designated record set by the Business Associate or, its agents or subcontractors, in order to meet the requirements of the Privacy Rule, including, but not limited to 45 CFR 164.524 and 164.504(e) (2) (ii) (E). If the Business Associate maintains an electronic health record, the Business Associate or, its agents or subcontractors shall provide such information in electronic format to enable the Covered Entity to fulfill its obligations under the HITECH Act, including, but not limited to 42 USC 17935.
2. **Access to Records.** The Business Associate shall make its internal practices, books and records relating to the use and disclosure of protected health information available to the Covered Entity and to the Secretary for purposes of determining Business Associate's compliance with the Privacy and Security Rule in accordance with 45 CFR 164.504(e)(2)(ii)(H).
3. **Accounting of Disclosures.** Promptly, upon request by the Covered Entity or individual for an accounting of disclosures, the Business Associate and its agents or subcontractors shall make available to the Covered Entity or the individual information required to provide an accounting of disclosures in accordance with 45 CFR 164.528, and the HITECH Act, including, but not limited to 42 USC 17935. The accounting of disclosures, whether electronic or other media, must include the requirements as outlined under 45 CFR 164.528(b).
4. **Agents and Subcontractors.** The Business Associate must ensure all agents and subcontractors to whom it provides protected health information agree in writing to the same restrictions and conditions that apply to the Business Associate with respect to all protected health information accessed, maintained, created, retained, modified, recorded, stored, destroyed, or otherwise held, transmitted, used or disclosed by the agent or subcontractor. The Business Associate must implement and maintain sanctions against agents and subcontractors that violate such restrictions and conditions and shall mitigate the effects of any such violation as outlined under 45 CFR 164.530(f) and 164.530(e)(1).
5. **Amendment of Protected Health Information.** The Business Associate will make available protected health information for amendment and incorporate any amendments in the designated record set maintained by the Business Associate or, its agents or subcontractors, as directed by the Covered Entity or an individual, in order to meet the requirements of the Privacy Rule, including, but not limited to, 45 CFR 164.526.
6. **Audits, Investigations, and Enforcement.** The Business Associate must notify the Covered Entity immediately upon learning the Business Associate has become the subject of an audit, compliance review, or complaint investigation by the Office of Civil Rights or any other federal or state oversight agency. The Business Associate shall provide the Covered Entity with a copy of any protected health information that the Business Associate provides to the Secretary or other federal or state oversight agency concurrently with providing such information to the Secretary or other federal or state oversight agency. The Business Associate and individuals associated with the Business Associate are solely responsible for all civil and criminal penalties assessed as a result of an audit, breach, or violation of HIPAA or HITECH laws or regulations. Reference 42 USC 17937.
7. **Breach or Other Improper Access, Use or Disclosure Reporting.** The Business Associate must report to the Covered Entity, in writing, any access, use or disclosure of protected health information not permitted by the agreement, Addendum or the Privacy and Security Rules. The Covered Entity must be notified immediately upon discovery or the first day such breach or suspected breach is known to the Business Associate or by exercising reasonable diligence would have been known by the Business Associate in accordance with 45 CFR 164.410, 164.504(e)(2)(ii)(C) and 164.308(b) and 42 USC 17921. The Business Associate must report any improper access, use or disclosure of protected health information by: The Business Associate or its agents or subcontractors. In the event of a breach or suspected breach of protected health information, the report to the Covered Entity must be in writing and include the following: a brief description of the incident; the date of the incident; the date the incident was discovered by the Business Associate; a thorough description of the unsecured protected health information that was involved in the incident; the number of individuals whose protected health information was involved in the incident; and the steps the Business Associate is taking to investigate the incident and to protect against further incidents. The Covered Entity will determine if a breach of unsecured protected health information has occurred and will notify the Business Associate of the determination. If a breach of unsecured protected health information is determined, the Business Associate must take prompt corrective action to cure any such deficiencies and mitigate any significant harm that may have occurred to individual(s) whose information was disclosed inappropriately.
8. **Breach Notification Requirements.** If the Covered Entity determines a breach of unsecured protected health information by the Business Associate has occurred, the Business Associate will be responsible for notifying the individuals whose unsecured protected health information was breached in accordance with 42 USC 17932 and 45 CFR 164.404 through 164.406. The Business Associate must provide evidence to the Covered Entity that appropriate notifications to individuals and/or media, when necessary, as specified in 45 CFR 164.404 and 45 CFR 164.406 has occurred. The Business Associate is responsible for all costs associated with notification to individuals, the media or others as well as costs associated with mitigating future breaches. The Business Associate must notify the Secretary of all breaches in accordance with 45 CFR 164.408 and must provide the Covered Entity with a copy of all notifications made to the Secretary.
9. **Breach Pattern or Practice by Covered Entity.** Pursuant to 42 USC 17934, if the Business Associate knows of a pattern of activity or practice of the Covered Entity that constitutes a material breach or violation of the Covered Entity's obligations under the Contract or Addendum, the Business Associate must immediately report the problem to the Secretary.
10. **Data Ownership.** The Business Associate acknowledges that the Business Associate or its agents or subcontractors have no ownership rights with respect to the protected health information it accesses, maintains, creates, retains, modifies, records, stores, destroys, or otherwise holds, transmits, uses or discloses.
11. **Litigation or Administrative Proceedings.** The Business Associate shall make itself, any subcontractors, employees, or agents assisting the Business Associate in the performance of its obligations under the agreement or Addendum, available to the Covered Entity, at no cost

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to the Covered Entity, to testify as witnesses, or otherwise, in the event litigation or administrative proceedings are commenced against the Covered Entity, its administrators or workforce members upon a claimed violation of HIPAA, the Privacy and Security Rule, the HITECH Act, or other laws relating to security and privacy.

12. **Minimum Necessary.** The Business Associate and its agents and subcontractors shall request, use and disclose only the minimum amount of protected health information necessary to accomplish the purpose of the request, use or disclosure in accordance with 42 USC 17935 and 45 CFR 164.514(d)(3).
13. **Policies and Procedures.** The Business Associate must adopt written privacy and security policies and procedures and documentation standards to meet the requirements of HIPAA and the HITECH Act as described in 45 CFR 164.316 and 42 USC 17931.
14. **Privacy and Security Officer(s).** The Business Associate must appoint Privacy and Security Officer(s) whose responsibilities shall include: monitoring the Privacy and Security compliance of the Business Associate; development and implementation of the Business Associate's HIPAA Privacy and Security policies and procedures; establishment of Privacy and Security training programs; and development and implementation of an incident risk assessment and response plan in the event the Business Associate sustains a breach or suspected breach of protected health information.
15. **Safeguards.** The Business Associate must implement safeguards as necessary to protect the confidentiality, integrity, and availability of the protected health information the Business Associate accesses, maintains, creates, retains, modifies, records, stores, destroys, or otherwise holds, transmits, uses or discloses on behalf of the Covered Entity. Safeguards must include administrative safeguards (e.g., risk analysis and designation of security official), physical safeguards (e.g., facility access controls and workstation security), and technical safeguards (e.g., access controls and audit controls) to the confidentiality, integrity and availability of the protected health information, in accordance with 45 CFR 164.308, 164.310, 164.312, 164.316 and 164.504(e)(2)(ii)(B). Sections 164.308, 164.310 and 164.312 of the CFR apply to the Business Associate of the Covered Entity in the same manner that such sections apply to the Covered Entity. Technical safeguards must meet the standards set forth by the guidelines of the National Institute of Standards and Technology (NIST). The Business Associate agrees to only use or disclose protected health information as provided for by the agreement and Addendum and to mitigate, to the extent practicable, any harmful effect that is known to the Business Associate, of a use or disclosure, in violation of the requirements of this Addendum as outlined under 45 CFR 164.530(e)(2)(f).
16. **Training.** The Business Associate must train all members of its workforce on the policies and procedures associated with safeguarding protected health information. This includes, at a minimum, training that covers the technical, physical and administrative safeguards needed to prevent inappropriate uses or disclosures of protected health information; training to prevent any intentional or unintentional use or disclosure that is a violation of HIPAA regulations at 45 CFR 160 and 164 and Public Law 111-5; and training that emphasizes the criminal and civil penalties related to HIPAA breaches or inappropriate uses or disclosures of protected health information. Workforce training of new employees must be completed within 30 days of the date of hire and all employees must be trained at least annually. The Business Associate must maintain written records for a period of six years. These records must document each employee that received training and the date the training was provided or received.
17. **Use and Disclosure of Protected Health Information.** The Business Associate must not use or further disclose protected health information other than as permitted or required by the agreement or as required by law. The Business Associate must not use or further disclose protected health information in a manner that would violate the requirements of the HIPAA Privacy and Security Rule and the HITECH Act.

III. **PERMITTED AND PROHIBITED USES AND DISCLOSURES BY THE BUSINESS ASSOCIATE.** The Business Associate agrees to these general use and disclosure provisions:

1. **Permitted Uses and Disclosures:**

- a. Except as otherwise limited in this Addendum, the Business Associate may use or disclose protected health information to perform functions, activities, or services for, or on behalf of, the Covered Entity as specified in the agreement, provided that such use or disclosure would not violate the HIPAA Privacy and Security Rule or the HITECH Act, if done by the Covered Entity in accordance with 45 CFR 164.504(e)(2)(i) and 42 USC 17935 and 17936.
- b. Except as otherwise limited by this Addendum, the Business Associate may use or disclose protected health information received by the Business Associate in its capacity as a Business Associate of the Covered Entity, as necessary, for the proper management and administration of the Business Associate, to carry out the legal responsibilities of the Business Associate, as required by law or for data aggregation purposes in accordance with 45 CFR 164.504(e)(2)(A), 164.504(e)(4)(i)(A), and 164.504(e)(2)(i)(B).
- c. Except as otherwise limited in this Addendum, if the Business Associate discloses protected health information to a third party, the Business Associate must obtain, prior to making any such disclosure, reasonable written assurances from the third party that such protected health information will be held confidential pursuant to this Addendum and only disclosed as required by law or for the purposes for which it was disclosed to the third party. The written agreement from the third party must include requirements to immediately notify the Business Associate of any breaches of confidentiality of protected health information to the extent it has obtained knowledge of such breach. Refer to 45 CFR 164.502 and 164.504 and 42 USC 17934.
- d. The Business Associate may use or disclose protected health information to report violations of law to appropriate federal and state authorities, consistent with 45 CFR 164.502(j)(1).

2. **Prohibited Uses and Disclosures:**

- a. Except as otherwise limited in this Addendum, the Business Associate shall not disclose protected health information to a health plan for payment or health care operations purposes if the patient has required this special restriction and has paid out of pocket in full for the health care item or service to which the protected health information relates in accordance with 42 USC 17935.
- b. The Business Associate shall not directly or indirectly receive remuneration in exchange for any protected health information, as specified by 42 USC 17935, unless the Covered Entity obtained a valid authorization, in accordance with 45 CFR 164.508 that includes a specification that protected health information can be exchanged for remuneration.

IV. **OBLIGATIONS OF COVERED ENTITY**

1. The Covered Entity will inform the Business Associate of any limitations in the Covered Entity's Notice of Privacy Practices in accordance with 45 CFR 164.520, to the extent that such limitation may affect the Business Associate's use or disclosure of protected health information.

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2. The Covered Entity will inform the Business Associate of any changes in, or revocation of, permission by an individual to use or disclose protected health information, to the extent that such changes may affect the Business Associate's use or disclosure of protected health information.
3. The Covered Entity will inform the Business Associate of any restriction to the use or disclosure of protected health information that the Covered Entity has agreed to in accordance with 45 CFR 164.522 and 42 USC 17935, to the extent that such restriction may affect the Business Associate's use or disclosure of protected health information.
4. Except in the event of lawful data aggregation or management and administrative activities, the Covered Entity shall not request the Business Associate to use or disclose protected health information in any manner that would not be permissible under the HIPAA Privacy and Security Rule and the HITECH Act, if done by the Covered Entity.

V. **TERM AND TERMINATION**

1. **Effect of Termination:**
 - a. Except as provided in paragraph (b) of this section, upon termination of this Addendum, for any reason, the Business Associate will return or destroy all protected health information received from the Covered Entity or created, maintained, or received by the Business Associate on behalf of the Covered Entity that the Business Associate still maintains in any form and the Business Associate will retain no copies of such information.
 - b. If the Business Associate determines that returning or destroying the protected health information is not feasible, the Business Associate will provide to the Covered Entity notification of the conditions that make return or destruction infeasible. Upon a mutual determination that return, or destruction of protected health information is infeasible, the Business Associate shall extend the protections of this Addendum to such protected health information and limit further uses and disclosures of such protected health information to those purposes that make return or destruction infeasible, for so long as the Business Associate maintains such protected health information.
 - c. These termination provisions will apply to protected health information that is in the possession of subcontractors, agents, or employees of the Business Associate.
2. **Term.** The Term of this Addendum shall commence as of the effective date of this Addendum herein and shall extend beyond the termination of the contract and shall terminate when all the protected health information provided by the Covered Entity to the Business Associate, or accessed, maintained, created, retained, modified, recorded, stored, or otherwise held, transmitted, used or disclosed by the Business Associate on behalf of the Covered Entity, is destroyed or returned to the Covered Entity, or, if it not feasible to return or destroy the protected health information, protections are extended to such information, in accordance with the termination.
3. **Termination for Breach of Agreement.** The Business Associate agrees that the Covered Entity may immediately terminate the agreement if the Covered Entity determines that the Business Associate has violated a material part of this Addendum.

VI. **MISCELLANEOUS**

1. **Amendment.** The parties agree to take such action as is necessary to amend this Addendum from time to time for the Covered Entity to comply with all the requirements of the Health Insurance Portability and Accountability Act (HIPAA) of 1996, Public Law No. 104-191 and the Health Information Technology for Economic and Clinical Health Act (HITECH) of 2009, Public Law No. 111-5.
2. **Clarification.** This Addendum references the requirements of HIPAA, the HITECH Act, the Privacy Rule and the Security Rule, as well as amendments and/or provisions that are currently in place and any that may be forthcoming.
3. **Indemnification.** Each party will indemnify and hold harmless the other party to this Addendum from and against all claims, losses, liabilities, costs and other expenses incurred as a result of, or arising directly or indirectly out of or in conjunction with:
 - a. Any misrepresentation, breach of warranty or non-fulfillment of any undertaking on the part of the party under this Addendum; and
 - b. Any claims, demands, awards, judgments, actions, and proceedings made by any person or organization arising out of or in any way connected with the party's performance under this Addendum.
4. **Interpretation.** The provisions of the Addendum shall prevail over any provisions in the agreement that may conflict or appear inconsistent with any provision in this Addendum. This Addendum and the agreement shall be interpreted as broadly as necessary to implement and comply with HIPAA, the HITECH Act, the Privacy Rule and the Security Rule. The parties agree that any ambiguity in this Addendum shall be resolved to permit the Covered Entity and the Business Associate to comply with HIPAA, the HITECH Act, the Privacy Rule and the Security Rule.
5. **Regulatory Reference.** A reference in this Addendum to a section of the HITECH Act, HIPAA, the Privacy Rule and Security Rule means the sections as in effect or as amended.
6. **Survival.** The respective rights and obligations of Business Associate under Effect of Termination of this Addendum shall survive the termination of this Addendum.

Compliance with this section is acknowledged by signing the subaward cover page of this packet.

Staff Report
Board Meeting Date: August 22, 2024

TO: District Board of Health (DBOH)
FROM: David Kelly, EHS Supervisor
775-846-6623, dakelly@washoecounty.gov
SUBJECT: Recommendation to uphold the decision of the Sewage, Wastewater & Sanitation (SWS) Hearing Board to approve Variance Case #H24-0002VARI of the Northern Nevada Public Health Regulations Governing Sewage, Wastewater, and Sanitation, allowing a crossing of a drainage ditch by a septic transmission line with protective mitigation measures, for Page and Olivia Bailey, owners of 14075 Bihler Rd, Washoe County, Nevada, Assessor's Parcel Number 142-241-14.

SUMMARY

This staff report summarizes the Environmental Health Services Division's (EHS) review of the variance request along with the recommendation of the Sewage, Wastewater, and Sanitation Hearing Board (SWS Board) for Variance Case #H24-0002VARI for Assessor's Parcel Number (APN) 142-241-14 as heard on Aug 1, 2024.

District Health Strategic Priorities supported by this item:

- 1. Healthy Lives:** Improve the health of our community by empowering individuals to live healthier lives.

PREVIOUS ACTION

The District Board of Health (DBOH) has taken no previous action on this item.

BACKGROUND

This variance case arose due to the specific nature of the parcel in question. Northern Nevada Public Health regulations do not allow for a septic system, or its repair, to be placed within 25' of a drainage channel. The parcel in question is split in two by a drainage, making the constructable space on either side very small. This created a situation where only one septic system (the primary) could be placed next to the house. All properties must be able to demonstrate area for the replacement leach field and the only remaining space to designate that area was across the drainage. A variance was required to allow for the crossing in the event the replacement area is needed.

ENVIRONMENTAL HEALTH SERVICES

1001 East Ninth Street, Building B, Reno, Nevada 89512

EHS Office: 775-328-2434 | Fax: 775-328-6176 | www.nnph.org

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Date: July 11, 2024

Subject: Recommendation for Reappointment to the Sewage Wastewater and Sanitation Hearing Board

Page: 2 of 3

One question of note is that the drainage channel is considered a “branch” of White’s Creek. Staff were able to verify that previous development upstream had cut off any potential for the channel to carry water from White’s creek. The applicant also provided a hydrologic assessment of the potential for surface water runoff. All of this led to the determination that the channel is a drainage at this point and will only convey storm water run-off in storm events. The mitigation offered to protect the future crossing is considered sufficient and will be protective of public health.

The property owner has been informed that if this variance is granted all applicable septic regulations as well as the conditions set by the SWS Board/DBOH must be satisfied.

The case was heard at the August 1, 2024, SWS Board meeting where the SWS Board voted to recommend approval of the variance to the DBOH with the following conditions:

1. Any instances of system non-function must be reported to NNPH for review and must be repaired immediately. In the event of failure to maintain or lack of system function, NNPH may require sampling and/or impose restrictions on the property based on the functionality of the building sewer line, up to and including removal of the storm drain crossing.
2. Require recording of the variance to the parcel to ensure proper public records notification in the event the property is sold to any other person or entity. Recording may not be removed without NNPH approval.
3. The primary septic system must be protected from vehicular traffic on the north and east sides by way of boulders, bollards, or other mechanism. The protection mechanism must be called out on the Building plans. The protection mechanism is to be reviewed and approved by the design engineer.
4. Indicator tape be placed 1’ above the concrete encasement upon installation to protect against the potential for future construction to damage it.

Attached to this staff report is the SWS Board Report and the variance application packet.

FISCAL IMPACT

There is no fiscal impact should the Board uphold the recommendation of the SWS Board to approve the variance request. All applicable permit fees will be assessed, and permits will not be granted if they are not paid.

RECOMMENDATION

Staff recommends the Board uphold the decision of the SWS Board to approve variance #H24-0002VARI, with no conditions.

ALTERNATIVE

Should the Board wish to consider an alternative to upholding the Staff recommendation, as presented, the item should be pulled from the Consent Agenda for discussion. Possible alternatives are:

1. The Board may decide to not uphold the decision of the SWS Board to approve variance #H24-0002VARI.
2. The Board may decide to modify the decision of the SWS Board to approve variance #H24-0002VARI with any conditions as they see fit.

Date: July 11, 2024

Subject: Recommendation for Reappointment to the Sewage Wastewater and Sanitation Hearing Board

Page: 3 of 3

POSSIBLE MOTION(s)

Should the Board agree with Staff's recommendation, the motion would be:

1. "Move to uphold the decision of the SWS Board to approve variance #H24-0002VARI, with no conditions.

Or, should the Board consider an alternative, the possible motions may be:

2. "Move to modify the decision of the SWS Hearing Board in the following manner:"

Or

3. "Move to reverse the decision of the SWS Hearing Board"

Or

4. "Move to refer the variance back to the SWS Hearing Board for further additional consideration."

**SEWAGE, WASTEWATER, AND SANITATION (SWS)
HEARING ADVISORY BOARD
MEETING MINUTES**

Members

Matthew Buehler, Chair
Kenneth Lund
John Adams
Chad Carnes, P.E.
Chris Reede
Matt Smith- Alternate
Julianne Zotter- Alternate

Thursday, August 1, 2024

5:30 p.m.

**Washoe County Administration Complex,
Building B
Health District South Conference Room**

**1001 East Ninth Street
Reno, NV**

5:30 p.m.

1. *Roll Call and Determination of Quorum

The following members and staff were present:

Members present: Matthew Buehler
Kenneth Lund
John Adams
Chad Carnes, P.E.
Chris Reede

Staff present: Josh Philpott
David Kelly
Robert Fyda

Members absent: Matt Smith – Alternate
Julianne Zotter, P.E.– Alternate

2. *Pledge of Allegiance

Those present pledged allegiance to the flag.

3. *Public Comment

As no public comment was presented, the public comment period was closed.

4. Election of Chair - The board discussed who would hold the position of chair for the next year. Matt Buehler, the current chair, said that he was willing to continue. No other board members expressed interest. A motion to keep Mr. Buehler as chair was made by Mr. Lund and seconded by Mr. Adams. The vote was unanimous.

5. Approval of Agenda – August 1, 2024

Mr. Adams moved to approve the agenda of the August 1, 2024, Sewage, Wastewater, and Sanitation (SWS) Board regular meeting. Second by Mr. Lund, motion approved unanimously.

6. Approval of Draft Minutes – May 2, 2024

Mr. Lund moved to approve the minutes of the May 2, 2024, Sewage, Wastewater, and Sanitation Board regular meeting. Second by Mr. Adams, motion approved unanimously.

7. Public Hearing – Hearing to determine whether to recommend approval to the District Board of Health for a variance for APN 142-241-14 from section 040.100 of the Northern Nevada Public Health (NNPH) Regulations Governing Sewage, Wastewater, and Sanitation. **(For possible action)**

Staff Representative: Josh Philpott

Mr. Philpott reviewed the staff report, the history of the project and the variance request to allow for crossing of a drainage channel to place a repair leach field in the future event of failure. He indicated that the parcel was split by a drainage making it nearly impossible to fit both a primary septic system and a repair area on the same side of the drainage as the home. As the regulations do not allow for a crossing of drainages, NNPH could not approve a repair on the other side without a variance.

Mr. Philpott reviewed the drainage specifically. He indicated that while the channel appeared to have originally been connected to White's Creek, it was determined to NNPH's satisfaction that it no longer was connected and should be considered a drainage rather than a watercourse. He and other NNPH staff had walked and visually inspected where it used to be connect and found that previous development had eliminated the connection. After inspection, staff believes that the channel will only carry stormwater.

He then reviewed the proposed layout. He stated that he had met with design engineer and utilizing GPS and ensured that the layout would fit as shown, meeting all required setbacks other than the one that was being requested to vary. The mitigation proposed was a standard mitigation that had been seen in multiple prior variances, and NNPH felt that it was sufficiently protective of public health. He said that no other reasonable options were thought to be available.

Lastly, Mr. Philpott covered the requested conditions that any instances of non-function be reported to NNPH and that the variance be recorded to the parcel to ensure that future owners were aware of requirements. He then opened it up to the Board for questions.

Mr. Buehler asked about other properties using the same method of mitigation on the channel. Mr. Philpott responded that he was not sure about this channel in particular, but on other channels it had become the standard and no issues had come up. He said most other properties on this channel thus far had sufficient space for both areas to be on one side.

The discussion continued about what water the channel would carry, Mr. Lund wanted to clarify if any water would come from White's Creek. Mr. Philpott responded that staff was confident

that the connection to White's Creek was severed, the channel would only carry rainwater and it ultimately drained to Steamboat. He indicated that a hydrologic report had also been submitted by the applicant who was present. The applicant, Mr. Bailey spoke to the issue that drainage assessment had been triggered by a requirement to size a culvert to be installed under the road that would accept the volume expected. The assessment indicated the channel would only take stormwater.

The discussion turned to the proposed mitigation technique. Mr. Carnes indicated that he had installed others, including a previous variance case and there had been no issues. He also discussed that he had originally started on this design with Reno Tahoe Geo when he worked there. He had conducted percolation tests with Mr. Adams and also verified that the channel would very rarely take water, it was more "historic". He commented that the whole area had small historic drainages that rarely saw water. Mr. Adams weighed in that he was very familiar with the area and was confident that the channel did not take water from White's Creek – he did not think even if the Creek blew out the water would reach this property. Mr. Carnes said his work had been done in winter and he had reassessed the area in spring and walked the course of the channel quite a ways and didn't see any evidence of regular water flows.

Mr. Lund clarified that he was understanding that the mitigation procedure was considered very safe and the ditch was only intermittent run off. Mr. Philpott concurred and stated that the staff had also taken a conservative measurement to achieve the 25' setback from the drainage to reduce any potential for impacts. Mr. Lund asked if the drainage was a larger creek if the methodology would change. Mr. Philpott responded that it might be different for a larger waterbody but that for small and intermittent drainages, this was considered sufficient.

Mr. Carnes asked if he could set a condition that staff inspect the encasement. Mr. Philpott indicated that the property owner would have to pull a permit and staff would inspect the complete install. Mr. Carnes queried the owner if the driveway was intended to run alongside the primary system. Mr. Bailey affirmed this and Mr. Carnes said that some protection measure to prevent vehicular traffic should be required and shown on the plan. Mr. Bailey indicated that they intended to do landscaping but would not be an issue. Mr. Lund asked for clarification on what the protection would need to be. General discussion about boulders being appropriate, as long as the design engineer agreed.

Mr. Kelly weighed in to remind the Board that as they discussed new conditions, not to forget the two staff recommended conditions in their motion. Mr. Adams said that he would also like a condition that indicator tape be placed above the crossing encasement to reduce the potential for future excavations to damage it.

The Board discussed the conditions and outlined what they wanted for additional conditions. Mr. Lund made the motion to approve and outlined conditions. The motion was seconded by Mr. Adams. Motion passed unanimously. The hearing was closed by Mr. Buehler.

Conditions of Approval

1. Any instances of system non-function must be reported to NNPH for review and must be repaired immediately. In the event of failure to maintain or lack of system function, NNPH may require sampling and/or impose restrictions on the property based on the functionality of the building sewer line, up to and including removal of the storm drain crossing.

2. Require recording of the variance to the parcel to ensure proper public records notification in the event the property is sold to any other person or entity. Recording may not be removed without NNPH approval.

Motion

Motion made by Mr. Lund “Move to present to the District Board of Health a recommendation for approval of Variance Case H24-0002VARI (Page and Olivia Bailey) to allow the approval of a septic system as proposed, with the following conditions (list conditions)”

1. Any instances of system non-function must be reported to NNPH for review and must be repaired immediately. In the event of failure to maintain or lack of system function, NNPH may require sampling and/or impose restrictions on the property based on the functionality of the building sewer line, up to and including removal of the storm drain crossing.
2. Require recording of the variance to the parcel to ensure proper public records notification in the event the property is sold to any other person or entity. Recording may not be removed without NNPH approval.
3. A protective barrier or devices shall be installed around the primary septic field on the north and east side within any areas subject to vehicular traffic. The protective measures must be reviewed and approved by the design engineer.
4. Indicator tape to be installed 12 inches above the crossing encasement.

Second by Mr. Adams. Motion passed unanimously. Mr. Buehler closed the public hearing.

9. *Public Comment

As there were no public comment requests, closed the public comment period.

10. Adjournment –

At 6:10 p.m., Mr. Buehler adjourned the meeting.

Sewage, Wastewater and Sanitation Hearing Advisory Board Meeting Notice and Agenda

Members

Matthew Buehler

Kenneth Lund

John Adams

Chad Carnes, P.E.

Chris Reede

Matt Smith – Alt.

Julianne Zotter, P.E., Alt.

August 1, 2024

5:30 p.m.

Northern Nevada Public Health
Conference Rooms A&B (Building B)
1001 East Ninth Street
Reno, NV

An item listed with asterisk (*) next to it is an item for which no action will be taken.

5:30 p.m.

1. ***Roll Call and Determination of Quorum**
2. ***Pledge of Allegiance**
3. ***Public Comment**

Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item. All public comment is limited to three minutes per person. Members of the public may submit public comment by either attending the meeting in person or submitting comments in writing. Comments submitted in writing must be submitted to smhopkins@nnph.org no later than 4:00 p.m. on the day before the scheduled meeting.

4. **Election of New Chair- (For possible action)**
5. **Approval of Agenda – (For possible action)**
August 1, 2024
6. **Approval of Draft Minutes – (For possible action)**
May 2, 2024
7. **Public Hearing** to determine whether to recommend approval to the District Board of Health for a variance for APN 142-241-14 from section 040.100 of the Northern Nevada Public Health Regulations Governing Sewage, Wastewater, and Sanitation. The variance requests permission to cross a drainage channel with a sewer line to connect to a future repair area. – **(For possible action)**
Staff Representative: Josh Philpott

Page and Olivia Bailey
14075 Bihler Road
Reno, NV 89511

8. *Public Comment

Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item. All public comment is limited to three minutes per person. Members of the public may submit public comment by either attending the meeting in person or submitting comments in writing. Comments submitted in writing must be submitted to smhopkins@nnph.org no later than 4:00 p.m. on the day before the scheduled meeting.

9. Adjournment – (For possible action)

Possible Changes to Agenda Order and Timing: Items on the agenda may be taken out of order, combined with other items, withdrawn from the agenda, moved to the agenda of another later meeting, moved to or from the Consent section, or they may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time but may be heard later. Items listed in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless withdrawn from the Consent agenda.

Special Accommodations: The Sewage, Wastewater and Sanitation Board Meetings are accessible to the disabled. Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify Environmental Health Services in writing at the Northern Nevada Public Health, 1001 East Ninth Street, Building B, Reno, NV 89512, by calling 775.328.2434 option 8, or by email to smhopkins@nnph.org, at least 24 hours prior to the meeting.

Public Comment: During the “Public Comment” items, anyone may speak pertaining to any matter either on or off the agenda, to include items to be heard on consent, by filling out a “Request to Speak” form and/or submit comments for the record to the Recording Secretary. For the remainder of the agenda, public comment will only be heard during items that are marked FOR POSSIBLE ACTION. All public comment should be addressed to the Sewage, Wastewater and Sanitation Hearing Advisory Board and not an individual member. The Board asks that your comments are expressed in a courteous manner. Any public comment for hearing items will be heard before action is taken on the item and must be about the specific item being considered by the Board. Public comment and presentations for individual agenda items are limited as follows: fifteen minutes each for staff and applicant presentations, five minutes for a speaker representing a group, and three minutes for individual speakers unless extended by questions from the Board or by action of the Chair. Reasonable efforts will be made to hear all public comment during the meeting.

All public comment is limited to three minutes per person. Unused time may not be reserved by the speaker nor allocated to another speaker.

Response to Public Comment: The Sewage, Wastewater, and Sanitation Hearing Advisory Board can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The *Open Meeting Law* does not expressly prohibit responses to public comments by the Sewage, Wastewater, and Sanitation Hearing Advisory Board. However, responses from the Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Sewage, Wastewater, and Sanitation Hearing advisory Board will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for Health District Staff action or to ask that a matter be listed on a future agenda. The Sewage, Wastewater, and Sanitation Hearing Advisory Board may do this during the public comment item. (No discussion among Board Members will take place on the item)”

Posting of Agenda; Location of Website:

Pursuant to NRS 241.020, Notice of this meeting was posted at the following locations:

Northern Nevada Public Health, 1001 E. 9th St., Reno, NV
Downtown Reno Library, 301 S. Center St., Reno, NV
Reno City Hall, 1 E. 1st St., Reno, NV
Sparks City Hall, 431 Prater Way, Sparks, NV
Washoe County Administration Building, 1001 E. 9th St, Reno, NV
Northern Nevada Public Health Website: www.nnph.org
State of Nevada Website: <https://notice.nv.gov>

How to Get Copies of Agenda and Support Materials: Supporting materials are available to the public at the Northern Nevada Public Health located at 1001 E. 9th Street, in Reno, Nevada. Ms. Susan Hopkins, Office Specialist for Environmental Health Services is the person designated to respond to requests for supporting materials. Ms. Hopkins is located at the Northern Nevada Public Health and may be reached by telephone at (775) 328-2434 option 8 or by email at smhopkins@nnph.org. Supporting materials are also available at the Northern Nevada Public Health Website www.nnph.org pursuant to the requirements of NRS 241.020.

**SEWAGE, WASTEWATER, AND SANITATION (SWS)
HEARING ADVISORY BOARD
MEETING MINUTES**

Members

Matthew Buehler, Chair
Kenneth Lund, Atty
John Adams
Chad Carnes, P.E.
Matt Smith- Alternate
Ronald J. Anderson, P.E- Alternate

Thursday, May 2, 2024

5:30 p.m.

**Washoe County Administration Complex,
Building B
Health District South Conference Room
1001 East Ninth Street
Reno, NV**

5:30 p.m.

1. *Roll Call and Determination of Quorum

The meeting of the Sewer, Wastewater, and Sanitation Hearing Board was called to order by Matthew Bueller, Chair, at 05:30 p.m. on Thursday, May 2. The following members and staff were present:

Members present: Matthew Buehler, Chair
John Adams
Chad Carnes, P.E.
Kenneth Lund

Staff present: Latricia Lord
Josh Foster
Robert Fyda

Members absent: Frank Kurnick, Jr.
Matt Smith – Alternate
Ronald J. Anderson, P.E.– Alternate

Public present: Lacey Rulli, Petitioner

2. *Pledge of Allegiance

John Adams led those present on the pledge of allegiance.

3. *Public Comment

A period of public comment was opened, and no public comment was presented during the public comment period.

4. Approval of Agenda – May 2, 2024

Mr. Adams moved to approve the agenda of the May 2, 2024, Sewage, Wastewater, and Sanitation (SWS) Board regular meeting. Second by Mr. Lund, motion approved unanimously.

5. Approval of Draft Minutes – October 5, 2023

Mr. Lund moved to approve the minutes of the October 5, 2023, Sewage, Wastewater, and Sanitation Board regular meeting. Second by Mr. Adams, motion approved unanimously.

6. Public Hearing - Variance request for APN 089-561-12 (460 Nicole Dr) from sections 020.075 and 020.080 of the Northern Nevada Public Health Regulations Governing Sewage, Wastewater, and Sanitation and to determine whether to recommend approval to the District Board of Health.

Staff Representative: Latricia Lord

Latricia Lord presented a case overview for the subject property. The subject property is requesting a variance to install a new replacement disposal field instead of connection to Washoe County municipal sewer which is available to the applicant. Ms. Lord provided an email that was submitted for board review from Washoe County engineer, Alex Mayorga, stating that the applicant can connect to the municipal sewer system in Athena Way. Mr. Lund asked if the point of connection was Alena Way and not Athena Way. Ms. Lord verified that the connection was in Alena Way and that the email contains a typographical error for the street name.

Ms. Lord stated that sewer was within 400' of the applicant and that current regulations prohibit the issuance of permits necessary for the installation of a replacement field and that the owners, Lacey Rulli and Robert van Looy, ("PETITIONERS") are requesting this variance due to financial hardship as the cost to connect to sewer is cost prohibitive. Ms. Lord referred the board members to the quotes provided by the PETITIONERS in their board packet for sewer connection and replacement field installation. Ms. Lord also referred the board members to a printed excerpt of an email thread between her and Ms. Rulli. In the email thread, Ms. Rulli detailed some of her and her husband's financial obligations and stated that they are not eligible to apply for a loan through Washoe County Community Services Department. Ms. Lord stated that property specific questions can be directed to Ms. Rulli who represents the PETITIONERS and that staff's recommendation is to remain neutral and allow the advisory board to determine appropriateness and that there were no additional conditions recommended should the board recommend approval of the variance request.

Board chair inquired as to the scope of work and if there are existing issues with the leach field. Ms. Lord replied that the PETITIONERS were routinely pumping and that it appears the soil in the current field is oversaturated and needs replacement – a typical fix in this situation. Board chair also asked Ms. Lord if there were any concerns of groundwater contamination or other potential concerns for the nearby Spanish Springs High School. Ms. Lord replied that staff do not anticipate any concerns of that nature for the high school.

Mr. Carnes had questions regarding the current status of the system and future plans of the applicant. Ms. Rulli responded that the system is currently pumped every few months and they have no plans for expansion at this time. The board explored the reasons behind the failure of the existing leach lines and sought clarification on whether any remedial actions had been taken. Mr. Adams raised questions regarding the age of the system, the frequency of maintenance, and any observable impacts on neighboring properties. The PETITIONERS provided insights into their efforts to address the issues, including the use of natural remedies, jetting, and periodic pumping, but ultimately, these measures proved ineffective in resolving the underlying problems.

Board members questioned the PETITIONERS about the financial implications of connecting to the municipal sewer system versus installing a replacement disposal field. The discussion delved

into the substantial cost estimates provided by contractors and what services would be covered, the complexities involved in crossing other utilities, potential traffic mitigation expenses, and the deep excavation required for sewer line connection which could substantially increase the overall expense to the homeowner. Concerns were raised regarding the unique challenges posed by the property's location relative to Alena Way and Spanish Springs High School. The board acknowledged the logistical complexities involved in executing the sewer line connection, emphasizing the need for meticulous planning and coordination to minimize disruptions and ensure public safety.

The board scrutinized the proposed replacement disposal field plan, focusing on its adequacy in addressing the property's sewage disposal needs. Questions were raised regarding the design specifications, including the length and depth of the leach lines, the presence of a distribution box, and the potential for future expansion or modifications. Mr. Carnes made suggestions to consider alternative designs, such as shorter leach lines or additional repair fields, to optimize system performance and longevity through additional percolation testing.

Mr. Lund and board members summarized the main issues that would justify a variance as: the depth for connection, requirement of crossing utilities, and potential requirements for traffic control. The board members felt the quotes were fair and possibly low based on site constraints and potential logistical challenges. The chair asked the board members if there was any additional discussion needed.

Mr. Carnes made a motion to approve the variance request. Mr. Buehler asked if there are any conditions attached to his motion. Mr. Adams stated he would not add conditions and Mr. Carnes had a clarifying question on if the owner chose to pursue additional percolation testing or additional evaluations. Ms. Lord responded saying that additional testing is acceptable and helpful as long as any design modifications meet the required setbacks.

Ms. Lord asked the board to clarify their motion and provide a reference to the proposed motions in the staff report. Mr. Carnes reaffirmed his motion to be: "Move to present to the District Board of Health a recommendation for approval of Variance Case # H24-0001VARI to allow the permitting and construction of a replacement disposal field as proposed, without conditions".

Conditions of Approval

NNPH staff is not recommending any conditions of approval at this time, as the property is of sufficient size for a replacement disposal field that will meet all applicable setbacks. NNPH will follow its normal permitting and inspection procedures and if groundwater or other limiting layers were encountered would require the appropriate redesign.

Motion

Motion made by Mr. Carnes "move to present to the District Board of Health a recommendation for approval of Variance Case # H24-0001VARI to allow the permitting and construction of a replacement disposal field as proposed, without conditions". Second by Mr. Adams. Mr. Buehler called for a vote, all members in favor, motion approved unanimously.

Mr. Buehler closed the public hearing.

7. *Public Comment

As there were no public comment requests, closed the public comment period.

8. Adjournment –

At 6:05 p.m., Mr. Buehler moved to adjourn the meeting.

DRAFT

Staff Report
Board Meeting Date: August 1, 2024

TO: Sewage, Wastewater, and Sanitation Hearing Advisory Board

FROM: Josh Philpott, Registered Environmental Health Specialist
775-433-4007, jphilpott@nnph.org

SUBJECT: Variance Case H24-0002VARI; Requesting variance for APN 142-241-14 from Section 040.100; requesting permission to cross a drainage channel by way of encasing the building sewer line with concrete and extending the casing 25' on both ends to meet the setback for the drainage channel.

SUMMARY

This staff report summarizes the Environmental Health Services Division's (EHS) review of the submitted variance application for your decision to recommend or deny approval to the District Board of Health (DBOH) a variance for APN 142-241-14 which is owned by Page and Olivia Bailey. The variance requests the allowance of a building sewer line to cross a section Whites Creek that has previously been classified as a drainage channel in preparation for a future repair field located on the opposite bank. The building sewer line would be concrete encased from the point of crossing, extending 25' on both sides of the crossing. The building sewer line will run below the drainage channel with a minimum vertical separation of 30" from the surface grade of the drainage channel.

Previous Action

There has been no previous action with this variance request. A Washoe County Building Department permit application for a new Single-Family Dwelling (WBLD24-101365) was received by EHS on April 23, 2024. The parcel in question will be served by a domestic well.

Background

Section 040.100 of the SWS Regulations requires building sewer lines meet a minimum 25' horizontal setback to drainage channels. Section 010.088 of the SWS Regulations defines a drainage channel as a canyon, swale, wash, or depression through which storm waters sometimes flow over and/or through.

Staff have been on site to evaluate the existing property conditions. Based on field observations it is noted the proposed design layout matches the property in question. The width and location of the drainage channel will not allow for the primary and repair fields to be built on the same side of the drainage and still meet all required setbacks to onsite and neighboring wells. The drainage on the property is not a constant source of water due to the amount of development upstream which has cut off the drainage from Whites Creek. The NNPH staff believes that water captured in the channel will be primarily storm water from the subject property, limited to rain and snowfall events, and the proposed mitigation will satisfactorily protect any waters in the channel from being contaminated by effluent. The determination made by the NNPH staff is supported by a hydrological report submitted by the applicant stating that the amount of runoff into the drainage has been significantly reduced due to the development of neighboring parcels.

The property is a vacant 2.5-acre parcel. A wide drainage channel runs west to east across the property. The drainage channel begins approximately a 1/2 mile southwest at Whites Creek but does not connect

to the creek. The channel flows northeast through multiple parcels, each of which have been developed with homes, wells, and onsite sewage systems until it reaches the parcel in question, and then continues northeast under Arrowcreek Parkway until it reaches Steamboat Ditch.

The property owner contracted with Reno Tahoe Geo Associates Inc. to design a sand filter bed to be used as both the primary and repair fields. The proposed design includes constructing a sewer line under the channel to the area designated for future repair. The sewer line will be encased in 4" of concrete and be installed a minimum of 30" below grade. The concrete casing will extend 25' on each side of the crossing to meet the required setback. All other portions of the proposed system are located outside the 25' setback to the drainage as required in Section 040.100. The proposed design requests that the crossing be installed at the time of construction of the repair field.

Staff are supportive of this as a standard mitigation measure. Other variances that have been approved in previous years utilized this same technique of encasing the sewer line in concrete. Staff are currently drafting updates to the existing SWS Regulations to allow for a sewer line to cross a drainage channel by way of encasement as a standard process, as the risk to public health is adequately mitigated, without the need for a variance. No other options exist that do not severely limit the property owners' ability to build on the parcel.

Findings of Fact

The Board must consider the following when making a recommendation on this variance to the DBOH:

1. Will the proposed variance result in contamination of water to the extent it cannot be used for its existing or expected use?

Reply: If the system functions as intended, then there should not be effluent discharge to surface water or groundwater and should not pose a threat to groundwater contamination. If the building sewer line crossing the drainage channel fails, it could possibly contaminate the water in the drainage channel with raw sewage until such time as the flow is stopped. Additionally, this channel will only intermittently convey water during storm events, meaning that the channel will be empty most of the time.

2. Will the proposed variance pose a threat to public health?

Reply: There are two primary ways that sewage can pose a threat to public health, direct exposure via surface and groundwater contamination in areas with domestic wells. Direct exposure in this situation would most likely occur if the sleeving were compromised. EHS feels this is unlikely as it will be buried and not easily accessible. As indicated in question #1, the system should also not cause a groundwater contamination issue if the system is maintained and functions properly.

3. Are there other reasonable alternatives?

Reply: In order to maintain all applicable setbacks and not cross the drainage channel the applicant could perform one of the following alternatives:

- a. Relocate the proposed house and well to allow for both the primary and repair areas to be on the same side of the drainage channel. This alternative is not consistent with the property owner's wishes for their property and may not be achievable due to the location of neighboring wells.
- b. A municipal sewer line is located approximately 700' to the east of the property. Connecting to this line could pose a significant cost to the property owners.

Conditions of Approval

1. Any instances of system non-function must be reported to NNPH for review and must be repaired immediately. In the event of failure to maintain or lack of system function, NNPH may require sampling and/or impose restrictions on the property based on the functionality of the building sewer line, up to and including removal of the storm drain crossing.
2. Require recording of the variance to the parcel to ensure proper public records notification in the event the property is sold to any other person or entity. Recording may not be removed without NNPH approval.

Recommendation

Staff recommends the Sewage, Wastewater and Sanitation (SWS) Hearing Board support the presented Variance Case H24-0002VARI (Page and Olivia Bailey) to allow the approval of the sewer line crossing the drainage channel (WBLD24-101365) with the additional 25' of sleeving to meet the minimum setback to a drainage channel.

Possible Motion

Should the SWS Hearing Board wish to approve the variance application, the four possible motions would be:

1. "Move to present to the District Board of Health a recommendation for approval of Variance Case H24-0002VARI (Page and Olivia Bailey) to allow the approval of a septic system as proposed, including all recommended conditions"; OR
2. "Move to present to the District Board of Health a recommendation for approval of Variance Case H24-0002VARI (Page and Olivia Bailey) to allow the approval of a septic system as proposed, without conditions"; OR
3. "Move to present to the District Board of Health a recommendation for approval of Variance Case H24-0002VARI (Page and Olivia Bailey) to allow the approval of a septic system as proposed, with the following conditions (list conditions)"; OR
4. "Move to present to the District Board of Health a denial of Variance Case H24-0002VARI (Page and Olivia Bailey)".
5. The SWS Board may also formulate their own motion or request additional information from the applicant if desired.

**NORTHERN NEVADA PUBLIC HEALTH
ENVIRONMENTAL HEALTH SERVICES DIVISION**

1001 East Ninth Street • Bldg B • Reno, Nevada 89512

Telephone (775) 328-2434 • Fax (775) 328-6176

www.NNPH.org

HealthEHS@NNPH.org

**APPLICATION FOR VARIANCE
TO THE REGULATIONS GOVERNING SEWAGE,
WASTEWATER, AND SANITATION**

Office Use Only

Fee Paid _____

Date Paid _____

Cash/CC/Check _____

Receipt No. _____

Date Appl. Received _____

Considered Comp. _____

DATE 06/04/2024 PROJECT NAME New SFD - Bailey

OWNER

Name Page and Olivia Bailey

Address 1851 Steamboat Parkway Unit 6702

Reno, NV 89521

Phone [REDACTED]

Email Address [REDACTED]

ENGINEER

Name Zachary Iler (Reno Tahoe Geo Associates, Inc.)

Address 12000 Old Virginia Rd

Reno, NV 89521

Phone 775-853-9100

Email Address ziler@rtgeo.com

The following items must be submitted with this application:

JOB ADDRESS 14075 Bihler Road, Washoe County, NV 89511 (Formerly: 0 Whites Creek Lane)

SIZE OF PARCEL 2.5 /Acre

COPY OF LEGAL DESCRIPTION AND VERIFICATION OF CURRENT VESTING ON TITLE

EXISTING PARCEL(S) APN(S) 142-241-14 LOT _____ BLOCK _____

REASON FOR VARIANCE REQUEST Whites creek drainage runs through the middle of property.

Build site on N side of drainage for access to Arrowcreek Parkway does not have space for secondary recovery field based on offsets for home, property lines, and adjacent site + proposed site water wells.

SECTION(S) OF REGULATIONS TO BE VARIED Section 040.100 Table 2

Sewage line crossing drainage channel to a secondary leach field if needed

IF A PARCEL MAP: PROJECT NAME _____

APN(S) _____ LOT _____ BLOCK _____

IF TENTATIVE MAP: PROJECT NAME _____

NUMBER OF PROPOSED LOTS _____ LOTS REQUIRING VARIANCES _____

LOT DESCRIPTION(S) _____

Prepare and submit this original application with 9 copies and 10 copies of a construction plot plan with specifications drawn to scale (minimum 1 inch = 30 feet) and include the required following requirements:

- Vicinity map.
- The direction of North.
- A diagram of the location of roadways, easements or areas subject to vehicular traffic, material storage or large animal habitation.

... continued from previous page

- ❑ A diagram of the location and distance to any well and on-site sewage disposal system within 150 feet of the subject property (if none, so indicate).
- ❑ A diagram of the distances from the proposed on-site disposal system to any proposed or existing on-site well.
- ❑ A diagram of the location of any percolation hole or test trench(es) on the property.
- ❑ A diagram to scale of the location of all proposed on-site sewage disposal system components, including a delineated area for future replacement of disposal trench(es).
- ❑ A diagram of the distance to any available sewer system (if none, so indicate).
- ❑ The number of bedrooms in the proposed building.
- ❑ The maximum slope across the disposal area.
- ❑ A diagram of the lot dimensions and total lot area.
- ❑ The location of water supply lines.
- ❑ A diagram of all structures on site.
- ❑ A diagram of all existing and proposed drainage improvements.
- ❑ A diagram of the location of any watercourse and/or natural drainage channel within 150 feet of the property (if none, so indicate).
- ❑ Soil logs and percolation test results, including calculations and actual field data (if required).
- ❑ Sewage loading calculations and application rates.
- ❑ System sizing calculations.
- ❑ Pertinent geological and hydrogeological information.
- ❑ Construction drawings, cross-sections and specifications of the proposed system.
- ❑ Certification by an engineer that the proposed system is properly designed to function for at least ten (10) years (engineer's seal).
- ❑ Submit a completed Notice of Special On-Site Requirements. We will give you the form after variance is approved by the District Board of Health.

BE PREPARED TO SUBMIT:

- ❑ Other information may be required to enable the Board to adequately consider the application.

THE SUBMITTED DATA, DOCUMENTS AND DESIGNS MUST DEMONSTRATE WHETHER:

1. The proposed system will significantly and/or adversely impact any water so that the water may no longer be used for its existing or expected beneficial use.
2. The proposed system will be detrimental or pose a danger to the public health, safety or create or contribute to a public health hazard.
3. Other reasonable alternatives for compliance with these regulations are available to the applicant. State the alternatives considered, including reasons for rejection.

ALL INFORMATION MUST BE PROVIDED AND THIS APPLICATION MUST BE PROPERLY COMPLETED PRIOR TO SUBMITTAL. FAILURE TO DO SO MAY RESULT IN SIGNIFICANT DELAYS TO THE PROCESSING OF THIS VARIANCE REQUEST.



March 23, 2023

Mr. Brandt Kennedy, P.E.
K2 Engineering, Inc.
860 Maestro Dr. Suite A
Reno, NV 89511

Transmitted via electronic mail:
brandt@k2eng.net

Subject: Surface Water runoff Assessment, Unnamed Ephemeral Drainage at Bihler Road, Washoe County, Nevada

Brandt:

Nevada Environmental Consulting, LLC. (NVENV) has conducted a runoff assessment under various hydrologic scenarios to estimate the anticipated peak discharge conveyed within the unnamed ephemeral channel that crosses Bihler Road approximately 400-feet south of Arrowcreek Parkway and upstream of upgradient of the Steamboat Ditch.

HYDROLOGIC SETTING

Bihler Road is approximate 2,800 feet east (down gradient) from the north branch of Whites Creek, commonly references as the Howards' Branch. The Howards' Branch of Whites Creek is an entrenched, manmade flow path that conveys all flood flows from spilling onto lands east of the alignment. The Howards Branch of Whites Creek was constructed in the 1870's to convey irrigation rights from Whites Creek to irrigated lands north of the pre-development alignment. The Howards Branch isolates all flows from the west from the Bihler Road area, therefore the contribution area evaluated in this analysis starts east for the Howards Branch of Whites Creek.

The contributing catchment areas to the Bihler Creek Road crossing is approximately 42 acres and is constrained on the west (upslope) by the Howards' Branch of Whites Creek containment berm, and on the north by Whites Creek Lane (approximately 350 feet south, and parallel to, Arrowcreek Parkway, and along the south by roadside ditches along Raider Run Road. The contribution area is approximately 2,800 feet in total length and slopes to the east at 5% falling approximately 140 feet to the Bihler Creek Road elevation of $\pm 4,820'$ amsl.

METHODS

A TR-55 watershed runoff model water prepared using publicly available terrain data and NOAA Atlas 14 hydrologic data were used to define the two through 100-year storm event intensity. Overland sheet flow Time of Concentration (T_c) and channelized characteristics were determined using Manning's Equation using typical channel geometry observed in the field. Applied equations used in the runoff model are:

Channel flow (Manning equation)

$$V = (1.49 * r^{2/3} * s^{0.5}) / n$$

Where V=average velocity (ft/s)

- r=hydraulic radius (ft) and is equal to a/pw
- a=cross sectional flow area (sq ft)
- pw=wetted perimeter (ft)
- s=slope of hydraulic grade line (watercourse slope ft/ft)
- n=Manning roughness coefficient (for open channel flow)

Sheet flow

$$T_t = (0.007 * (nL)^{0.8}) / (P2^{0.5} * S^{0.4})$$

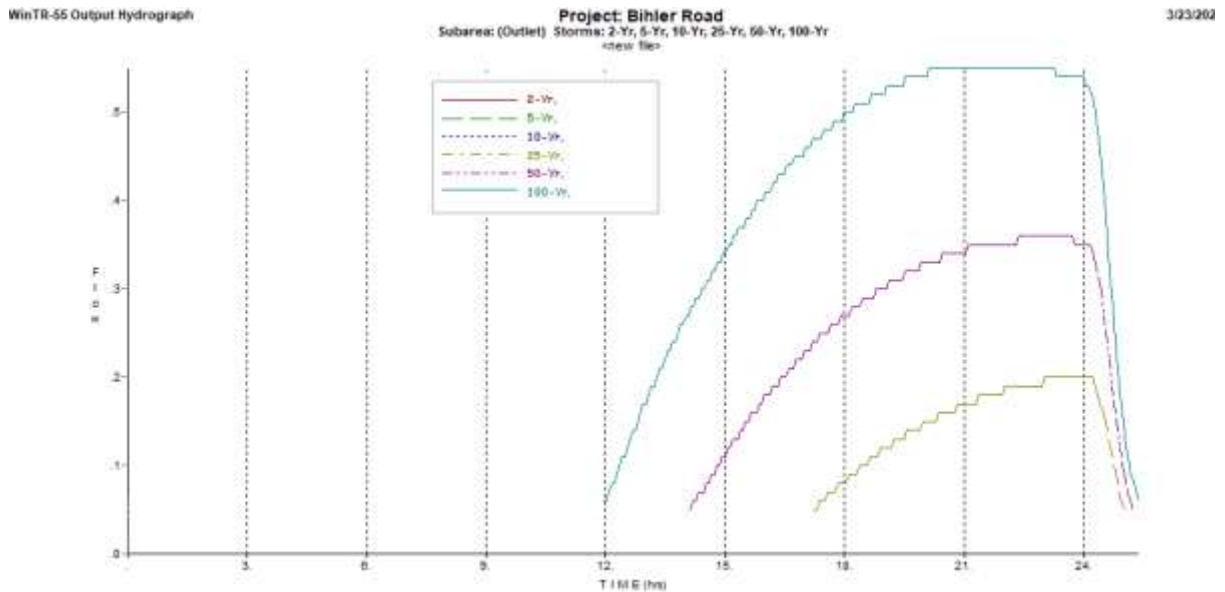
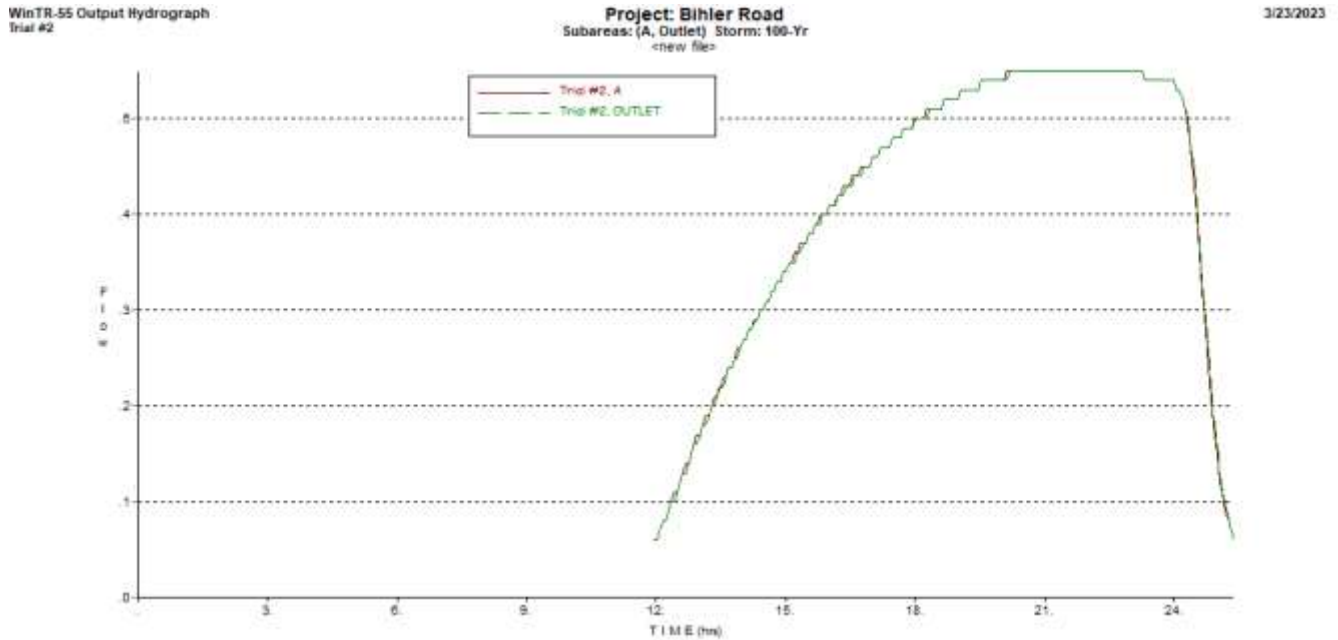
Where T_t =travel time(hr)

- N =Manning roughness coefficient (for sheet flow)
- L =flow length(ft)
- P2=2year, 24-hour rainfall(in)
- S =slope of hydraulic grade line(land slope,ft/ft)

The TR-55 Model was run with a 12", 15" and 18" culvert at the discharge of the 42 acre watershed. Model run details are provided in attachment A.

RESULTS

The estimated time to peak discharge during a 100-year, 24-hour storm event (precipitation = 3.12") is 0.55 cubic feet per second (CFS). This peak will occur at 23 hours into the 24-hour storm period.



RECOMENDAITONS

Model runs were conducted with 12", 15", and 18" diameter culvert with a maximum inlet head elevation of two foot over the inlet flow line elevation. The discharge calculation assumes a free (clear) discharge of half of the culvert diameter to eliminate a backwater effect.

The sizing recommendation of 15-inch diameter reflect the need to periodically clean the culvert, therefore while a 12" culvert is adequate to pass the 100-year, 24-hour peak flow of 0.55 cfs, a 15" will allow for maintenance access while maintaining flow velocities adequate to transport sediment. Inlet elevation assumed that the roadbed height is at least 6-inched above eth pipe soffit elevation.

A 15" culvert is adequate to pass the 100-year, 24-hour peak discharge flow rate. Roughness coefficients for smooth wall HDPE corrugated culvert, concrete and CMP were evaluated, and the variation of material is insignificant to the discharge performance of a 15-inch diameter culvert.

Sincerely,

A handwritten signature in blue ink that reads "Matthew Setty".

Matthew Setty
Principal Scientist

Attachments (3):

Site Map

TR-55 Model Output File

NOAA Atlas 14 Precipitation Table



Attachment B: TR-55 Watershed Model Output File



NOAA Atlas 14, Volume 1, Version 5
Location name: Reno, Nevada, USA*
Latitude: 39.4011°, Longitude: -119.7751°
Elevation: m/ft**
* source: ESRI Maps
** source: USGS



POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Sarah Dietz, Sarah Heim, Lillian Hiner, Kazungu Maitaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Carl Trypaluk, Dale Unruh, Fenglin Yan, Michael Yekta, Tan Zhao, Geoffrey Bonnin, Daniel Brewer, Li-Chuan Chen, Tye Parzybok, John Yarchoan

NOAA, National Weather Service, Silver Spring, Maryland

[PF tabular](#) | [PF graphical](#) | [Maps & aerials](#)

PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches)¹										
Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.096 (0.083-0.113)	0.120 (0.102-0.142)	0.161 (0.137-0.191)	0.200 (0.168-0.237)	0.265 (0.217-0.316)	0.324 (0.257-0.392)	0.395 (0.303-0.484)	0.480 (0.353-0.602)	0.619 (0.427-0.797)	0.744 (0.489-0.979)
10-min	0.146 (0.126-0.173)	0.182 (0.156-0.216)	0.245 (0.208-0.291)	0.304 (0.256-0.361)	0.403 (0.330-0.481)	0.494 (0.392-0.597)	0.601 (0.460-0.737)	0.731 (0.538-0.916)	0.941 (0.650-1.21)	1.13 (0.744-1.49)
15-min	0.181 (0.156-0.214)	0.226 (0.194-0.268)	0.303 (0.258-0.360)	0.377 (0.318-0.448)	0.499 (0.409-0.597)	0.612 (0.486-0.740)	0.745 (0.571-0.913)	0.907 (0.667-1.14)	1.17 (0.805-1.50)	1.40 (0.923-1.85)
30-min	0.244 (0.210-0.288)	0.305 (0.261-0.361)	0.409 (0.347-0.485)	0.508 (0.428-0.603)	0.672 (0.552-0.804)	0.824 (0.654-0.996)	1.00 (0.769-1.23)	1.22 (0.897-1.53)	1.57 (1.09-2.03)	1.89 (1.24-2.49)
60-min	0.302 (0.260-0.357)	0.377 (0.323-0.447)	0.506 (0.430-0.601)	0.628 (0.530-0.746)	0.832 (0.683-0.995)	1.02 (0.809-1.23)	1.24 (0.952-1.52)	1.51 (1.11-1.89)	1.95 (1.34-2.51)	2.34 (1.54-3.08)
2-hr	0.404 (0.356-0.465)	0.501 (0.442-0.578)	0.643 (0.562-0.740)	0.764 (0.660-0.881)	0.951 (0.797-1.10)	1.12 (0.913-1.31)	1.31 (1.04-1.56)	1.55 (1.19-1.91)	1.98 (1.45-2.53)	2.37 (1.68-3.11)
3-hr	0.484 (0.430-0.549)	0.603 (0.541-0.687)	0.756 (0.671-0.859)	0.880 (0.774-1.00)	1.05 (0.910-1.20)	1.20 (1.02-1.39)	1.38 (1.15-1.61)	1.62 (1.31-1.92)	2.03 (1.60-2.56)	2.40 (1.85-3.14)
6-hr	0.675 (0.601-0.760)	0.845 (0.753-0.955)	1.05 (0.931-1.19)	1.21 (1.06-1.37)	1.41 (1.23-1.61)	1.57 (1.35-1.80)	1.73 (1.46-2.01)	1.92 (1.59-2.26)	2.22 (1.79-2.66)	2.53 (1.99-3.17)
12-hr	0.881 (0.785-0.990)	1.11 (0.986-1.25)	1.40 (1.24-1.57)	1.62 (1.43-1.83)	1.92 (1.67-2.18)	2.14 (1.84-2.45)	2.37 (2.00-2.75)	2.60 (2.15-3.06)	2.91 (2.34-3.50)	3.17 (2.49-3.87)
24-hr	1.11 (1.00-1.25)	1.39 (1.25-1.56)	1.75 (1.58-1.96)	2.05 (1.84-2.29)	2.46 (2.19-2.75)	2.78 (2.46-3.12)	3.12 (2.73-3.53)	3.47 (3.00-3.96)	3.95 (3.36-4.56)	4.33 (3.62-5.06)
2-day	1.31 (1.17-1.48)	1.64 (1.46-1.86)	2.08 (1.85-2.36)	2.44 (2.16-2.77)	2.94 (2.58-3.35)	3.33 (2.90-3.82)	3.74 (3.22-4.33)	4.18 (3.55-4.87)	4.77 (3.97-5.65)	5.25 (4.28-6.31)
3-day	1.45 (1.30-1.63)	1.82 (1.63-2.06)	2.34 (2.09-2.64)	2.75 (2.45-3.11)	3.34 (2.95-3.79)	3.82 (3.34-4.34)	4.33 (3.74-4.95)	4.86 (4.14-5.61)	5.62 (4.68-6.58)	6.23 (5.10-7.40)
4-day	1.59 (1.43-1.79)	2.01 (1.80-2.26)	2.59 (2.32-2.91)	3.07 (2.74-3.45)	3.75 (3.32-4.23)	4.31 (3.78-4.87)	4.91 (4.25-5.58)	5.55 (4.74-6.36)	6.47 (5.40-7.52)	7.22 (5.92-8.49)
7-day	1.86 (1.65-2.10)	2.36 (2.09-2.67)	3.08 (2.73-3.48)	3.65 (3.23-4.14)	4.47 (3.92-5.07)	5.12 (4.45-5.83)	5.81 (5.00-6.66)	6.54 (5.57-7.55)	7.56 (6.32-8.86)	8.39 (6.90-9.93)
10-day	2.07 (1.84-2.35)	2.64 (2.34-3.00)	3.47 (3.07-3.93)	4.11 (3.63-4.67)	5.01 (4.38-5.70)	5.72 (4.97-6.52)	6.46 (5.57-7.40)	7.23 (6.15-8.34)	8.29 (6.94-9.68)	9.12 (7.54-10.8)
20-day	2.53 (2.26-2.86)	3.23 (2.88-3.65)	4.23 (3.77-4.76)	4.99 (4.43-5.63)	6.03 (5.33-6.81)	6.83 (6.00-7.75)	7.66 (6.66-8.73)	8.49 (7.32-9.75)	9.62 (8.16-11.2)	10.5 (8.79-12.3)
30-day	2.96 (2.64-3.35)	3.78 (3.37-4.28)	4.93 (4.39-5.58)	5.81 (5.15-6.56)	6.99 (6.16-7.91)	7.90 (6.92-8.97)	8.83 (7.67-10.1)	9.77 (8.40-11.2)	11.0 (9.36-12.8)	12.0 (10.1-14.1)
45-day	3.53 (3.15-3.94)	4.51 (4.02-5.02)	5.86 (5.23-6.52)	6.86 (6.12-7.63)	8.17 (7.25-9.10)	9.14 (8.08-10.2)	10.1 (8.86-11.3)	11.0 (9.62-12.4)	12.2 (10.5-13.8)	13.0 (11.2-14.9)
60-day	4.01 (3.57-4.49)	5.14 (4.57-5.76)	6.69 (5.94-7.47)	7.80 (6.92-8.69)	9.20 (8.14-10.3)	10.2 (8.98-11.4)	11.2 (9.79-12.5)	12.1 (10.5-13.8)	13.2 (11.4-14.9)	13.9 (12.0-15.9)

¹ Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS). Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values. Please refer to NOAA Atlas 14 document for more information.

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Attachment B: TR-55 Watershed Model Output File

TR-55 Current Data Description

--- Identification Data ---

```

User:      Setty           Date:      3/23/2023
Project:   Bihler Road    Units:     English
SubTitle:  K2 Engineering Areal Units: &Acres
State:     Nevada
County:    Washoe
Filename:  <new file>
    
```

--- Sub-Area Data ---

Name	Description	Reach	Area(ac)	RCN	Tc
A	Contribution area	channel	42	51	1.053

Total area: 42 (ac)

--- Storm Data --

Rainfall Depth by Rainfall Return Period

2-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	1-Yr
1.39	1.75	2.05	2.46	2.78	3.12	1.11

```

Storm Data Source:      User-provided custom storm data
Rainfall Distribution Type: Type IA
Dimensionless Unit Hydrograph: <standard>
    
```

Storm Data

Rainfall Depth by Rainfall Return Period

2-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	1-Yr
1.39	1.75	2.05	2.46	2.78	3.12	1.11

```

Storm Data Source:      User-provided custom storm data
Rainfall Distribution Type: Type IA
Dimensionless Unit Hydrograph: <standard>
    
```

Bihler Road
K2 Engineering
Washoe County, Nevada

Watershed Peak Table (Trial #1)

Sub-Area or Reach Identifier	Peak Flow by Rainfall Return Period						
	2-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	1-Yr

SUBAREAS							
A	.00	.00	.00	0.20	0.36	0.55	.00
REACHES							
channel	.00	.00	.00	0.20	0.36	0.55	.00
Down	.00	.00	.00	0.20	0.36	0.55	.00
OUTLET	.00	.00	.00	0.20	0.36	0.55	.00

Watershed Peak Table (Trial #2)

Sub-Area or Reach Identifier	Peak Flow by Rainfall Return Period						
	2-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	1-Yr

SUBAREAS							
A	.00	.00	.00	0.20	0.36	0.55	.00
REACHES							
channel	.00	.00	.00	0.20	0.36	0.55	.00
Down	.00	.00	.00	0.20	0.36	0.55	.00
OUTLET	.00	.00	.00	0.20	0.36	0.55	.00

Watershed Peak Table (Trial #3)

Sub-Area or Reach Identifier	Peak Flow by Rainfall Return Period						
	2-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	1-Yr

SUBAREAS							
A	.00	.00	.00	0.20	0.36	0.55	.00
REACHES							
channel	.00	.00	.00	0.20	0.36	0.55	.00
Down	.00	.00	.00	0.20	0.36	0.55	.00
OUTLET	.00	.00	.00	0.20	0.36	0.55	.00

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—
Setty

Bihler Road
K2 Engineering
Washoe County, Nevada

Hydrograph Peak/Peak Time Table (Trial #1)

Sub-Area or Reach Identifier	Peak Flow and Peak Time (hr) by Rainfall Return Period						1-Yr
	2-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	
	(hr)	(hr)	(hr)	(hr)	(hr)	(hr)	(hr)

SUBAREAS							
A	.00 n/a	.00 n/a	.00 n/a	0.20 24.01	0.36 23.03	0.55 21.66	.00 n/a
REACHES							
channel	.00 n/a	.00 n/a	.00 n/a	0.20 24.01	0.36 23.03	0.55 21.66	.00 n/a
Down	.00 n/a	.00 n/a	.00 n/a	0.20 24.01	0.36 23.10	0.55 21.66	.00 n/a
OUTLET	.00	.00	.00	0.20	0.36	0.55	.00

Hydrograph Peak/Peak Time Table (Trial #2)

Sub-Area or Reach Identifier	Peak Flow and Peak Time (hr) by Rainfall Return Period						1-Yr
	2-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	
	(hr)	(hr)	(hr)	(hr)	(hr)	(hr)	(hr)

SUBAREAS							
A	.00 n/a	.00 n/a	.00 n/a	0.20 24.01	0.36 23.03	0.55 21.66	.00 n/a
REACHES							
channel	.00 n/a	.00 n/a	.00 n/a	0.20 24.01	0.36 23.03	0.55 21.66	.00 n/a
Down	.00 n/a	.00 n/a	.00 n/a	0.20 24.01	0.36 23.03	0.55 21.66	.00 n/a
OUTLET	.00	.00	.00	0.20	0.36	0.55	.00

Hydrograph Peak/Peak Time Table (Trial #3)

Sub-Area or Reach Identifier	Peak Flow and Peak Time (hr) by Rainfall Return Period						1-Yr
	2-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	
	(hr)	(hr)	(hr)	(hr)	(hr)	(hr)	(hr)

SUBAREAS							
A	.00 n/a	.00 n/a	.00 n/a	0.20 24.01	0.36 23.03	0.55 21.66	.00 n/a
REACHES							
channel	.00 n/a	.00 n/a	.00 n/a	0.20 24.01	0.36 23.03	0.55 21.66	.00 n/a
Down	.00 n/a	.00 n/a	.00 n/a	0.20 24.01	0.36 23.03	0.55 21.66	.00 n/a
OUTLET	.00	.00	.00	0.20	0.36	0.55	.00

—
—
—

Bihler Road
K2 Engineering
Washoe County, Nevada

Structure Output Table

Reach Identifier	Peak Flow (PF), Storage Volume (SV), Stage (STG) by Rainfall Return Period						
	2-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	1-Yr

Reach: channel							
Pipe : BihlerPIPE							
12							
PF	.00	.00	.00	0.20	0.36	0.55	.00
SV	.00	.00	.00	.00	.00	.00	.00
STG	.00	.00	.00	.03	.05	.08	.00
15							
PF	.00	.00	.00	0.20	0.36	0.55	.00
SV	.00	.00	.00	.00	.00	.00	.00
STG	.00	.00	.00	.02	.04	.06	.00
18							
PF	.00	.00	.00	0.20	0.36	0.55	.00
SV	.00	.00	.00	.00	.00	.00	.00
STG	.00	.00	.00	.02	.03	.04	.00

Sub-Area Summary Table

Sub-Area Identifier	Drainage Area (ac)	Time of Concentration (hr)	Curve Number	Receiving Reach	Sub-Area Description

A	42.00	1.053	51	channel	Contribution area
Total Area: 42 (ac)					

Reach Summary Table

Reach Identifier	Receiving Reach Identifier	Reach Length	Routing Method

channel	Outlet		STRUCTURE (BihlerPIPE)

Sub-Area Time of Concentration Details

Sub-Area Identifier/	Flow Length	Slope	Mannings's n	End Area	Wetted Perimeter	Velocity	Travel Time (hr)

A							
SHEET	100	0.0500	0.130				0.153
SHALLOW	415	0.0500	1.39				0.032
SHALLOW	500	0.0600	1.39				0.035
CHANNEL	1500					0.500	0.833
Time of Concentration							1.053
							=====

Setty

Bihler Road
K2 Engineering
Washoe County, Nevada

Sub-Area Land Use and Curve Number Details

Sub-Area Identifier	Land Use	Hydrologic Soil Group	Sub-Area Area (ac)	Curve Number
A	Sagebrush (w/ grass understory)	(fair)	32	51
	Desert shrub	(good)	10	49
Total Area / Weighted Curve Number			42	51
			==	==

Reach Channel Rating Details

Reach Identifier	Reach Length	Reach Manning's n	Friction Slope	Bottom Width	Side Slope
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channel (This reach is a structure: BihlerPIPE)

Reach Identifier	Stage	Flow	End Area	Top Width	Friction Slope
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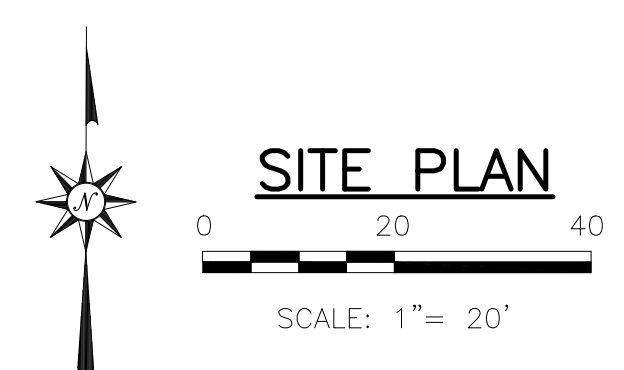
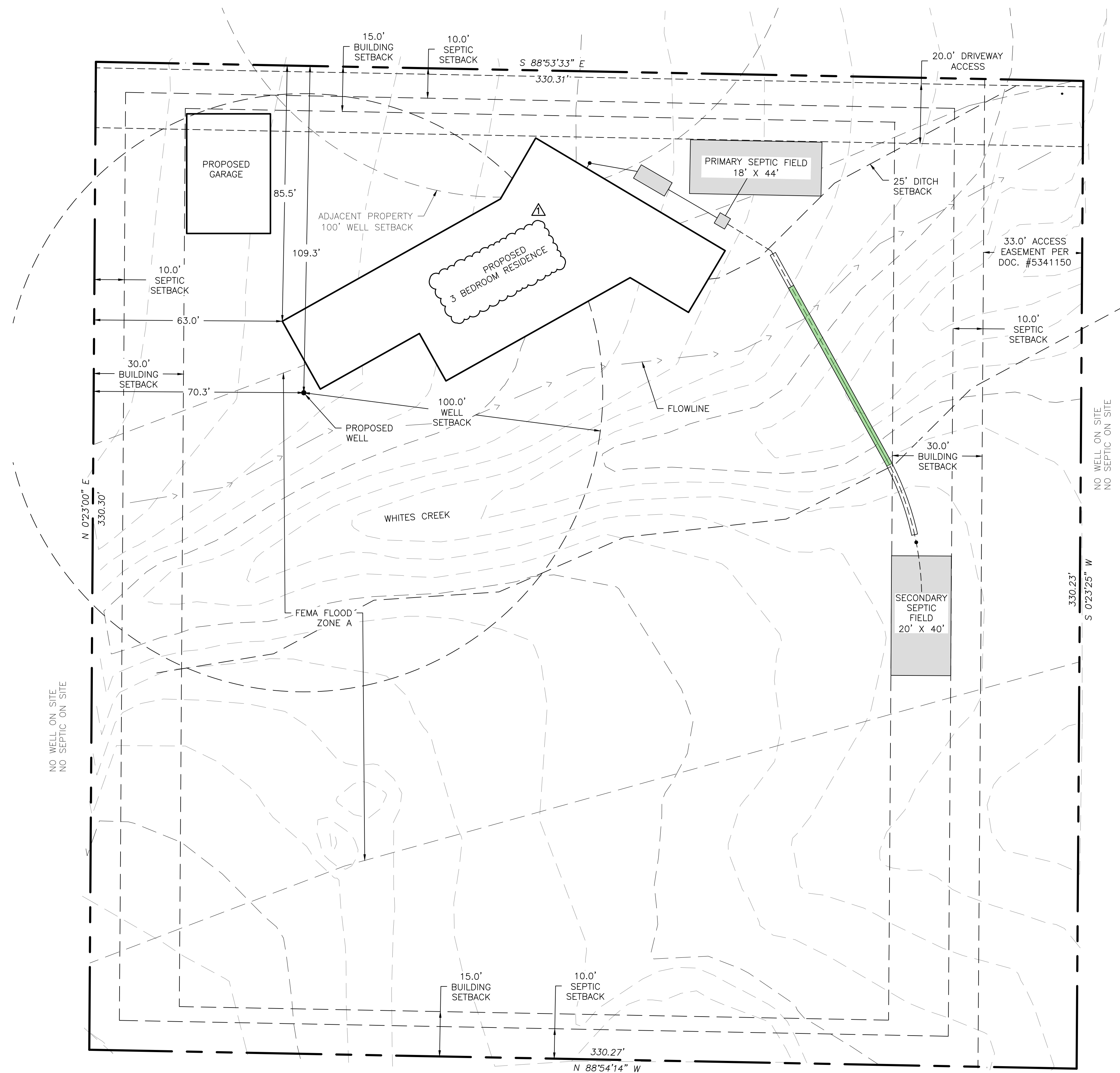
channel (This reach is a structure: BihlerPIPE)

Structure Description - User Entered

Reach Identifier	Surface Area @ Crest (ac)	Height Above Crest	Surface Area @ Ht Above (ac)	Pipe Diameter	Head on Pipe	Weir Length
channel	.01	2	.05	12 15 18	.8	

Structure Rating Details - Computed

Reach Identifier	Stage	Pool Storage	Flows @ Pipe Diameter		
			Dia #1 12	Dia #2 15	Dia #3 18
BihlerPIPE	0	0.00	0.000	0.000	0.000
	0.5	0.01	3.372	4.840	6.291
	1	0.02	4.298	6.385	8.692
	2	0.06	5.717	8.687	12.145
	5	0.30	8.679	13.400	19.062
	10	1.10	12.099	18.790	26.890
	20	4.20	16.986	26.458	37.981



PROPERTY INFORMATION:

PROPERTY INFORMATION:
 0 WHITES CREEK LANE
 WASHOE VALLEY, NEVADA 89508
 APN: 142-241-14
 ZONING: 52% GENERAL RURAL (GR), 48% HIGH DENSITY RURAL (HDR)
 LOT SIZE: 2.50 ACRES OR 108,900 sq.ft.

OWNER:
 PAGE & OLIVIA BAILEY
 1828 RESISTOL DRIVE
 RENO, NV, 89521
 PHONE: (406) 579-1853
 EMAIL: PAGE.BAILEY@FREEINTELLECTDESIGN.COM

DESIGN ENGINEER:
 CHRISTINA BRENNAN P.E.
 RENO TAHOE GEO ASSOCIATES, INC.
 P.O. BOX 18449
 RENO, NEVADA 89511
 (775) 853-9100
 E-MAIL: CBRENNAN@RTGEO.COM

SHEET INDEX

- C1.0 SITE IMPROVEMENT PLAN
- C2.0 ON-SITE DISPOSAL SYSTEM DESIGN
- C2.1 SEPTIC DETAILS AND CALCS

IWUC NOTES:

IWUC NOTES:
 FIRE HAZARD CLASSIFICATION: HIGH
 DEFENSIBLE SPACE: NON-CONFORMING
 WATER SUPPLY: NON-CONFORMING
 IGNITION RESISTANT CONSTRUCTION CLASSIFICATION: IR1 NC
 WITH NON-CONFORMING DEFENSIBLE SPACE PER TABLE 503.1 OF THE 2018 WILDLAND URBAN INTERFACE CODE
 ACCESS SHALL BE PROVIDED PER SECTION 403 OF THE IWUC CODE.

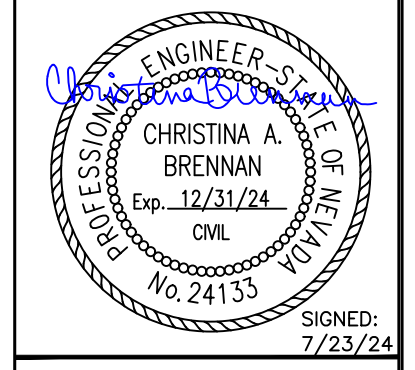
IFC NOTES:

IFC NOTES:
FIRE APPARATUS ACCESS ROAD REQUIREMENTS:
 ALL EXTERIOR WALLS OF THE FIRST STORY OF THE BUILDING ARE WITHIN 150 FEET OF THE ACCESS ROAD PER SECTION 503.1 OF THE 2018 INTERNATIONAL FIRE CODE
 ALL TURNAROUNDS COMPLY WITH FIGURE D103.1 DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUNDS

REV.	DATE	BY	APP'D
1	05/24/24	ZRI	CAB
2	07/23/24	ZRI	CAB

Reno Tahoe Geo Associates, Inc.
 CONSULTING CIVIL ENGINEERS
 P.O. Box 18449
 Reno, Nevada 89511
 TEL (775)853-9100
 FAX (775)853-9199

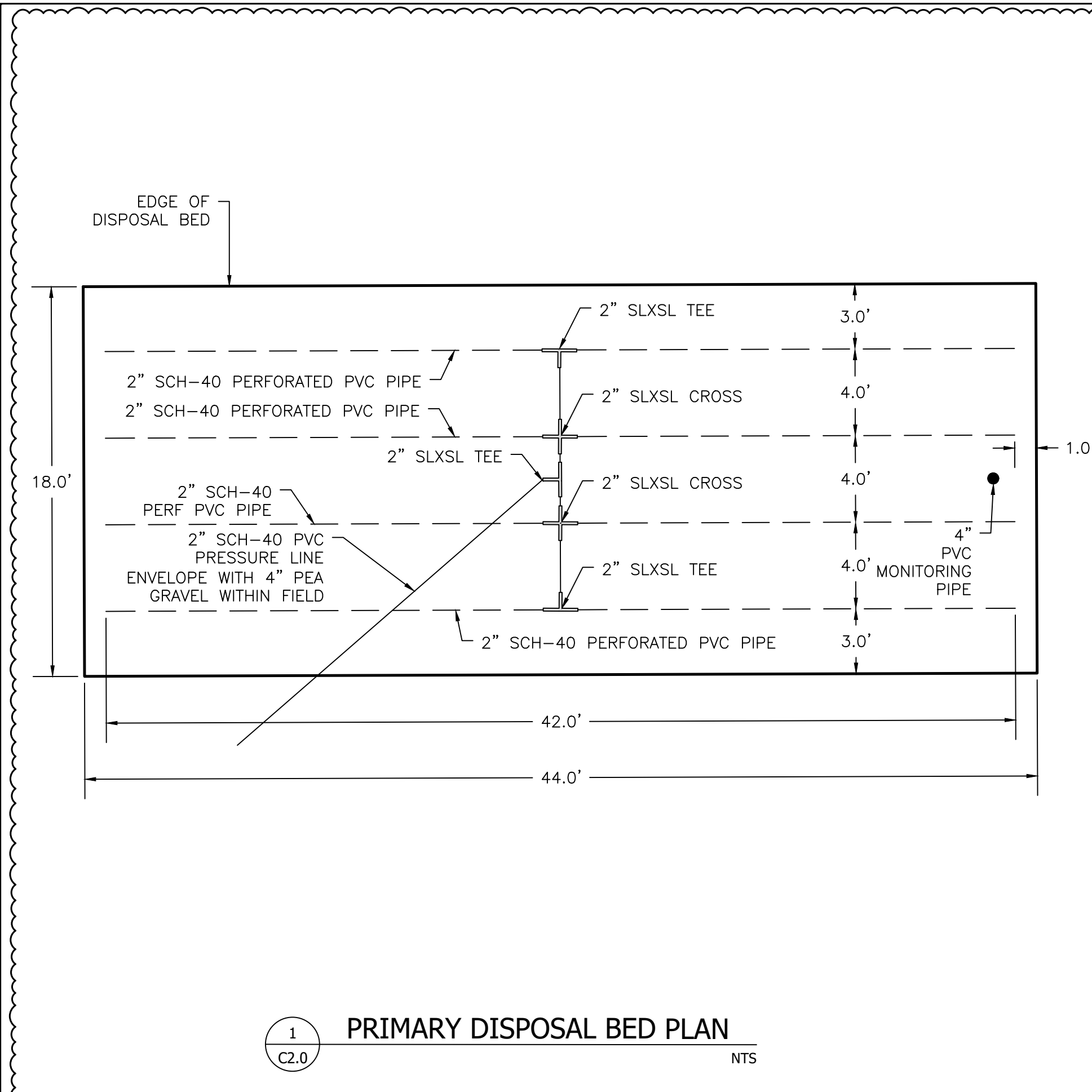
OVERALL SITE PLAN
 0 WHITES CREEK LANE
 APN: 142-241-14
 WASHOE COUNTY
 NEVADA



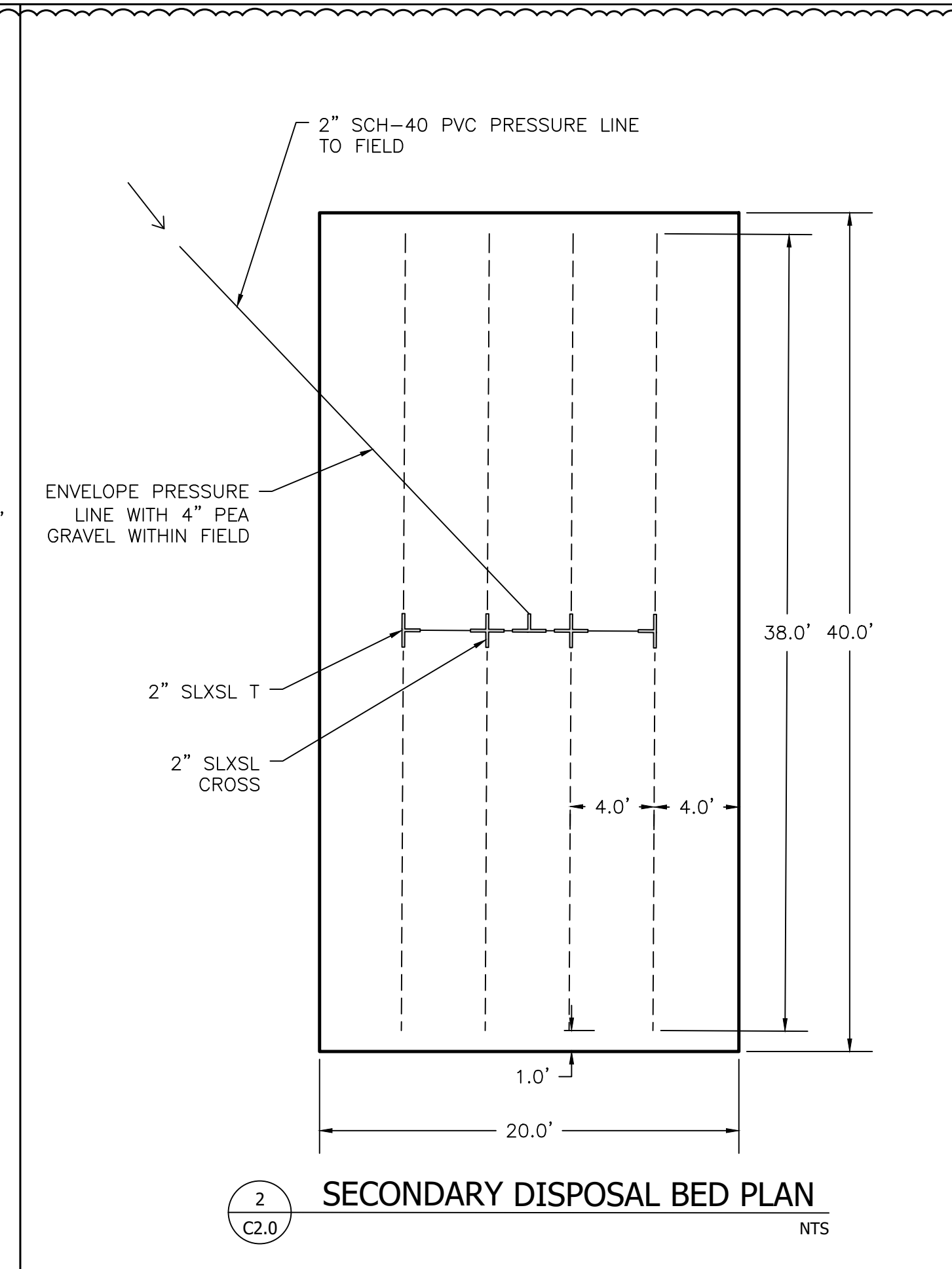
DATE: JULY 2024
 JOB NUMBER: 22139.002
 DESIGNED BY: CAB
 DRAWN BY: ZRI
 CHECKED BY: CAB

SHEET
C1.0

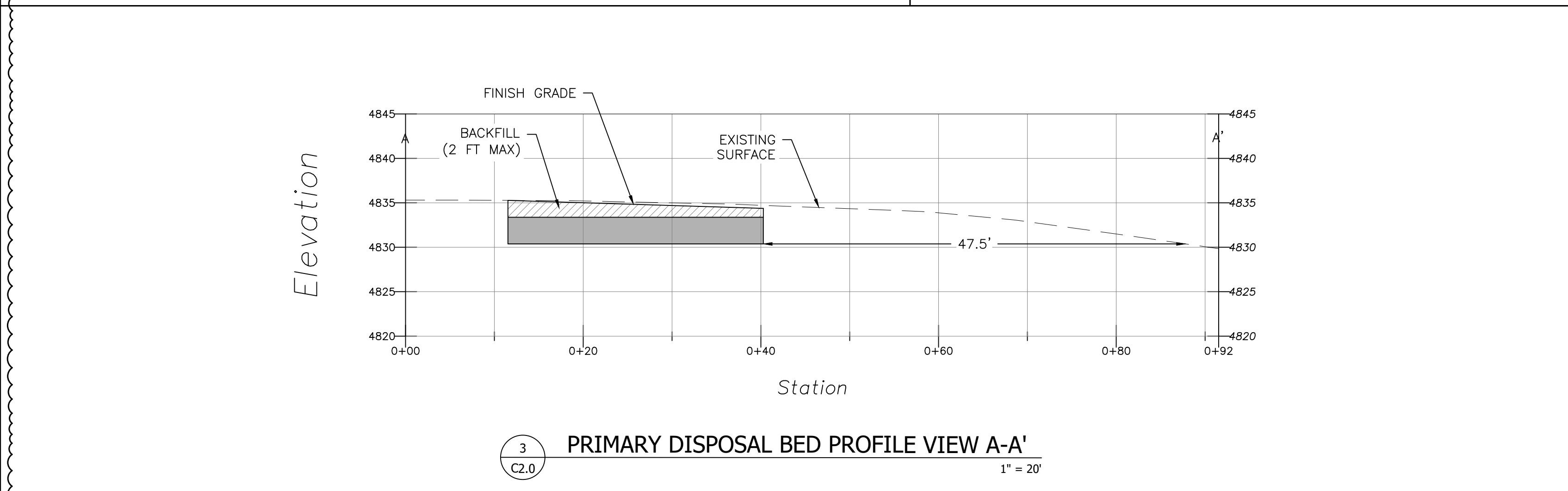




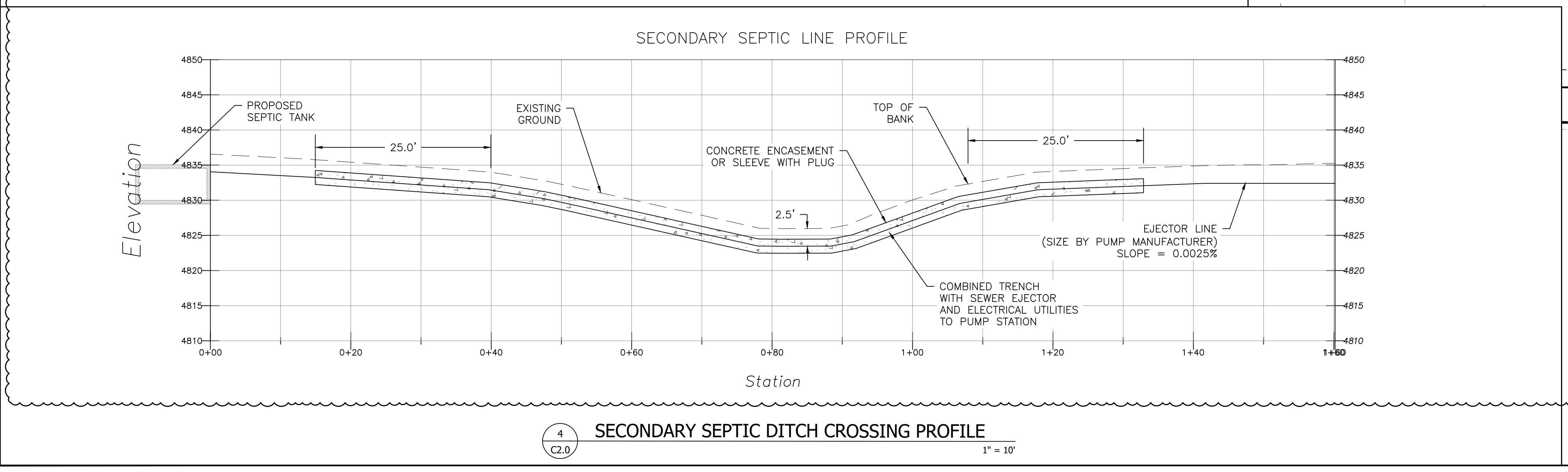
1 PRIMARY DISPOSAL BED PLAN
C2.0 NTS



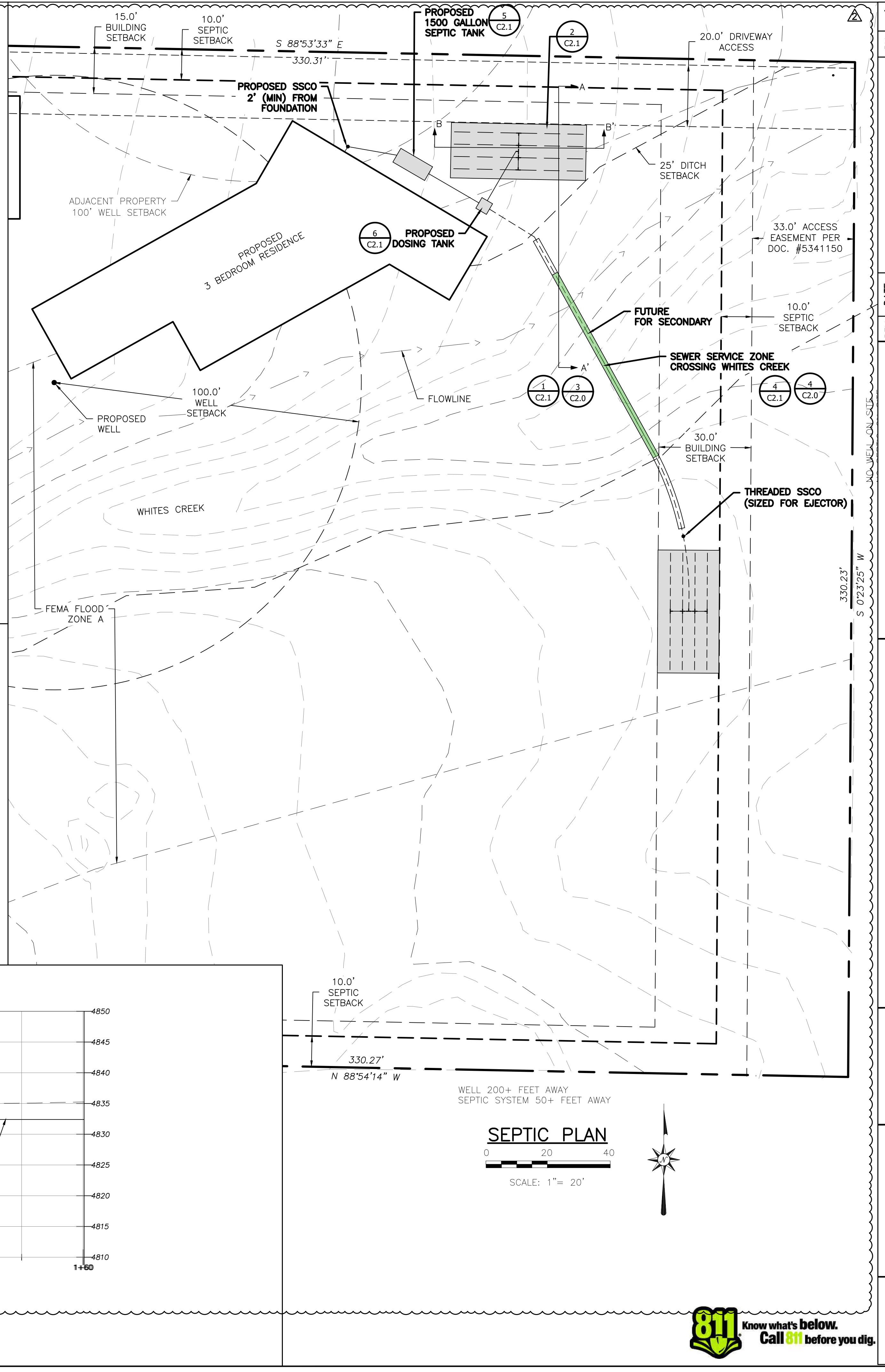
2 SECONDARY DISPOSAL BED PLAN
C2.0 NTS



3 PRIMARY DISPOSAL BED PROFILE VIEW A-A'
C2.0 1" = 20'



4 SECONDARY SEPTIC DITCH CROSSING PROFILE
C2.0 1" = 10'



SEPTIC PLAN
SCALE: 1" = 20'

BY	APPD				
ZRI	CAB				
ZRI	CAB				
REV.	DATE	DESCRIPTION			
1	05/24/24	BUILDING & NNPH REVISIONS			
2	07/23/24	NNPH REVISIONS			

Reno Tahoe Geo Associates, Inc.
CONSULTING CIVIL ENGINEERS
P.O. Box 18449
Reno, Nevada 89511
TEL (775)853-9100
FAX (775)853-9199

ON-SITE DISPOSAL SYSTEM DESIGN
0 WHITES CREEK LANE
APN: 142-241-14

WASHOE COUNTY NEVADA

ENGINEER'S SEAL
CHRISTINA A. BRENNAN
Exp. 12/31/24
CML
No. 24153
SIGNED: 7/23/24

DATE: JULY 2024
JOB NUMBER: 22139.002
DESIGNED BY: CAB
DRAWN BY: ZRI
CHECKED BY: CAB

SHEET
C2.0



J:\2022\22139.002 - 0 Whites Creek - Design\Drawings and Plans\0 Whites Creek Civil Set.dwg 7/24/24 3:29 pm

DESIGN AND CONSTRUCTION NOTES:

- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CURRENTLY ADOPTED WASHOE COUNTY DISTRICT HEALTH DEPARTMENT SEWAGE, WASTEWATER, AND SANITATION REGULATIONS (S.W.S.), AMENDED JULY 3, 2013 AT TIME OF THIS DESIGN.
- NO PUBLIC SEWER IS AVAILABLE WITHIN 400 FEET OF THE SUBJECT PARCEL.
- NO WELLS AND/OR ON-SITE SEWAGE DISPOSAL SYSTEMS ARE LOCATED WITHIN 200' OF THE SUBJECT PROPERTY OR AS SHOWN.
- NO DOMESTIC WELLS ARE LOCATED WITHIN 100 FEET OF THE PROPOSED SYSTEM.
- ALL HORIZONTAL SEPARATIONS SHALL BE IN ACCORDANCE WITH SECTION 040.100, TABLE 2 OF THE S.W.S. REGULATIONS.
- DISPOSAL BED DIMENSIONING SHALL BE CONSTRUCTED IN ACCORDANCE WITH SECTION 100.090, TABLE 4 OF THE S.W.S. REGULATIONS.
- DESIGN PERCOLATION RATE IS 60 MINUTES/INCH.
- FILTER SAND SHALL HAVE AN EFFECTIVE SIZE (D10) BETWEEN 0.3mm (No. 50 SIEVE APPROXIMATELY) AND 0.6mm (No. 30 SIEVE APPROXIMATELY) WITH 95% PASSING (D95), THE No. 4 SIEVE. UNIFORMITY COEFFICIENT (D60/D10) SHALL BE IN ACCORDANCE WITH FIGURE 11 OF THE S.W.S. REGULATIONS, AMENDED JULY 3, 2013.
- A REPRESENTATIVE SAMPLE OF THE FILTER SAND SHALL BE TESTED BY A RECOGNIZED TESTING FACILITY AND CERTIFIED AS MEETING THE ABOVE REQUIREMENTS. THE SUPPLIER SHALL PROVIDE CERTIFICATION AS TO THE QUALITY OF THE SAND. IT IS RECOMMENDED THAT THE SAND BE TESTED PRIOR TO DELIVERY TO SITE.
- SETTLE SAND BY FLOODING TRENCH BEFORE PLACEMENT OF GRAVEL AND DRAIN PIPE IN DISPOSAL FIELD.
- ALL PIPE BENDS TO BE 45° OR LESS.
- TERMINATE PERFORATED PIPES 1 FOOT FROM END OF FIELD AND CAP ALL ENDS.
- MINIMUM BURY OVER SEWER SERVICE LINES (GRAVITY OR PRESSURE) IS 30 INCHES.
- PROPOSED SEWAGE DISPOSAL SYSTEM AS SHOWN IS ORIENTED TO PROVIDE SUITABLE HORIZONTAL DISTANCE TO DAYLIGHT OF SLOPES. ANY MODIFICATIONS/CHANGES TO THE LOCATION OF SYSTEM COMPONENTS AS SHOWN WILL REQUIRE RE-EVALUATION OF SLOPE REQUIREMENTS AND POTENTIAL RE-DESIGN OF THE DISPOSAL SYSTEM.
- MODIFICATIONS TO THE LOCATION OF THE RESIDENCE AND/OR DRIVEWAY, AND THE ADDITION OF ANY SITE IMPROVEMENT FEATURES NOT SHOWN SHALL BE IN ACCORDANCE WITH CURRENT WASHOE COUNTY HEALTH DISTRICT (WCHD) SEWAGE, WASTEWATER, AND SANITATION REGULATIONS.
- DISTRIBUTION MANIFOLD SHALL BE CEMENTED TOGETHER AND BE PLACED IN SUCH A MANNER AS TO PROVIDE UNIFORM DISTRIBUTION TO EACH PERFORATED DISPOSAL LINE. PERFORATED DISPOSAL LINES SHALL BE LAID AT SLOPES WHICH PROVIDE FOR UNIFORM DISTRIBUTION OF EFFLUENT ACROSS THE DISPOSAL BED. THE WCHD ESTABLISHES 85 PERCENT COVERAGE ACROSS THE DISPOSAL BED AS AN ACCEPTABLE MINIMUM.
- DESIGN IS BASED ON PERCOLATION TEST DATA BY RENO TAHOE GEO ASSOCIATES, DATED AUGUST 6, 2021. DISPOSAL SYSTEM DESIGN UTILIZES A SAND FILTER BED SYSTEM BASED ON A SEASONAL HIGH GROUNDWATER DEPTH OF 5 FEET BELOW GROUND SURFACE. BED EXCAVATION SHALL BE INSPECTED PRIOR TO PLACEMENT OF VISQUEEN OR SAND (SEE INSPECTION NOTES THIS SHEET).
- DISTRIBUTION PIPING SHALL BE 2" SCHEDULE 40 PVC, AND SHALL BE STRAIGHT. 1 ROW OF 3/8" DIAMETER HOLES SHALL BE DRILLED AT 6" O.C. ALONG THE BOTTOM OF THE PIPING AT 15' FROM VERTICAL DOWN POSITION. PIPES SHALL BE LAID WITH HOLES DOWN AT A UNIFORM GRADIENT THAT WILL PROVIDE UNIFORM FLOW THRU HOLES.
- THIS SYSTEM IS DESIGNED FOR THE NORMAL USE OF UTILITY FACILITIES ASSOCIATED WITH THE PROPOSED CONSTRUCTION. THE INSTALLATION OF THE UTILITY FACILITIES NOT NORMAL TO THE PROPOSED CONSTRUCTION MAY ADVERSELY EFFECT THE SYSTEM'S FUNCTIONALITY AND SERVICE LIFE.
- THE PLACEMENT OF ROOT INVASIVE AND HIGH WATER DEMAND PLANTS OVER OR IMMEDIATELY ADJACENT TO THE PROPOSED DISPOSAL FIELD IS STRONGLY DISCOURAGED. PLACEMENT OF THESE TYPES OF PLANTS OVER OR NEAR THE DISPOSAL FIELD WILL REDUCE THE FIELD'S SERVICE LIFE EXPECTANCY.
- THE FINISH GRADED SURFACE WITHIN THE AREA OF PROPOSED DISPOSAL FIELD SHALL PROVIDE POSITIVE SURFACE DRAINAGE AWAY FROM THE FIELD. IT IS THE OWNER'S RESPONSIBILITY TO MAINTAIN POSITIVE SURFACE DRAINAGE AWAY FROM THE DISPOSAL FIELD INDEFINITELY (INCLUDING LANDSCAPING INSTALLATION).

INSPECTION NOTES:

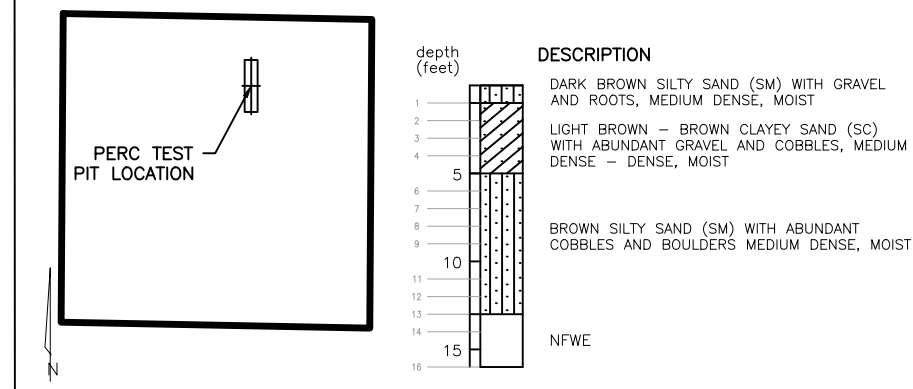
- THIS IS AN ENGINEERED SEPTIC DISPOSAL SYSTEM AND INSPECTION IS REQUIRED DURING CONSTRUCTION. CONTRACTOR SHALL NOTIFY RENO TAHOE GEO ASSOCIATES, INC. 48 HOURS (MINIMUM) SUCH THAT THE FOLLOWING INSPECTIONS CAN BE COORDINATED WITH THE WASHOE COUNTY DISTRICT HEALTH DEPARTMENT:
 - EXCAVATION OF DISPOSAL BED AND SCARIFICATION OF SOIL BOTTOM.
 - PLACEMENT OF FILTER SAND AND INSPECTION OF MEMBRANE ON SIDEWALLS OF BED.
 - PLACEMENT OF DRAINROCK AND PIPING ABOVE SAND.
 - WET TEST OF PIPING PRIOR TO COVERING WITH DRAINROCK. PERFORATED PIPING IS TO BE PLACED IN SUCH A MANNER THAT WATER DISTRIBUTES OVER APPROXIMATELY 85% OF THE DISPOSAL FIELD.
 - WET TEST OF PUMP ACTIVATION SWITCHING AND ALARM.



TEST PIT NO.: PTP-01 SET UP: 01/30/2023
 TEST NO.: A RUN: 01/30/2023
 DIMENSIONS: 18" Wide X 12" Deep FIELD TECH: Z. ILLER
 SOIL TESTED: SILTY SAND (SM)

TIME (hours/minutes)	MEASURED DROP (inches)	REMARKS
0:00	START TEST	Initial Water Added, IAW 090.060
0:10	1"	Proceed, IAW 090.085
0:10	1"	
0:10	1"	
0:10	1"	Terminate, IAW 090.085
0:10	1"	
0:10	1"	

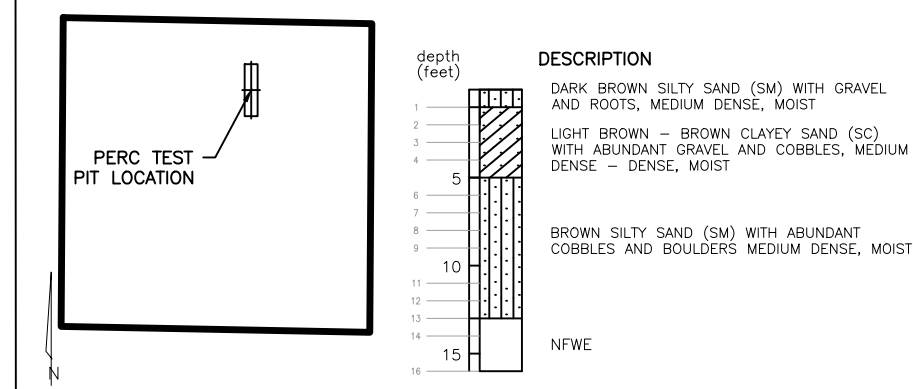
PERCOLATION RATE: 60 Minutes Per Inch
 DEPTH TEST PERFORMED: 2 Feet
 PIT EVALUATED BY: Z. ILLER



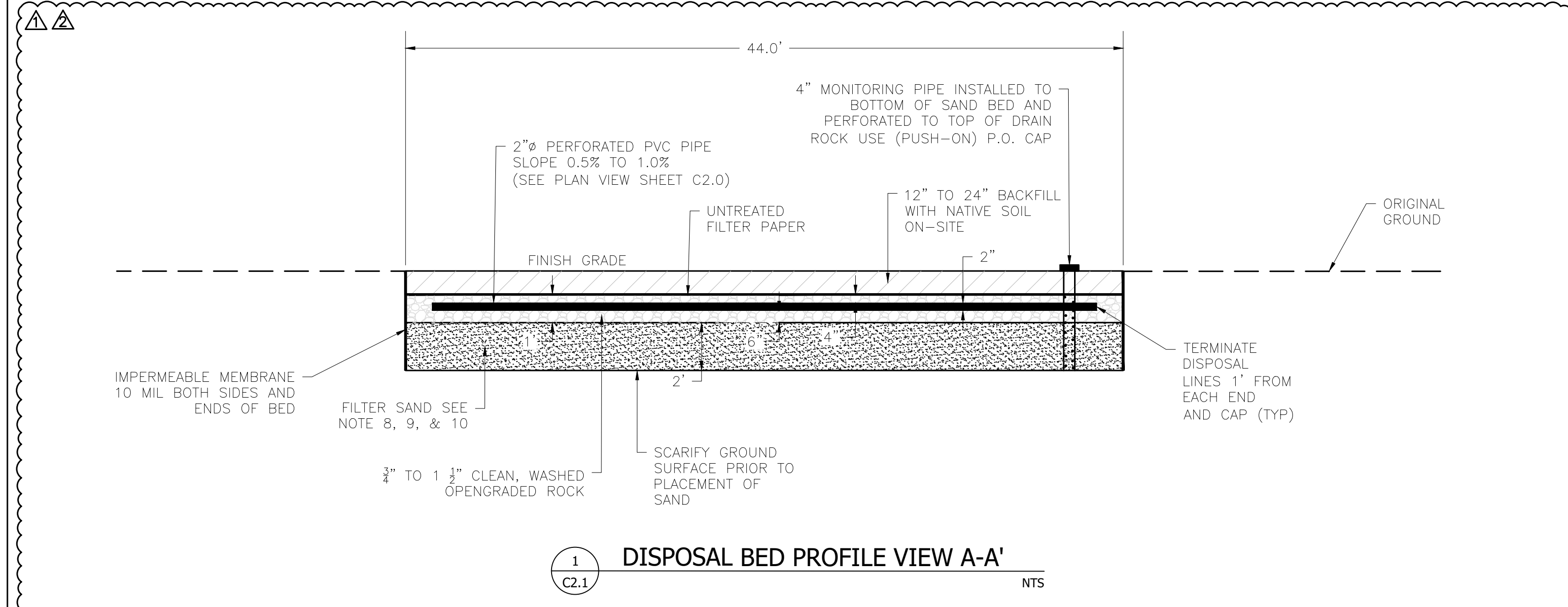
TEST PIT NO.: PTP-01 SET UP: 04/18/2022
 TEST NO.: B RUN: 04/18/2022
 DIMENSIONS: 8" Wide X 12" Deep FIELD TECH: Z. ILLER
 SOIL TESTED: POORLY GRADED SAND WITH SILT (SP-SM)

TIME (hours/minutes)	MEASURED DROP (inches)	REMARKS
0:00	START TEST	Initial Water Added, IAW 090.060
0:30	1"	Pre-soak, IAW 090.075
0:30	1"	Adjust Water level to 6", IAW 090.070
0:30	1"	Proceed, IAW 090.085
0:30	1"	Terminate, IAW 090.085

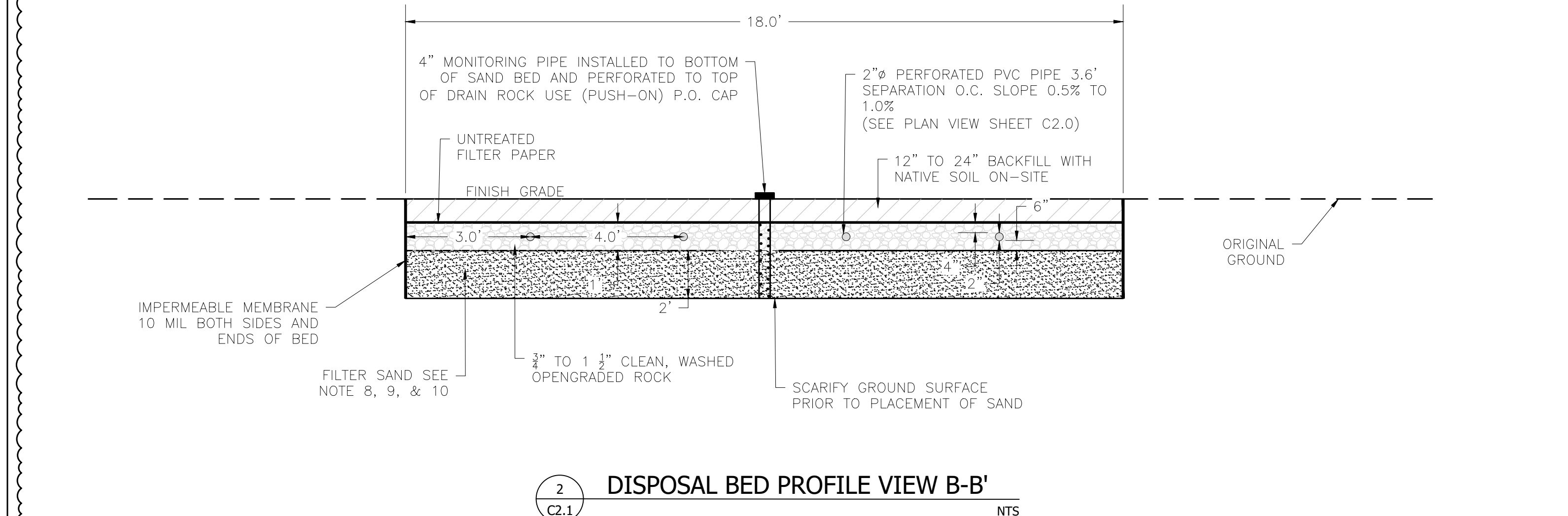
PERCOLATION RATE: 60 Minutes Per Inch
 DEPTH TEST PERFORMED: 4 Feet
 PIT EVALUATED BY: Z. ILLER



3 PERCOLATION REPORTS NTS

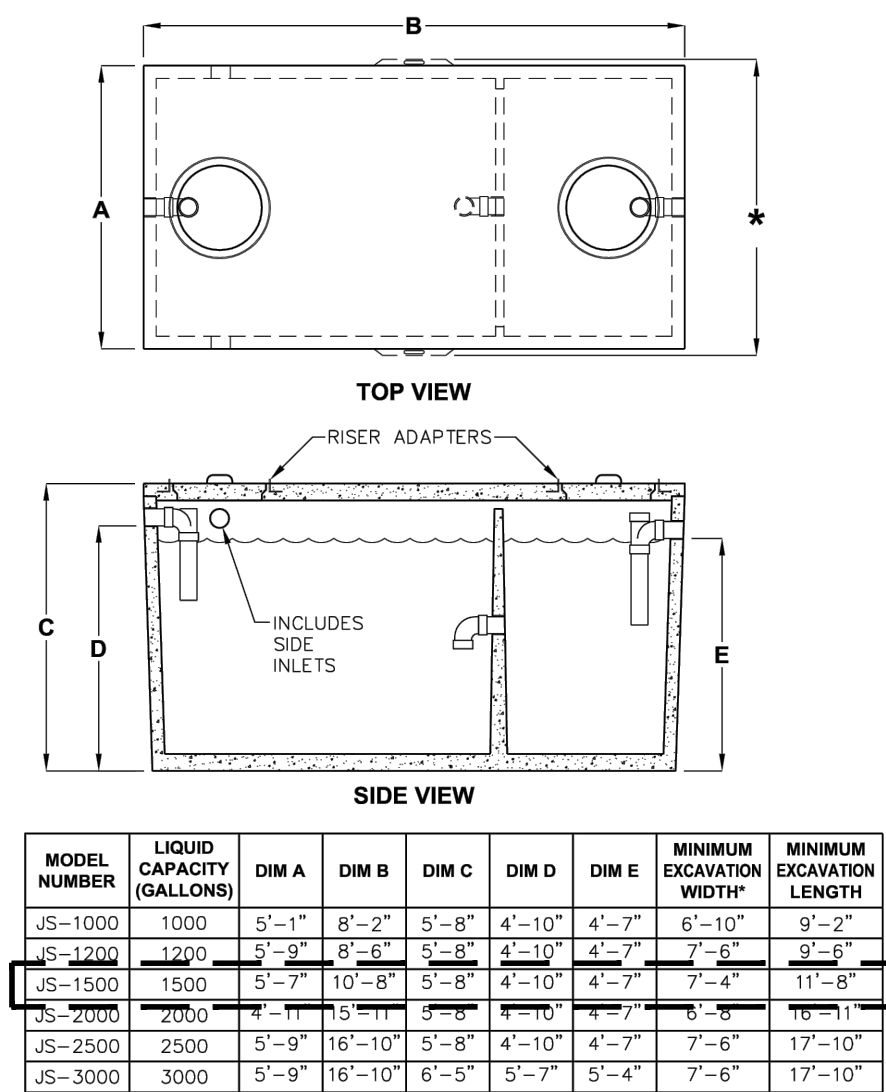


1 DISPOSAL BED PROFILE VIEW A-A' NTS



2 DISPOSAL BED PROFILE VIEW B-B' NTS

RESIDENTIAL SEPTIC TANKS LISTED BY UPC®



*OVERALL WIDTH CAN VARY WITH TANK MODEL. USE EXCAVATION WIDTH FOR SITE PLANNING.
 DESIGN LOAD: NON-TRAFFIC WITH 3" EARTH COVER MAXIMUM AT 500 PSF.
 FOR COMPLETE DESIGN AND PRODUCT INFORMATION CONTACT JENSEN PRECAST.

4 SEWER EJECTOR TRENCH DETAIL NTS
 5 JENSEN 1500 GALLON SEPTIC TANK NTS

DESIGN CALCULATIONS

RESIDENCE: 3 BEDROOM, UPSIZING TO A 1500 GALLON SEPTIC TANK
 SOIL TYPE: BROWN SILTY SAND (SM)
 GROUND WATER SEASONAL MAX.: NOT APPLICABLE
 DEPTH TO IMPERVIOUS SOIL: NOT APPLICABLE
 DESIGN PERCOLATION RATE: 60 minutes per inch
 LEACH FIELD TYPE: MOUNDED SAND FILTER BED SYSTEM

DESIGN: $Q = \frac{5}{\sqrt{t}}$ WHERE Q=APPLICATION RATE (gpd/sq.ft.)
 t =DESIGN PERCOLATION RATE (minutes/inch)
 (BED SIZING WILL BE CONTROLLED BY PERCOLATION RATE)

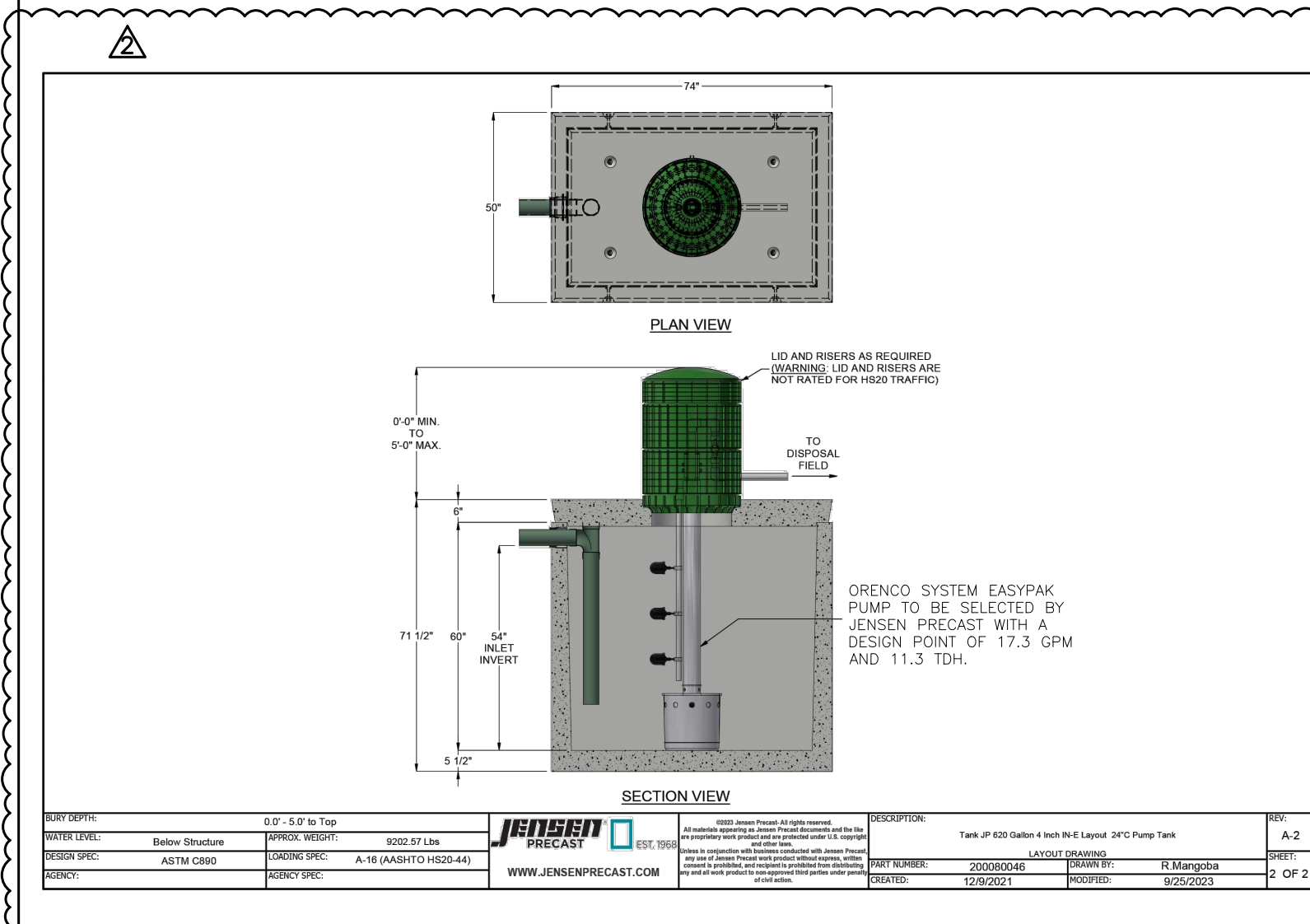
$Q = \frac{5}{\sqrt{60}} = 0.6455 \text{ gpd/sq.ft.}$

FOR MAIN RESIDENCE
 BED AREA; $A = \frac{1500 \text{ gpd}}{0.6455 \text{ gpd/sq.ft.}} = 2,324 \text{ sq.ft.}$

REDUCE THE BED SIZE BY $\frac{1}{3} = 775 \text{ sq.ft.}$

SAND FILTER BED DIMENSIONS:
 PRIMARY - 18' X 44' = 792sq.ft. "ok"
 SECONDARY - 40'X20' = 800sq.ft. "ok"

DOSING CYCLE:
 $\frac{1,500 \text{ GPD}}{6 \text{ DOSES/DAY}} = 250 \text{ GAL/DOSE}$



6 JENSEN 620 GALLON DOSING TANK NTS

RENO TAHOE GEO ASSOCIATES, INC. CONSULTING CIVIL ENGINEERS
 P.O. Box 18449 Reno, Nevada 89511
 TEL (775)853-9100 FAX (775)853-9199

SEPTIC DETAILS AND CALCS
 0 WHITES CREEK LANE
 APN: 142-241-14
 WASHOE COUNTY, NEVADA

ENGINEER-SEPTIC SYSTEMS
 CHRISTINA A. BRENNAN
 Exp. 12/31/24
 No. 24133
 SIGNED: 7/23/24

DATE: JULY 2024
 JOB NUMBER: 22139.002
 DESIGNED BY: CAB
 DRAWN BY: ZRI
 CHECKED BY: CAB

SHEET C2.1

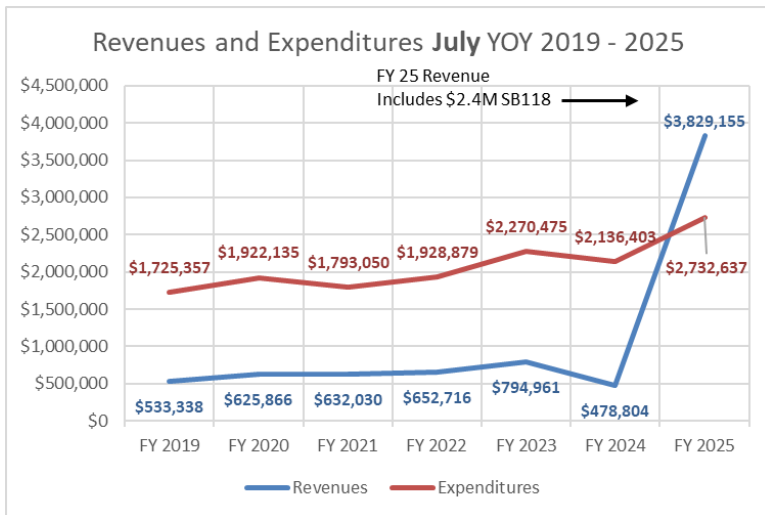
Staff Report
Board Meeting Date: August 22, 2024

DATE: August 12, 2024
TO: District Board of Health
FROM: Jack Zenteno, Administrative Health Services Officer
 775-328-2417, Jzenteno@nnp.org
SUBJECT: Acknowledge receipt of the Health Fund Financial Review for July, Fiscal Year 2025.

SUMMARY

Fiscal Year 2025:

The first month of FY25 ended with a cash balance of \$16,087,503. The total revenues were \$3,829,155 or 9.9% of budget up 171% or \$2,416,671 more than FY24 mostly related to funding for SB 118 at \$2.4 Million. The expenditures totaled \$2,732,637 up \$596,235 or 27.9% compared to FY24.



District Health Strategic Priority supported by this item:

6. Financial Stability: Enable the Health District to make long-term commitments in areas that will positively impact the community’s health by growing reliable sources of income.

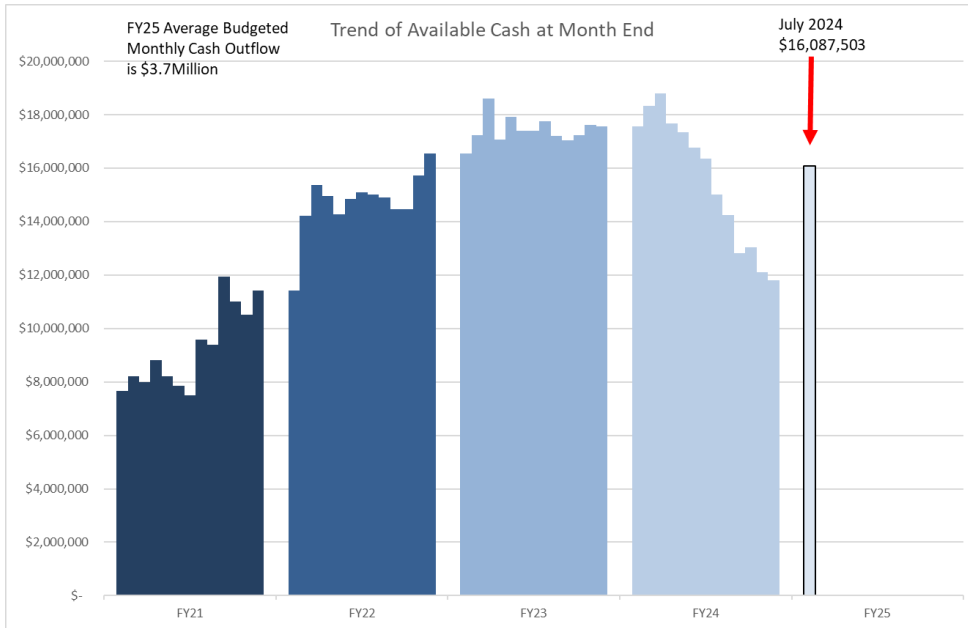
PREVIOUS ACTION

Fiscal Year 2024 Budget was adopted May 16, 2024.

BACKGROUND

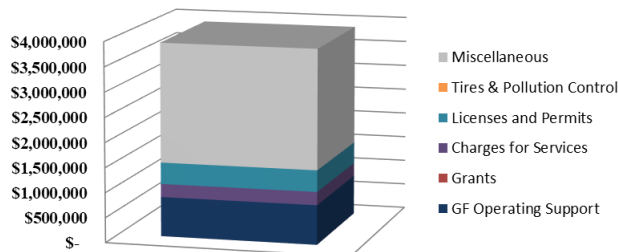
Review of Cash

The available cash at the end of May FY24 was \$16,087,503 which is enough to cover 4.4 months of expenditures. The encumbrances and other liability cash totals \$1.7 million; the cash restricted as to use is \$1.8 million (includes \$375,150 DMV pollution control revenue, \$469,674 Solid Waste Management Tire Funds, \$961,199 Accela Regional Permitting Technology Fees); leaving a balance of \$4.6 million.

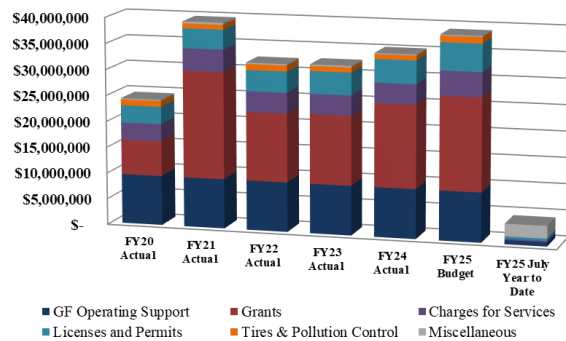


Review of Revenues (including transfers from General Fund) and Expenditures by category

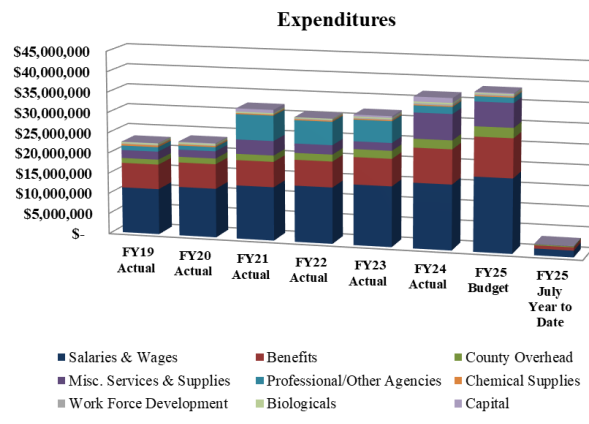
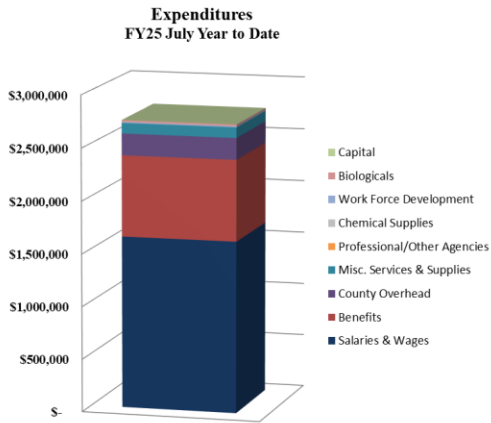
Revenues
 FY25 July Year to Date



Revenues
 (including General Fund support)



The total **revenues** year to date were \$3,829,155 up \$2,416,671 or 171% compared to July FY24. The revenue categories up over FY24 were Licenses and Permits up \$60,046, Charges for Services up \$43,271 and miscellaneous up \$2.4 Million related to revenues from Senate Bill 118. The remaining revenue categories are down compared to FY24. The County General Fund support of \$793,071 is level compared to FY24 and has remained level since FY16.



The total year to date **expenditures** of \$2,732,637 were up \$596,235 or 27.9% compared to FY24. Salaries and benefits expenditures for July FY24 were \$1,630,241 up \$447,235 or 19% over the prior year. The total services and supplies of \$332,060 up \$23,741 compared to FY24.

Review of Revenues and Expenditures by Division

ODHO revenues were \$2,400,000. The office has spent \$329,331 up \$136,173 from FY 24

AHS has spent \$117,334 up \$6,470 compared to FY24.

AQM revenues were \$131,729 down \$33,695. The Division spent \$297,962 up \$34,092 compared to FY24.

CCHS revenues were \$65,671 up \$22,205 compared to FY24. The division spent \$1,041,994 up \$287,479 compared to FY24.

EHS revenues were \$376,976 up \$52,644 over FY24. Total expenditures were \$612,185 up \$52,058 compared to FY24.

EPHP revenues were \$61,707 down \$24,482 compared to FY24. The division spent \$333,831 up \$79,963 over FY24.



Northern Nevada Public Health Summary of Revenues and Expenditures Fiscal Year 2021 through July Year to Date Fiscal Year 2025									
	Actual Fiscal Year			FY 2024		Fiscal Year 2025			
	FY 2021	FY 2022	FY 2023	Unaudited Year End	July Year to Date	Adjusted Budget	July Year to Date	of Budget	Increase over FY24
Revenues (all sources of funds)									
ODHO	-	244,552	1,108,466	1,279,944	-	9,865,016	2,400,000	24.3%	-
AHS	-	-	30,870	-	-	-	-		-
AQM	3,966,854	3,754,067	3,588,700	3,730,584	165,425	4,396,310	131,729	3.0%	-20.4%
CCHS	5,107,072	6,211,924	5,747,240	6,827,266	43,466	5,167,570	65,671	1.3%	51.1%
EHS	5,389,858	5,125,352	5,477,177	5,649,621	324,332	6,669,452	376,976	5.7%	16.2%
EPHP	15,515,861	9,330,745	6,795,841	8,032,826	86,189	3,193,366	61,707	1.9%	-28.4%
GF support	9,516,856	9,516,856	9,516,856	9,516,856	793,071	9,516,856	793,071	8.3%	0.0%
Total Revenues	\$ 39,496,501	\$ 34,183,496	\$ 32,265,149	\$ 35,037,097	\$ 1,412,484	\$ 38,808,571	\$ 3,829,155	9.9%	171.1%
Expenditures (all uses of funds)									
ODHO	776,920	1,795,314	2,962,863	3,820,315	193,158	3,510,303	329,331	9.4%	70.5%
AHS	1,040,308	1,162,521	1,361,706	1,414,102	110,864	1,905,256	117,334	6.2%	5.8%
AQM	2,778,205	3,137,496	3,066,293	3,775,028	263,870	4,708,405	297,962	6.3%	12.9%
CCHS	7,925,975	9,607,271	10,033,846	11,527,202	754,515	11,817,216	1,041,994	8.8%	38.1%
EHS	5,935,159	6,622,164	7,062,782	7,505,975	560,127	9,395,034	612,185	6.5%	9.3%
EPHP	13,825,345	8,970,538	7,200,044	8,569,528	253,868	7,041,774	333,831	4.7%	31.5%
Total Expenditures	\$ 32,281,912	\$ 31,295,303	\$ 31,687,533	\$ 36,612,151	\$ 2,136,403	\$ 38,377,988	\$ 2,732,637	7.1%	27.9%
Revenues (sources of funds) less Expenditures (uses of funds):									
ODHO	(776,920)	(1,550,762)	(1,854,397)	(2,540,371)	(193,158)	6,354,713	2,070,669		
AHS	(1,040,308)	(1,162,521)	(1,330,836)	(1,414,102)	(110,864)	(1,905,256)	(117,334)		
AQM	1,188,649	616,571	522,407	(44,445)	(98,446)	(312,095)	(166,233)		
CCHS	(2,818,903)	(3,395,347)	(4,286,606)	(4,699,937)	(711,049)	11,817,216	(976,323)		
EHS	(545,301)	(1,496,812)	(1,585,605)	(1,856,354)	(235,794)	(2,725,582)	(235,209)		
EPHP	1,690,516	360,207	(404,203)	(536,703)	(167,679)	7,041,774	(272,124)		
GF Operating	9,516,856	9,516,856	9,516,856	9,516,856	793,071	9,516,856	793,071		
Surplus (deficit)	\$ 7,214,589	\$ 2,888,193	\$ 577,616	\$ (1,575,054)	\$ (723,919)	\$ 29,787,627	\$ 1,096,518		
Fund Balance (FB)	\$ 15,276,682	\$ 18,164,875	\$ 18,742,491	\$ 16,087,503					
FB as a % of Expenditures	47.3%	58.0%	59.1%	43.9%		0.0%			

Note: ODHO=Office of the District Health Officer, AHS=Administrative Health Services, AQM=Air Quality Management, CCHS=Community and Clinical Health Services, EHS=Environmental Health Services, EPHP=Epidemiology and Public Health Preparedness, GF=County General Fund

FISCAL IMPACT

No fiscal impact associated with the acknowledgement of this staff report.

RECOMMENDATION

Staff recommends that the District Board of Health acknowledge receipt of the Health Fund financial review for May, Fiscal Year 2024.

POSSIBLE MOTION

Should the Board agree with staff’s recommendation, a possible motion would be: “Move to acknowledge receipt of the Health Fund financial review for July, Fiscal Year 2025.”

Attachment:

Health District Fund financial system summary report

Period: 1 thru 1 2025	Fund: 202	Health Fund
Account: GO-P-L	Fund Center: 202-0	Health Department

Accounts	Plan	Actual	PO Commit	Actual + PO	Available	Avail%	PreCommit	Available	Avail%
422503 Environmental Permits	183,220.00-	8,217.12-		8,217.12-	175,002.88-	95.52-		175,002.88-	95.52-
422504 Pool Permits	456,304.00-	21,532.80-		21,532.80-	434,771.20-	95.28-		434,771.20-	95.28-
422505 RV Permits	65,000.00-	4,000.32-		4,000.32-	60,999.68-	93.85-		60,999.68-	93.85-
422507 Food Service Permits	2,361,872.00-	183,046.08-		183,046.08-	2,178,825.92-	92.25-		2,178,825.92-	92.25-
422508 Wat Well Const Perm	200,000.00-	6,704.64-		6,704.64-	193,295.36-	96.65-		193,295.36-	96.65-
422509 Water Company Permits	7,899.00-				7,899.00-	100.00-		7,899.00-	100.00-
422510 Air Pollution Permits	849,695.52-	97,657.50-		97,657.50-	752,038.02-	88.51-		752,038.02-	88.51-
422511 ISDS Permits	519,512.40-	42,855.36-		42,855.36-	476,657.04-	91.75-		476,657.04-	91.75-
422513 Special Event Permits	130,000.00-	45,717.12-		45,717.12-	84,282.88-	64.83-		84,282.88-	64.83-
422514 Initial Applic Fee	312,000.00-	19,442.88-		19,442.88-	292,557.12-	93.77-		292,557.12-	93.77-
422515 UST Permits	169,754.00-	2,120.40-		2,120.40-	167,633.60-	98.75-		167,633.60-	98.75-
* LICENSES AND PERMITS	5,255,256.92-	431,294.22-		431,294.22-	4,823,962.70-	91.79-		4,823,962.70-	91.79-
431100 Federal Grants	16,632,477.22-	60,333.12		60,333.12	16,692,810.34-	100.36-		16,692,810.34-	100.36-
431105 Fed. Grants-Indirect	748,258.78-				748,258.78-	100.00-		748,258.78-	100.00-
432100 State Grants	437,616.58-				437,616.58-	100.00-		437,616.58-	100.00-
432105 State Grants-Indirect	47,013.33-				47,013.33-	100.00-		47,013.33-	100.00-
432310 Tire Fee NRS 444A.090	550,000.00-				550,000.00-	100.00-		550,000.00-	100.00-
432311 Polut Ctrl 445B.830	700,277.19-				700,277.19-	100.00-		700,277.19-	100.00-
* INTERGOVERNMENTAL	19,115,643.10-	60,333.12		60,333.12	19,175,976.22-	100.32-		19,175,976.22-	100.32-
460500 Other Immunizations	75,600.00-	6,768.99-		6,768.99-	68,831.01-	91.05-		68,831.01-	91.05-
460501 Medicaid Clinic Svcs	197,400.00-	15,549.69-		15,549.69-	181,850.31-	92.12-		181,850.31-	92.12-
460511 Birth Death Certific	720,000.00-	61,707.00-		61,707.00-	658,293.00-	91.43-		658,293.00-	91.43-
460513 Other Health Service	165,418.00-	13,374.72-		13,374.72-	152,043.28-	91.91-		152,043.28-	91.91-
460516 Pgm Inc-3rd prty rec	296,520.00-	34,158.93-		34,158.93-	262,361.07-	88.48-		262,361.07-	88.48-
460518 STD Fees	9,450.00-	734.25-		734.25-	8,715.75-	92.23-		8,715.75-	92.23-
460520 Eng Serv Health	673,425.00-	8,293.44-		8,293.44-	665,131.56-	98.77-		665,131.56-	98.77-
460521 Plan Review - Pools	3,353.00-				3,353.00-	100.00-		3,353.00-	100.00-
460523 Plan Review - Food F	204,690.00-				204,690.00-	100.00-		204,690.00-	100.00-
460524 Family Planning	105,000.00-	7,956.40-		7,956.40-	97,043.60-	92.42-		97,043.60-	92.42-
460525 Plan Review - Vector	47,425.00-	1,385.28-		1,385.28-	46,039.72-	97.08-		46,039.72-	97.08-
460526 Plan Review-Air Quality	258,553.17-	5,943.36-		5,943.36-	252,609.81-	97.70-		252,609.81-	97.70-
460527 NOE-AQM	348,477.70-	23,083.16-		23,083.16-	325,394.54-	93.38-		325,394.54-	93.38-
460528 NESHAP-AQM	317,286.83-	17,978.88-		17,978.88-	299,307.95-	94.33-		299,307.95-	94.33-
460529 Assessments-AQM	133,803.50-	7,992.96-		7,992.96-	125,810.54-	94.03-		125,810.54-	94.03-
460530 Inspector Regis-AQM	3,754.33-				3,754.33-	100.00-		3,754.33-	100.00-
460531 Dust Plan-Air Quality	830,559.40-	32,523.84-		32,523.84-	798,035.56-	96.08-		798,035.56-	96.08-
460532 Plan Rvw Hotel/Motel	2,584.00-				2,584.00-	100.00-		2,584.00-	100.00-
460534 Child Care Inspection	34,320.00-	3,340.80-		3,340.80-	30,979.20-	90.27-		30,979.20-	90.27-
460535 Pub Accomod Inspectn	50,000.00-	1,136.64-		1,136.64-	48,863.36-	97.73-		48,863.36-	97.73-
460723 Other Fees	256,046.46-	22,764.51-		22,764.51-	233,281.95-	91.11-		233,281.95-	91.11-
* CHARGES FOR SERVICES	4,733,666.39-	264,692.85-		264,692.85-	4,468,973.54-	94.41-		4,468,973.54-	94.41-
484000 Donation,Contri-Oper	1,100.00-	306.28-		306.28-	793.72-	72.16-		793.72-	72.16-
484050 Donation Fed Pgm Inc	1,500.00-	123.46-		123.46-	1,376.54-	91.77-		1,376.54-	91.77-
484195 Non-Governmental Grants	102,084.00-	2,011,145.00-		2,011,145.00-	1,909,061.00	*70.09		1,909,061.00	*70.09
484197 Non-Gov. Grant-Indir	28,467.45-	388,855.00-		388,855.00-	360,387.55	*65.96		360,387.55	*65.96

485100	Reimbursements	53,996.72-			53,996.72-	100.00-		53,996.72-	100.00-	
*	MISCELLANEOUS	187,148.17-	2,400,429.74-		2,400,429.74-	2,213,281.57	*82.64	2,213,281.57	*82.64	
**	REVENUE	29,291,714.58-	3,036,083.69-		3,036,083.69-	26,255,630.89-	89.64-	26,255,630.89-	89.64-	
701110	Base Salaries	16,077,943.09	1,387,108.77		1,387,108.77	14,690,834.32	91.37	14,690,834.32	91.37	
701120	Part Time	607,557.14	66,721.98		66,721.98	540,835.16	89.02	540,835.16	89.02	
701130	Pooled Positions	422,413.84	68,228.78		68,228.78	354,185.06	83.85	354,185.06	83.85	
701140	Holiday Work	4,318.65	1,844.95		1,844.95	2,473.70	57.28	2,473.70	57.28	
701200	Incentive Longevity	269,850.00	637.69		637.69	269,212.31	99.76	269,212.31	99.76	
701300	Overtime	63,017.17	7,481.47		7,481.47	55,535.70	88.13	55,535.70	88.13	
701403	Shift Differential	300.00	8.40-		8.40-	308.40	102.80-	308.40	102.80-	
701406	Standby Pay	38,950.00	3,703.28		3,703.28	35,246.72	90.49	35,246.72	90.49	
701408	Call Back	4,050.00	114.76		114.76	3,935.24	97.17	3,935.24	97.17	
701412	Salary Adjustment	403,828.00				403,828.00	100.00	403,828.00	100.00	
701413	Vac Payoff Sick Term	208,970.00	90,484.41		90,484.41	118,485.59	56.70	118,485.59	56.70	
701414	Vacation Denied-Payoff	13,851.50	3,270.79		3,270.79	10,580.71	76.39	10,580.71	76.39	
701417	Comp Time		450.58		450.58	450.58-		450.58-		
701419	Comp Time - Transfer		201.64		201.64	201.64-		201.64-		
*	SALARIES AND WAGES	18,115,049.39	1,630,240.70		1,630,240.70	16,484,808.69	91.00	16,484,808.69	91.00	
705110	Group Insurance	2,124,159.54	180,339.30		180,339.30	1,943,820.24	91.51	1,943,820.24	91.51	
705115	ER HSA Contribs	311,500.00	1,250.05		1,250.05	310,249.95	99.60	310,249.95	99.60	
705190	OPEB Contribution	848,332.00	70,694.34		70,694.34	777,637.66	91.67	777,637.66	91.67	
705210	Retirement	5,680,063.36	489,050.53		489,050.53	5,191,012.83	91.39	5,191,012.83	91.39	
705215	Retirement Calculation	12,577.50				12,577.50	100.00	12,577.50	100.00	
705230	Medicare April 1986	236,559.90	24,135.75		24,135.75	212,424.15	89.80	212,424.15	89.80	
705240	Grp Insur Budget Inc	109,537.00				109,537.00	100.00	109,537.00	100.00	
705320	Workmens Comp	51,101.81	4,483.69		4,483.69	46,618.12	91.23	46,618.12	91.23	
705330	Unemploy Comp	14,049.27	383.23		383.23	13,666.04	97.27	13,666.04	97.27	
705360	Benefit Adjustment	175,566.00				175,566.00	100.00	175,566.00	100.00	
*	EMPLOYEE BENEFITS	9,563,446.38	770,336.89		770,336.89	8,793,109.49	91.95	8,793,109.49	91.95	
710100	Professional Services	1,259,335.33	270.00	378,095.25	378,365.25	880,970.08	69.96	16,400.00	864,570.08	68.65
710105	Medical Services	10,913.00				10,913.00	100.00		10,913.00	100.00
710108	MD Consultants	48,913.44	2,703.66	33,772.82	36,476.48	12,436.96	25.43		12,436.96	25.43
710110	Contracted/Temp Svcs	2,414,954.68		100,976.40	100,976.40	2,313,978.28	95.82	2,541,873.47	227,895.19-	9.44-
710155	Lobbying Services	600.00				600.00	100.00		600.00	100.00
710200	Service Contract	80,822.76	591.00	35,000.00	35,591.00	45,231.76	55.96	8,395.92	36,835.84	45.58
710201	Laundry Services	1,550.00	57.08		57.08	1,492.92	96.32		1,492.92	96.32
710204	Security Contracts	9,930.80		5,930.80	5,930.80	4,000.00	40.28		4,000.00	40.28
710205	Repairs and Maintenance	19,756.93	99.00		99.00	19,657.93	99.50	1,598.53	18,059.40	91.41
710210	Software Maintenance	58,500.05		53,060.05	53,060.05	5,440.00	9.30		5,440.00	9.30
710212	Software Subscription	42,326.20	3,823.44	42,825.99	46,649.43	4,323.23-	10.21-		4,323.23-	10.21-
710300	Operating Supplies	178,035.41	3,263.15	171,214.98	174,478.13	3,557.28	2.00	19.65	3,537.63	1.99
710302	Small Tools & Allow	1,435.00	181.22		181.22	1,253.78	87.37		1,253.78	87.37
710308	Animal Supplies	1,600.00				1,600.00	100.00		1,600.00	100.00
710319	Chemical Supplies	237,000.00				237,000.00	100.00		237,000.00	100.00
710325	Signs and Markers	973.00				973.00	100.00		973.00	100.00
710334	Copy Mach-Lease Exp	26,240.72	66.92	18,101.40	18,168.32	8,072.40	30.76	401.52	7,670.88	29.23
710335	Copy Machine-Copies	10,505.59		5,797.91	5,797.91	4,707.68	44.81		4,707.68	44.81
710350	Office Supplies	32,510.23	66.28		66.28	32,443.95	99.80	168.11	32,275.84	99.28
710355	Books and Subscriptions	7,190.00	369.00		369.00	6,821.00	94.87		6,821.00	94.87
710360	Postage	21,039.82				21,039.82	100.00		21,039.82	100.00
710361	Express Courier	100.00				100.00	100.00		100.00	100.00
710400	Pmts to O Agencies	311,924.00	300.00	126,574.00	126,874.00	185,050.00	59.33		185,050.00	59.33
710500	Other Expense	97,143.72				97,143.72	100.00		97,143.72	100.00
710502	Printing	37,385.00				37,385.00	100.00		37,385.00	100.00
710503	Licenses & Permits	5,900.00	215.44-		215.44-	6,115.44	103.65-	140.00	5,975.44	101.28-
710504	Registration	2,900.00				2,900.00	100.00		2,900.00	100.00
710507	Network and Data Lines	16,740.00	473.25	3,267.00	3,740.25	12,999.75	77.66		12,999.75	77.66
710508	Telephone Land Lines	33,089.00	115.55		115.55	32,973.45	99.65		32,973.45	99.65

710509	Seminars and Meetings	109,880.00	2,020.00		2,020.00	107,860.00	98.16	39.95	107,820.05	98.13
710512	Auto Expense	7,385.00	202.41		202.41	7,182.59	97.26		7,182.59	97.26
710514	Regulatory Assessments	24,000.00		22,946.04	22,946.04	1,053.96	4.39		1,053.96	4.39
710519	Cellular Phone	16,481.00	548.49		548.49	15,932.51	96.67		15,932.51	96.67
710529	Dues	19,294.85	3,307.00		3,307.00	15,987.85	82.86		15,987.85	82.86
710535	Credit Card Fees	59,217.41		1,727.41	1,727.41	57,490.00	97.08		57,490.00	97.08
710546	Advertising	130,012.86	34.01	84,182.74	84,216.75	45,796.11	35.22	829.33	44,966.78	34.59
710551	Cash Discounts Lost		216.58		216.58	216.58-			216.58-	
710563	Recruitment		7,001.66		7,001.66	7,001.66-			7,001.66-	
710571	Safety Expense	41,852.00			41,852.00	100.00			41,852.00	100.00
710577	Uniforms & Special C	9,350.00	234.99		234.99	9,115.01	97.49	229.99	8,885.02	95.03
710585	Undesignated Budget	1,237,165.04				1,237,165.04	100.00		1,237,165.04	100.00
710594	Insurance Premium	5,815.00			5,815.00	100.00			5,815.00	100.00
710600	LT Lease-Office Space	81,759.00	13,522.00	67,610.00	81,132.00	627.00	0.77		627.00	0.77
710703	Biologicals	271,687.00	17,244.79	356,255.21	373,500.00	101,813.00-	37.47-		101,813.00-	37.47-
710714	Referral Services			9,500.00	9,500.00	9,500.00-			9,500.00-	
710721	Outpatient	38,295.72	19,850.00	95,417.72	115,267.72	76,972.00-	200.99-	72,000.00	148,972.00-	389.00-
710872	Food Purchases	25,844.00	39.66		39.66	25,804.34	99.85		25,804.34	99.85
711008	Combined Utilities	149,843.00				149,843.00	100.00		149,843.00	100.00
711100	ESD Asset Management	58,730.00	5,594.40		5,594.40	53,135.60	90.47		53,135.60	90.47
711112	Special Modifications	52,023.00			52,023.00	100.00			52,023.00	100.00
711113	Equip Srv Replace	101,126.32	9,570.34		9,570.34	91,555.98	90.54		91,555.98	90.54
711114	Equip Srv O & M	54,251.65	6,953.44		6,953.44	47,298.21	87.18		47,298.21	87.18
711117	ESD Fuel Charge	37,639.20	2,630.95		2,630.95	35,008.25	93.01		35,008.25	93.01
711119	Property & Liability	48,637.13	4,053.09		4,053.09	44,584.04	91.67		44,584.04	91.67
711210	Travel	184,556.16	7,124.73		7,124.73	177,431.43	96.14	2,538.60	174,892.83	94.76
711213	Travel - Non County	23,443.00				23,443.00	100.00		23,443.00	100.00
711399	ProCard in Process							4,450.81	4,450.81-	
711400	Overhead - General Fund	2,463,221.00	205,268.41		205,268.41	2,257,952.59	91.67		2,257,952.59	91.67
711504	Equipment nonCapital	121,461.60	9,226.02		9,226.02	112,235.58	92.40	2,605.70	109,629.88	90.26
711508	Computers nonCapital	134,046.00		23,781.00	23,781.00	110,265.00	82.26		110,265.00	82.26
711509	Comp Sftw nonCapital	13,533.78	5,252.78	58,056.12	63,308.90	49,775.12-	367.78-		49,775.12-	367.78-
*	SERVICES AND SUPPLIES	10,489,865.40	332,059.86	1,694,092.84	2,026,152.70	8,463,712.70	80.68	2,651,691.58	5,812,021.12	55.41
781004	Equipment Capital	197,444.16				197,444.16	100.00		197,444.16	100.00
781009	Comp Sftw Capital	12,182.50		12,182.50	12,182.50					
*	CAPITAL OUTLAY	209,626.66		12,182.50	12,182.50	197,444.16	94.19		197,444.16	94.19
**	EXPENDITURES	38,377,987.83	2,732,637.45	1,706,275.34	4,438,912.79	33,939,075.04	88.43	2,651,691.58	31,287,383.46	81.52
621001	Transfer From General	9,516,856.00-	793,071.33-		793,071.33-	8,723,784.67-	91.67-		8,723,784.67-	91.67-
*	TRANSFERS IN	9,516,856.00-	793,071.33-		793,071.33-	8,723,784.67-	91.67-		8,723,784.67-	91.67-
812230	To Reg Permits-230	109,000.00				109,000.00	100.00		109,000.00	100.00
814092	To Public Works Cons	9,354,000.00				9,354,000.00	100.00		9,354,000.00	100.00
*	TRANSFERS OUT	9,463,000.00				9,463,000.00	100.00		9,463,000.00	100.00
**	OTHER FINANCING SOURCES/USES	53,856.00-	793,071.33-		793,071.33-	739,215.33	*72.58		739,215.33	*72.58
***	Total	9,032,417.25	1,096,517.57-	1,706,275.34	609,757.77	8,422,659.48	93.25-	2,651,691.58	5,770,967.90	63.89-

Staff Report
Board Meeting Date: August 22, 2024

DATE: August 6, 2024
TO: District Board of Health
FROM: Barry Duplantis, Chief Executive Officer, REMSA Health
775-353-0790, bduplantis@remsa-cf.com
THROUGH: Andrea Esp, Preparedness and EMS Program Manager
775-326-6042, aesp@nnph.org
SUBJECT: Recommendation to accept the REMSA Health Monthly Franchise Report for July 2024 which includes REMSA Health Accounts Receivables Summary, Compliance by Zones, Average Response Times, Incident Details Reporting, Summary Penalty Fund Reconciliation, Ground Ambulance Operations Report, Patient Experience Report and Comments, Education Report, and Public Relations Report, and provide possible Board direction.

SUMMARY

This item is for acceptance of the REMSA Health Monthly Franchise report by the District Board of Health (DBOH) which includes REMSA Health Accounts Receivables Summary, Compliance by Zones, Average Response Times, Incident Details Reporting, Summary Penalty Fund Reconciliation, Ground Ambulance Operations Report, Patient Experience Report and Comments, Education Report, and Public Relations Report. REMSA Health will also provide a Corrective Action Plan update to the Board, as needed.

District Health Strategic Priorities supported by this item:

4. Impactful Partnerships: Extend our impact by leveraging partnerships to make meaningful progress on health issues.

PREVIOUS ACTION

On December 15, 2022, the DBOH voted, and passed, to allow REMSA Health to address corrective actions for non-compliance in the REMSA Health Monthly Franchise Report.

On August 24, 2023, the DBOH voted, and passed, to allow REMSA Health to use the new formatting of the report which includes all deliverable items in one report.

BACKGROUND

The REMSA Health Monthly Franchise Report addresses the information required for reporting by The Amended and Restated Franchise Agreement for Ambulance Service Amended February 23, 2023.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

Staff recommends that the Board accept, and provide possible direction, of the REMSA Health Monthly Franchise Report for July 2024.

POSSIBLE MOTION

Should the Board agree with the staff's recommendation, a possible motion would be: *“Move to accept the REMSA Health Monthly Franchise Report for July 2024 (and provide direction as desired).”*

ATTACHMENTS

DBOH – 8-22-2024 - REMSA Health Monthly Franchise Report –July 2024

A photograph showing two emergency medical technicians (EMTs) or paramedics in dark uniforms attending to a patient lying on a stretcher. The patient is wearing a white shirt and has an oxygen mask on their face. The scene is outdoors, possibly near an ambulance. The text "CARE. COMMUNITY. INNOVATION." is overlaid in large, white, sans-serif font on the left side of the image.

CARE. COMMUNITY. INNOVATION.

Since 1986, REMSA Health has provided nationally recognized ground ambulance service within Washoe County, Nevada. As the largest employer of EMS personnel in Northern Nevada, REMSA Health provides residents and visitors with 9-1-1 response and transport, interfacility transport, disaster preparedness, special events coverage, search and rescue, tactical medical support, and public education. REMSA Health provides ground ambulance services under a performance-based franchise agreement with the Washoe County Health District and is the sole provider of emergency and inter-facility ground ambulance transport services within Washoe County (excluding Incline Village and Gerlach). REMSA Health is a private nonprofit community-based service which is solely funded by user fees with no local community tax subsidy.

REMSA Health maintains its operational and clinical standards as one of the most recognized high- performance EMS systems in the country. REMSA Health responds to approximately 80,000 requests for service per year.

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Average Bill

Month	#Patients	Total Billed	Average Bill
January	4,880	\$10,079,364.00	\$2,065.44
February	4,678	\$9,674,125.80	\$2,068.00
March	4,928	\$10,199,412.00	\$2,069.69
April	4,928	\$10,198,163.70	\$2,069.43
May	5,036	\$10,409,842.20	\$2,067.09
June	5,013	\$10,376,972.30	\$2,070.01
July	4,941	\$10,171,026.70	\$2,058.50
August			
September			
October			
November			
December			
January - December Total	34,404	\$71,108,906.70	\$2,066.88

* Note - July 2024 has remaining invoices to be billed

Penalty Fund

REMSA 2024-2025 Penalty Fund Reconciliation

2024-23025 Penalty Fund Dollars Accrued by Month

Month	Amount
FYE 06/30/2024 Carryover Balance	\$46,172.54
July 2024	\$15,505.35
August 2024	
September 2024	
October 2024	
November 2024	
December 2024	
January 2025	
February 2025	
March 2025	
April 2025	
May 2025	
June 2025	
Total Penalty Fund Dollars Accrued	\$61,677.89

Penalty Fund

2024-2025 Penalty Fund Dollars Encumbered by Month

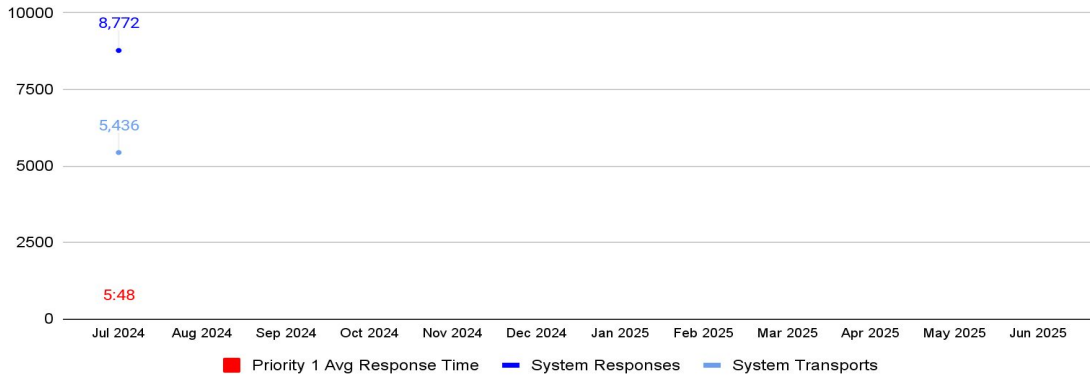
Program	Amount	Description	Submitted
Pulsepoint Application	13,000.00	Pulsepoint Application	Jul 2024

Total Encumbered as of 07/31/2024 **\$63,781.40**

Penalty Fund Balance at 07/31/2024 **\$48,677.89**

REMSA Operations Report

System Response/Transport/Avg P1 Response Summary



Priority 1 Avg. Response Times

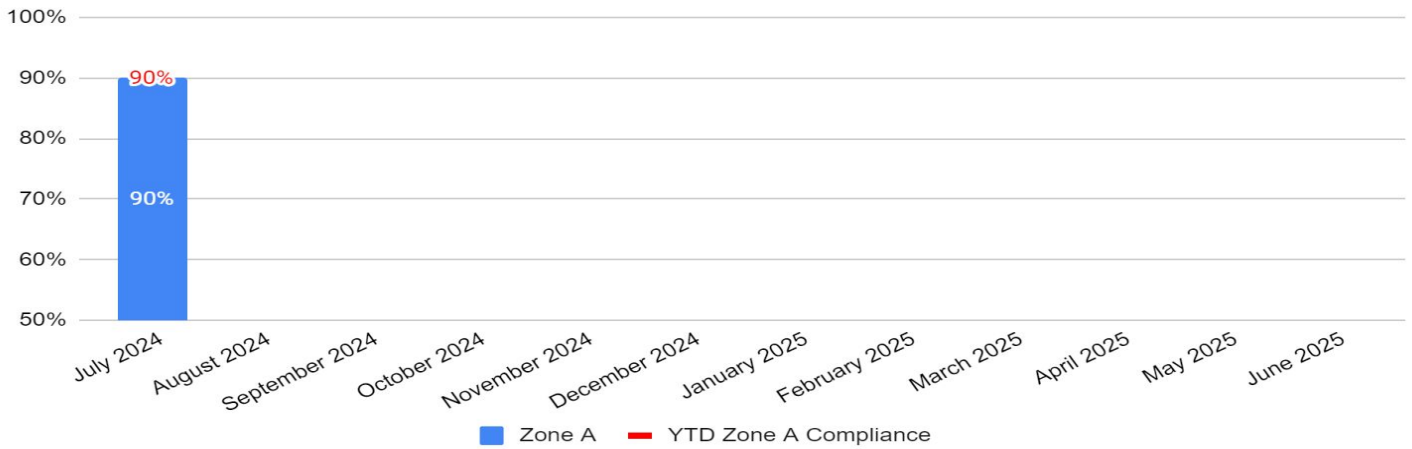
Priority 2 Avg. Response Times

	Priority 1 Avg. Response Times			Priority 2 Avg. Response Times		
	Reno	Sparks	Washoe County	Reno	Sparks	Washoe County
Jul 2024	5:18	5:55	8:38	6:31	7:09	9:45
Aug 2024						
Sep 2024						
Oct 2024						
Nov 2024						
Dec 2024						
Jan 2025						
Feb 2025						
Mar 2025						
Apr 2025						
May 2025						
Jun 2025						
Year to Date	5:16	5:56	8:39	6:31	7:07	9:47

REMSA Operations Report

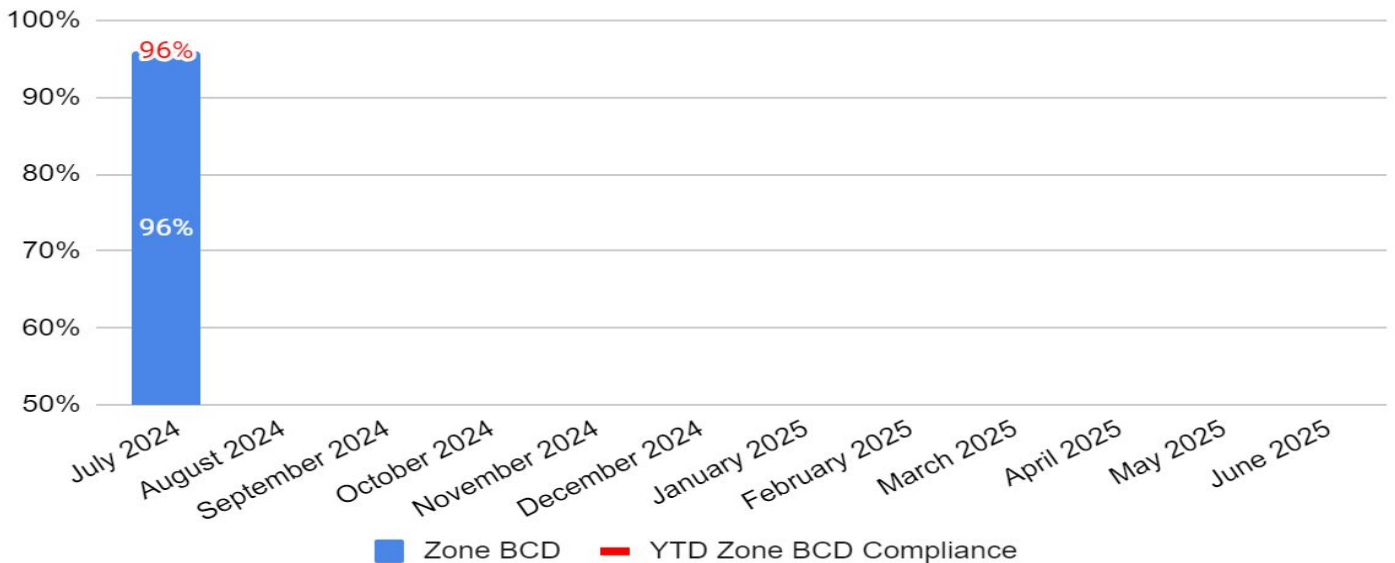
REMSA Priority 1 Response Compliance

Zone A



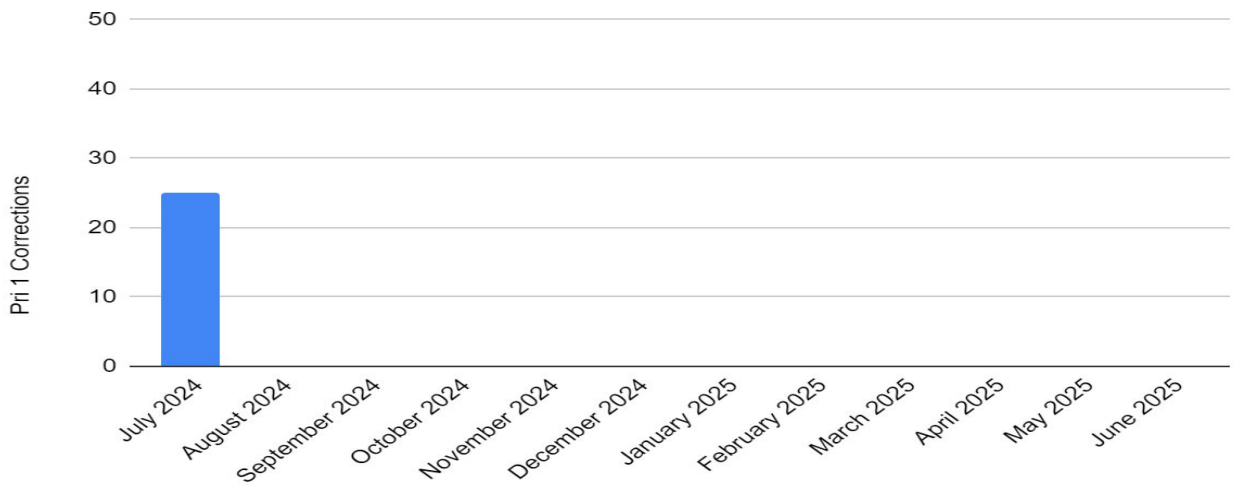
REMSA Priority 1 Response Compliances

Zone BCD

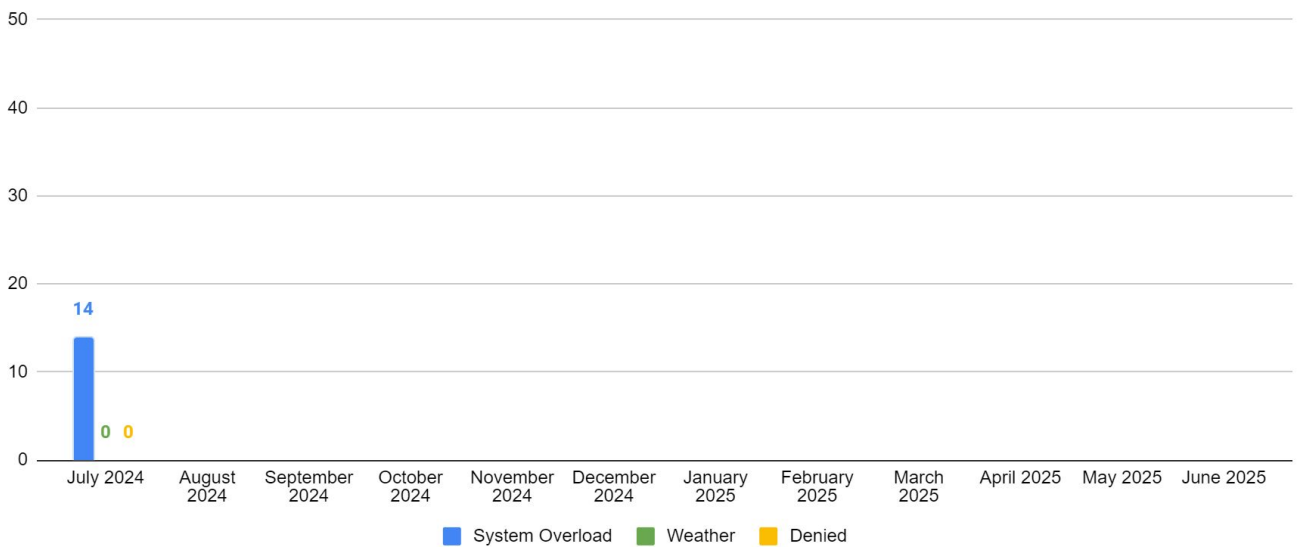


REMSA Operations Report

Priority 1 Incidents Corrected



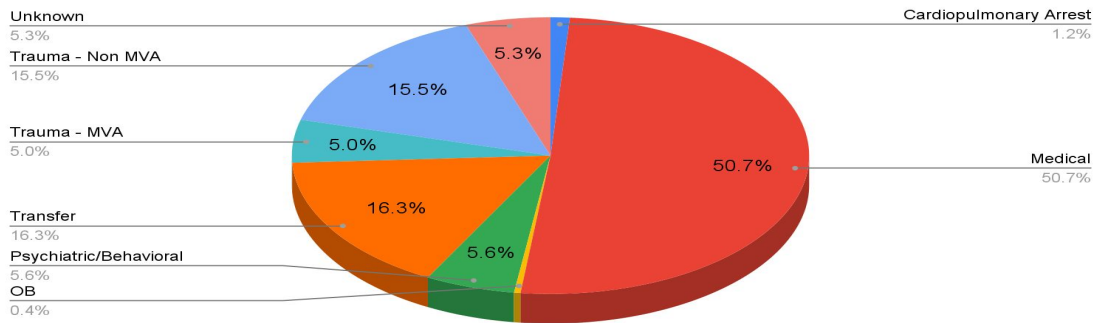
Priority 1 Exemptions



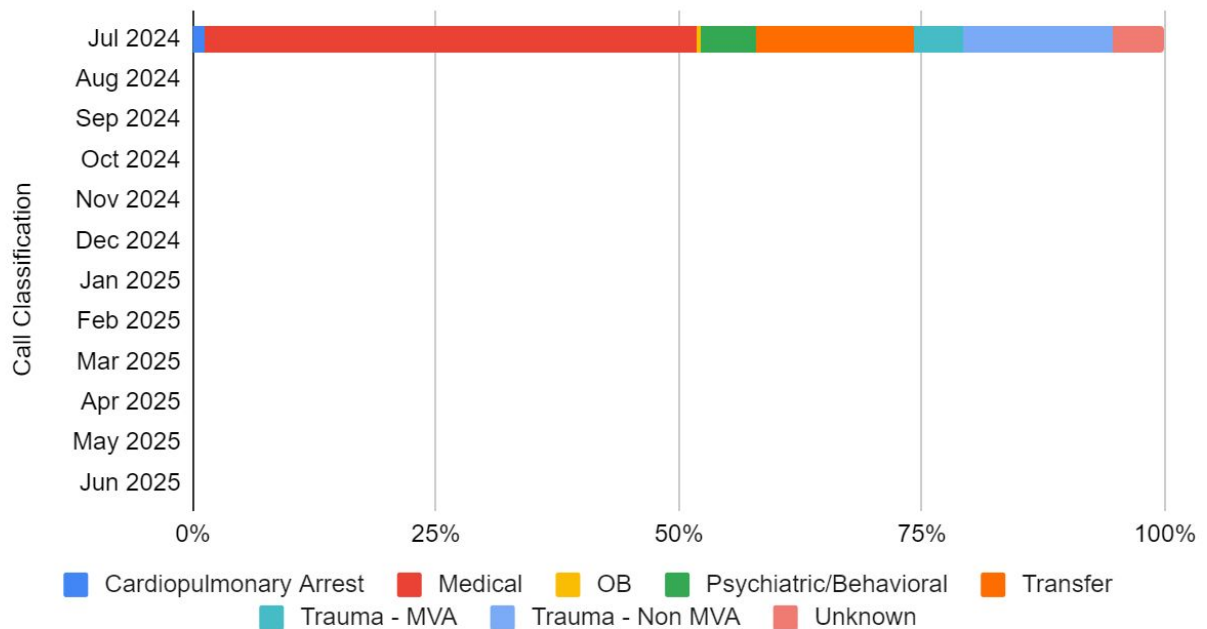
REMSA Operations Report

Call Classification

Reporting Month



Call Classification



Medical Directors Report

The Clinical Director or designee reviewed:

- 100% of cardiopulmonary arrests
- 100% of pediatric patients (transport and non-transport)
- 100% of advanced airways (excluding cardiopulmonary arrests)
- 100% of STEMI alerts
- 100% of deliveries and neonatal resuscitation
- 100% Advanced airway success rates

	Total Number of ALS Calls	Total Number ALS QA Reviewed	Percentage Reviewed
July 2024	2,309	252	11%
August 2024			
September 2024			
October 2024			
November 2024			
December 2024			
January 2025			
February 2025			
March 2025			
April 2025			
May 2025			
June 2025			

Education Report

	ACLS		BLS (CPR)		Heartsaver (CPR)		ITLS/PHTLS		PALS	
	Classes	Students	Classes	Students	Classes	Students	Classes	Students	Classes	Students
Jul 2024	22	77	95	308	93	569	2	6	20	122
Aug 2024										
Sep 2024										
Oct 2024										
Nov 2024										
Dec 2024										
Jan 2025										
Feb 2025										
Mar 2025										
Apr 2025										
May 2025										
Jun 2025										
YTD	22	77	95	308	93	569	2	6	20	122

Education Report

	COMMUNITY OUTREACH				
	Cars Inspected	Adults Educated	Car Seats Installed	Car Seats Distributed	Community Events
July 2024	68	103	90	57	3
August 2024					
September 2024					
October 2024					
November 2024					
December 2024					
January 2025					
February 2025					
March 2025					
April 2025					
May 2025					
June 2025					
YTD	68	103	90	57	3

Customer Survey Report

REMSA Ground

Reno, NV
Client 7299



1515 Center Street
Lansing, MI 48096
(517) 318-3800
support@EMSSurveyTeam.com
www.EMSSurveyTeam.com

Patient Experience Report

July 01, 2024 to July 31, 2024

Division:

Your Score

92.17

Your Patients in this Report

89

Total Patients in this Report

2182

Total EMS Organizations

233

Customer Survey Report

REMSA Ground
July 01, 2024 to July 31, 2024



Executive Summary

Your overall score for the period selected is **92.17**, a difference of **+3.81**, compared to your score from the previous year, **88.36**.

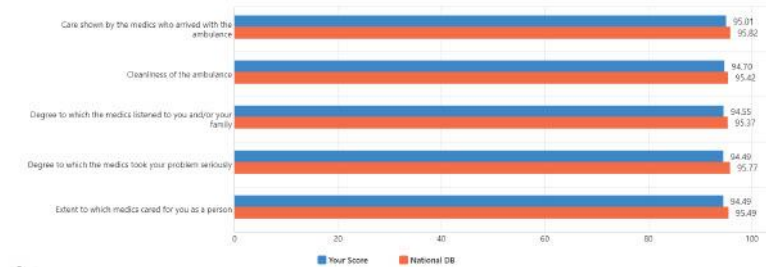
Your overall Top Box score, which represents the percentage of the highest possible rating Very Good, is **78.14%**.

In addition, your rolling 12-month score of **90.52** is a difference of **-3.32** from the national database score of **93.84**.

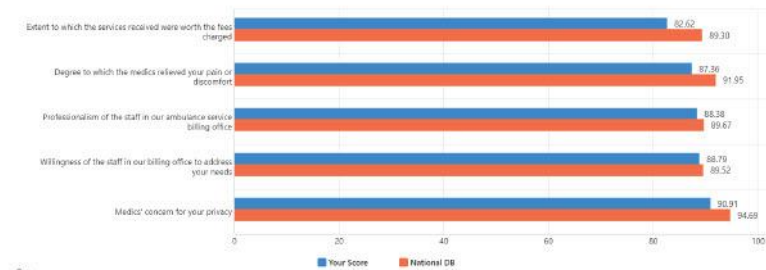
When compared to all organizations in the national database, your score of **90.52** is ranked **75th**.

Highest and Lowest Scores

5 Highest Scores



5 Lowest Scores



Public & Relations Report



PUBLIC RELATIONS

JULY 2024

July public relations efforts focused on sharing heat, smoke and general health and safety topics, as well as organization announcements, community partnerships and special collaborations.

Social media posts featured a collaboration with Dr. BCW to promote REMSA Health's First On the Scene class. Also, REMSA Health donated water safety gear to community partners through the Community Trust in partnership with Northern Nevada Public Health. Riley made a cameo to announce our newly renamed Safety Seats car seat installation program. A team of healthcare providers assisted with a delivery of a healthy baby in the field.



EMS Operations Sr. Manager Kerfoot provided a media interview to KOLO about first aid kits. Education Director Walters provided an interview to KTVN about managing wildfire smoke symptoms.

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
08/16/2023	N/A	They took excellent care of me and took me to the ER as needed. They saved my life.	
03/08/2024			
04/19/2024		I was out of it so I can't help you much. They were nice.	
04/17/2024		Very skilled & compassionate!!!	
05/12/2024			
05/27/2024	Nothing	Quick, courteous, compassionate care	
05/11/2024		The care and concern equaled the professionalism. Exemplary help and kindness.	
05/13/2024			
05/19/2024		Assessment of the injury, treatment and transport to hospital	
05/19/2024			
05/03/2024		Very competent, knowledgeable and concerned for my well being. I am very pleased with the care I received.	

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
05/22/2024	Nothing, we are very happy with how well a scary situation was handled by REMSA staff.	<p>We were very impressed with how quickly help arrived and how the EMT and Medic were thorough and also worked quickly. The medic is actually the one who noticed a cardiac abnormality even though we called for an unrelated neurological issue for my child. She ended up admitted to the hospital to work up the cardiac arrhythmia he noticed that otherwise would have likely been missed as the pediatric ER does not routinely place the young kids on telemetry.</p> <p>We are very grateful for the skill and professionalism of the staff that cared for my daughter and for letting me ride with her to the hospital. The dispatcher who helped me until help arrived was also wonderful, keeping me calm and reassuring me help wasn't far away.</p>	

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
05/22/2024	<p>I cannot think of anything . Don't think I can think of is not something you can do better service it is this survey has questions that aren't relevant to your service or what I am going to suspect most people get the questions about your office staff is irrelevant and you don't have an options at work because I've never talked to anyone in your office I will never talk to anyone in your office because my insurance will pay everything but you still are asking me what the billing situation is and how crazy is that staff was and you didn't give me an option that says I didn't deal with them or no opinion that's really horrible way to ask a question and excuse your numbers you're lucky I only put Fair I was thinking about putting very poor but I wanted to be at least courteous and give you a chance to have a good score on these surveys if you did a knot not applicable answer it'd be much better much more weighted survey for you.</p>	<p>For the first time I had caring EMTs they did not treat me like they have other people I've seen them treat that's called your service.. these guys were curious explained what they were doing and get me informed of what they were thinking in the past I've experienced medics refusing to do anything for people on site because they've been to the same place several times for the same perso. The medicine past experiences were rude unprofessional and refuse to help someone who needed it. They made him wheel himself to the hospital and refused to take him...</p>	
05/06/2024		Everything I have no complaints	
05/03/2024	Nothing everything was exceptional	Speed of arrival and transport to hospital	
05/08/2024	We never got a bill.	The care of patient was done well.	
05/07/2024		Overall great care	
05/23/2024		All were professional and all seemed to be doing what they were meant to do. Friendly , caring and focused. Excellence!	
05/27/2024	Good	Good	

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
05/21/2024	they were excellent		
05/08/2024	Nothing I can think of	Overall they made me feel I was in good.hands.	
05/02/2024			
05/29/2024		The gentlemen who took care of me in late May were fantastic, they were efficient and gave me great treatment in transporting me to the VA. They calmed me and made me comfortable. A+ all the way.	

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
05/04/2024		<p>Remsa transported me from Renown hospital to my home in after a massive emergency surgery, five days in ICU, and two days in surgery recovery. I was told it was covered by my insurance. The medics were compassionate and attentive to my needs. At one point I wanted to bring some flowers home. They said it could be done. As the doors to the ambulance closed to start the transport I asd about the flowers and they realized we did not have them so one of the medics went back into the room and got them, and I was able to hold them during the trip home. I was very grateful for that! When we arrived at my home, they offloaded me to my bed that had been delivered by Hospice. I am most grateful for the wonderful service they provided. And I really appreciate it the smooth ride compared to the ambulance provided by another company that originally transported me to her now. What a huge difference!</p>	
05/07/2024	Faster to hospital.		
05/13/2024	Not a thing	REMSA and Reno fire folks were very professional and kind. They took the time to ensure my pain was treated enough to allow transportation and delivered me to ER safely.	
05/15/2024	Nothing.	Everything!	
5/8/2024	Good Æ ll Æ round...	Good all around....	

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
5/28/2024		<p>I have absolutely no complaints. As usual, everyone executed their responsibilities professionally and knowledgeably. There was not anything that could be done by REMSA Staff to treat my medical condition at that time. “Not that I know of”.</p> <p>That was a condition that needed to be treated in the hospital. I thank you for your excellent service.</p>	
5/15/2024	They all were great	Listened and assuring and gentle and respectful	
5/5/2024			
5/3/2024	Nothing. They did a great job but hopefully won't have to call again	They did very well. I just was surprised at the cost	
5/25/2024		Your staff was very friendly and professional throughout their visit. They seemed very knowledgeable and will to explain things.	
5/20/2024	NA	The team had a very professional and caring entrance into the area of concern. It is very obvious that they are well-trained, well-disciplined, and acutely aware of their surroundings. It is very obvious that they have had much experience. Without a doubt, your team is concerned about the safety and patient care. Thank you.	
5/3/2024		They made sure I got to the hospital.	
5/16/2024	Nothing.	You guys are the best; I'm lucky to have you available.	

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
5/30/2024	Just a little bit quicker I guess once they get there and don't wait for phone calls and wait for authorization just hurry up and take you there where you got to get to go	It could be real good as soon as I got to where I was at and I was suffering real bad for dehydration so they were able to give me some water even though I wasn't supposed to get water I needed water that's probably would save my life	
5/17/2024	The teams were great!	They got me to emergency after I had a near syncope episode which was brought on by an occasional therapist giving me Rieki massage that didn't know what pain level 10 was like!	
5/10/2024	N/A	They provided professional care and assisted in getting me to the a ER	
5/7/2024	Was already A+	Very professional, reacted quickly and kindly to needs	
5/3/2024	Bring chocolate!	They were gentle, careing and very professional Absolutely no complaints from me. They remained calm and reassured me and kept me calm. Great job!	
5/10/2024	Nothing	Great professionals. I enjoyed their company on the drive in.	
05/21/2024	Everything was good	Everything was good thank you for coming to my aid	
5/22/2024	I hope there isn't a next time, aside from that I don't see a need for improvement.	Taking me the patient from St Mary's hospital to Renown Hospital.i	
5/3/2024	Nothing I can think of.	Allowed me privacy since I was not covered when they arrived.	
5/18/2024		Emits worked as a team and were very kind.	
5/3/2024		Just in time	

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
5/17/2024	Nothing	Very kind and attentive staf.	
5/1/2024	I was at the stoplight and rear ended very badly. The lady broke the frame of my car and two places and the ambulance EMTs did not take it seriously they kept saying it was a minor fender bender and that I was OK I was extremely hurt and then when we arrived at the hospital, they had also told the nurses it was a minor fender bender which in pain for hours and got into the lobby with everyone while in severe pain	Showed up quick and in a timely manner	
5/13/2024		I had seizures, so Iâ€™m not 100% sure, what I do remember service was great	
05/18/2024	Pay attention to the IV bags that are available for the riders. Donâ€™t leave IV tubes in people unless you are giving an IV for real.	I was unable to get an IV for the ride over to the hospital and they left the IV tube in my arm for hours for nothing because I never received fluids. The attendants forgot to take the oxygen tubes out my nose and it yanked out from my face when the attendants wheeled me into the hospital. Very uncomfortable and unpleasant feeling.	
05/16/2024	Nothing	Their Job	
05/21/2024		I was in great pain and I really did not pay a great deal of attention to details. I just know the two people were most considerate and I appreciated them.	
5/1/2024	Waited 7 hours for a transfer. They didn't listen to the nurses so nobody knew what was even wrong.		Left a message 15:46, 6/28. TK

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
05/04/2024	No complaints	From start to finish, the team was so helpful with my husband. He has memory issues and could not answer questions. The techs treated him like a friend.	
5/6/2024		I went to your office to get a car seat for my 4 year old grandson, nothing else.	
5/13/2024	The ambulance took forever to come and get me at the hospital. The billing department never answers the phone or calls back. Very unprofessional business office. The business office knows the insurance will pay and keeps sending you invoices over and over. Your prices are extremely high.	The people in the ambulance were great.	Rec'd a Team Support item and it stated that "The ambulance took forever to come and get me at the hospital. The billing department never answers the phone or calls back. Very unprofessional business office. The business office knows the insurance will pay and keeps sending you invoices over and over. Your prices are extremely high". In looking at this invoice for the incident number there has been no bill sent to her and NNMC should be picking this up. This has not been billed to her. LMTCB at Her two other transports were in and would not be this incident number. I will update this ticket when she calls me back//dsd
5/18/2024	Nothing everything was great!!!	Everything!!!	
5/13/2024	Give out ice cream treats it will make people feel a lot better ðŸ˜ƒ thank you you all were FANTASTIC	Professional concerned for my well-being information clean neat ðŸ˜ƒ	
5/20/2024	Every thing was top notch.	Quick response,treated with dignity and respect, the fact that I felt safe and genuinely cared for.	

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
5/14/2024		The people who took me in the ambulance were very professional.	
5/2/2024		Very caring, very professional	
5/11/2024	They did great	The paramedics were kind, helpful, respectful. I felt safe and they truly cared for my well being and safety. I am an alcohol user and they treated me with kindness and respect	
5/12/2024		Listened to my concerns	
5/30/2024	Hopefully there won't be a next time	Remsa did everything well inform me on what they were doing and inform me on where they wanted to take me very polite very professional thank you	
5/20/2024	I didn't see how it could be improved.	They drove the ambulance as if they had experience being a strapped-down passenger. They were nice and friendly to me. They took the most direct route.	
5/29/2024	Keep on keeping on	Very professional and compassionate altogether.	
5/11/2024		Very professional	
5/14/2024		The medics were wonderful with our toddler - thanks to them for getting us through a scary time!	

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
5/2/2024	Have better communication with the hospital and doctors on staff as far as pain management issues with the patient !!!	The paramedics were absolutely spectacular. They took everything very seriously they did a phenomenal job and managing my pain and they got me to the hospital like is in literally just a couple of minutes. Absolutely fantastic people. I appreciate them very much and thank you very much. !!!	
5/20/2024	Get shocks on the ambulances - lol	Everything. They were wonderful	
5/7/2024	Nothing	Took care of me right away	
5/19/2024	Long wait	Long fesit	
5/7/2024	Keep up the great work	Everything	
5/5/2024		EMT were just plain awesome during my experience. I couldn't breathe or stand up, they were so polite and extremely nice even though I may have been a bit of an asshole. Thank you so much	
5/14/2024		I didn't call for ambulance the South Meadows emergency room called to move me to Renoun downtown	
5/19/2024	Listen and address my concerns..	I especially liked how the nedic would tell me step by step what he was going to do. Made me feel very relaxed and confident in their skill sets. My purse was was lost between the ambulance and ER. REmsa-s customer service was horrible. They dud not care wallet n phone were missing and never attempted to locate it. Just blamed the ER. Very frustrating!!	Attempted to contact patient. Number was not in service. Billing did not have any other numbers. TK
5/25/2024	Nothing	Great staff!	

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
5/13/2024	Nothing I can think of. !	Timely, professional and caring service.	
5/24/2024	Nothing		
5/23/2024		Friendly, professional	
5/8/2024	Everything was great	Everything was great,REMSA Medics are the best	
5/20/2024		Everyone was kind, caring and knowledgeable. They made me feel safe and comfortable.	
5/11/2024	Just keep up the good work	Very helpful with all aspects of journey to the hispital	
5/25/2024		Left decision to me. Gave me good informatlon	
5/13/2024		All....,	
5/21/2024		The whole service	
5/10/2024	Nothing	Paramedics were very attentive and helpful.	
5/22/2024			
5/5/2024		Good response time,caring attitude	
5/10/2024		My mom was transported to the hospital 3 times during March-May. Each time the staff took very good care of her. They explained to her what was happening and what they were going to do. They put her at ease.	
5/17/2024		My memory is a little foggy concerning the events that day but I believe that everything was done well.7	
5/21/2024	Everything was professional and I was put at ease. I hope I donâ€™t require your services on a regular basis.	I did not need medicine in route. I also have not received a bill so I can not address those questions.	

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
5/16/2024	Nothing	I had an allergic reaction to medicine, which caused major dehydration! I was taken care of with great respect and compassion. I thank the team that helped me!	
5/5/2024	<p>They had me climb into the back of the ambulance although I only had one arm and I'm 54 years old with no assistance or direction It wasn't until I asked them a question that did I get any help I got into the ambulance there was stuff everywhere there was nowhere for me to sit or lay he cleaned off his spot I sat on the side chair and was given no direction as to anything when we got to the hospital I had to climb out of the back of the thing and they made me walk all the way to my room which was on the third floor although it was in severe pain and basically crying they were about 50 ft in front of me as I walked really slow. Felt like they dumped me in my room and left. I've been transported by rims on a few occasions and never have I felt the way that I felt with this last one.</p>	Nothing really.	Let a message. 15:44, 6/28. TK

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
5/3/2024	Nothing they were amazing	They saw I really needed to go to the hospital I was in a lot of pain and my blood pressure was spiking they took such good care and were so understanding and made sure they knew exactly what was going on my history with my disease and my medications. I hope they know I ended up needing to be admitted with a severe kidney infection and sepsis and if it wasn't for them getting me there that day it could have gotten way worse.	
5/30/2024		Everything was handled professionally and with compassion	
5/10/2024	Nothing I hope there's no next time I hope my health keeps me out of the VA or St Mary's	They provide a seat for my wife to ride with me from VA to St Mary's	
5/25/2024	The staff needs to be trained better on how to properly use the child harness on the gurney. If I didn't speak up my child would not have been strapped in correctly. I understand they don't use it often, but in the cases they do, it needs to be done correctly.	Both medics were very professional, kind, caring and attentive.	I spoke with mom who provided the comments. She said everything was great but the crew didn't have the child harness applied appropriately. She had to tell them how to do it correctly. I spoke with and he said he and were brand new and had not received training on the harness. He said it was pretty self explanatory. It just took them a couple of minutes to get it right. I'll spoke with and he assigned all ground providers a 5 minute video on the use of Child Safety Restraints due August.
5/18/2024	I can't think of anything good.	They treated me like a person, not a "nutjob"	

Appendix Customer Comments

Date of Service	Please tell us what was done well by REMSA?	What could we do better to serve you the next time?	Follow Up
5/23/2024	More careful	I had stones in stead of taking freeway roads are bad here.	
5/11/2024		Everything	
5/19/2024	Timely arrival	Caring and courteous	
5/10/2024		It was all good	
5/15/2024		I was a pediatrician with a walker hit by a car who ran the stop sign..i was in shock but awake and aware. They were great... exemplary.. thank you	
5/22/2024	I've yet to have any real suggestions or any personal issues	REMSA are professional. The cleanliness of their vehicles is tip top. And the workers are prompt and patient.	
5/16/2024	Not talk about how they wished they had a better patient or more "exciting" patient while I tried to commit suicide and get help	Arriving and staying with me while I was going through a crisis	Left a message for , 15:40 6/28. TK
5/11/2024		The Medics were amazing. They worked well together and made it I was well taken care of	
5/5/2024		Everything.	
6/2/2024		Pain relief . Proper transport	
5/22/2024		First of all, the staff here where I live called REMSA for me to be transported to ER. I have always received the best care from REMSA during the several times I needed them.	



Staff Report
Board Meeting Date: August 22, 2024

DATE: August 8, 2024

TO: District Board of Health

FROM: Francisco Vega, P.E., Division Director
775-784-7200; fvega@nnph.org

SUBJECT: Business Impact Statement – CHAPTER 030 - SOURCE PERMITTING Regulation Development Review, discussion and possible adoption of the Business Impact Statement regarding proposed revisions to the District Board of Health Regulations Governing Air Quality Management, CHAPTER 030 - SOURCE PERMITTING, with associated changes to the Air Quality Management Fee Table which would provide an estimated revenue of approximately \$200,000 based on FY22-23 service volume, with a finding that the revised regulations do not impose a direct and significant economic burden on a business; nor do the revised regulations directly restrict the formation, operation, or expansion of a business; and set a public hearing for possible adoption of the proposed revisions to the Regulations for September 26, 2024, at 1 PM.

SUMMARY

The District Board of Health must adopt any revisions to the District Board of Health Regulations Governing Air Quality Management (Regulations). Per NRS 237, Business Impact Statements “must be considered by the governing body at its regular meeting preceding any regular meeting held to adopt” the proposed revisions.

District Health Strategic Priorities supported by this item:

Healthy Lives: Improve the health of our community by empowering individuals to live healthier lives.

Healthy Environment: Create a healthier environment that allows people to safely enjoy everything Washoe County has to offer.

Local Culture of Health: Lead a transformation in our community’s awareness, understanding, and appreciation of health resulting in direct action.

PREVIOUS ACTION

CHAPTER 030 of the Regulations was last revised on May 28, 2018, with the original adoption of the rule in effect on July 27, 1972.

BACKGROUND

CHAPTER 030 of the Regulations establishes the requirements for air pollution control and air quality permitting for sources of regulated air pollutants located within Washoe County. These

requirements are used to protect public health and welfare. In addition, CHAPTER 030 establishes minimum thresholds for air quality permitting, air pollution control requirements, and exemptions from air quality permitting requirements. Lastly, it establishes application, monitoring, reporting, recordkeeping, and testing requirements.

This revision is intended to completely replace the existing language of CHAPTER 030. As part of this revision, changes to the air quality fee structure is being proposed. The proposed changes to the fee structure are necessary to capture the different types of applications that are included in the proposed changes to CHAPTER 030. Historically, these various types of applications have been captured under one (1) fee that is not reflective of the level of service provided. As an example, the level of effort to renew a permit is less than the processing of a permit for a new source. As such, it is being recommended that the fee for renewing a permit be less than the fee for a new source. In addition, changes to the methodology for annual emission fees are being proposed. Similarly to the different application fees, these changes to the annual emission fees are being proposed to better reflect the level of effort with the fee. As an example, sources permitted to emit between eighty (80) and one hundred (100) tons of emissions per year pose a greater risk to the public and are therefore inspected on an annual basis at a minimum. As such, the annual emission fee for these sources is greater than sources that emit less and pose less of a threat to public health.

In August of 2021, the Air Quality Management Division (AQMD) conducted two (2) listening sessions giving residents the opportunity to help shape the requirements and regulations governing air quality permitting in Washoe County. Specifically, the AQMD was looking for input from the regulated community on what was working and not working with the current regulations specified in CHAPTER 030. This input was critical as began the effort in developing what the proposed revision to CHAPTER 030 was to become.

The following methods were used to provide notice of the proposed revisions, 30-day public comment period, and public workshop:

1. A press release was issued notifying the public of the proposed revisions and public workshop on June 12, 2024.
2. The press release and all related materials was posted on the AQMD website (OurCleanAir.com) on July 8, 2024.
3. The press release was e-mailed to all subscribers of the AQMD email subscription list on July 8, 2024.

A hybrid, in-person and virtual, public workshop was held on the dates described below. The workshops had attendance from ten (10) external participants.

- Monday, July 8, 2024, from 2:00 – 3:30 p.m.

Date: September 8, 2023

Subject: Business Impact Statement - 020 GENERAL PROVISIONS Regulation Development

Page 3 of 3

- Thursday, August 8, 2024, from 10:30 – 12:00 p.m.

Attached to this staff report are the following:

1. Business Impact Statement
2. Listening Session Press Release (August 16, 2021)
3. Public Workshop Press Release (June 12, 2024)
4. “As Proposed” and “As Adopted” versions of the revised rule
5. Public workshop materials including:
 - a. Presentation
 - b. Attendance sheet

FISCAL IMPACT

The projected revenue brought in by the new fee structure is estimated at approximately \$200,000 based on FY22-23 service volume.

Changes to the fee structure as a result of the revision to CHAPTER 030 are being proposed to align the division staff activities and facility risk levels with the appropriate fee. Annual fees for sources with a potential to emit greater than sixty (60) tons per year may increase depending on the rate of historical actual emissions for the facility. Impacts to small business and facilities emitting less than sixty (60) tons per year is expected to be minimal.

Permitting authorities with approved permit programs under 40 CFR part 70 must comply with minimum permit program requirements, which includes collecting fees sufficient to fund the program. These fees must cover all “reasonable (direct and indirect) costs” of the permit program.

RECOMMENDATION

Staff recommends the District Board of Health approve and adopt the Business Impact Statement for the proposed revisions to District Board of Health Regulations Governing Air Quality Management, CHAPTER 030 - SOURCE PERMITTING, with associated changes to the Air Quality Management Fee Table, and set a public hearing for possible adoption of said revisions for September 26, 2024, at 1:00 pm.

POSSIBLE MOTION

Should the Board agree with staff’s recommendation, a possible motion would be:

“Move to approve and adopt the Business Impact Statement for the proposed revisions to District Board of Health Regulations Governing Air Quality Management, CHAPTER 030 - SOURCE PERMITTING, with associated changes to the Air Quality Management Fee Table, and set a public hearing for possible adoption of said revisions for September 26, 2024, at 1:00 pm”.

BUSINESS IMPACT STATEMENT

The following business impact statement was prepared pursuant to NRS 237.090 to address the proposed impact of the revision to the DBOH Regulations Governing Air Quality Management, CHAPTER 030 (Source Permitting)

1. The following constitutes a description of the manner in which comments were solicited from affected businesses and citizens, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary. *(List all trade association or owners and officers of businesses likely to be affected by the proposed rule that have been consulted).*

In August of 2021, the Air Quality Management Division (AQMD) conducted two (2) listening sessions giving residents the opportunity to help shape the requirements and regulations governing air quality permitting in Washoe County. Specifically, the AQMD was looking for input from the regulated community on what was working and not working with the current regulations specified in CHAPTER 030. This input was critical as began the effort in developing what the proposed revision to CHAPTER 030 was to become.

The AQMD provided notice of two (2) public workshops with the issuance of a press release on June 12, 2024. The public workshops were held on the following dates and times.

- *Monday, July 8, 2024, from 2:00 – 3:30 p.m.*
- *Thursday, August 8, 2024, from 10:30 – 12:00 p.m.*

The workshops were scheduled for dates and times that would maximize participation. The public workshops were additionally noticed by posting the information on the division website (OurCleanAir.com) and provided to all subscribers on the AQMD email subscription list. The list of valid email addresses is comprised of nearly one thousand (1,000) email addresses. A recording of both public workshops was also made available on the division website for later viewing. A Business Impact Survey was made available on the Northern Nevada Public Health webpage to provide the public, businesses, and individuals affected by the proposed changes additional information and an opportunity for input. Survey results and all public comments received have been addressed and included in the rule revision submittal package to the DBOH.

The Association of General Contractors, National Association for Industrial and Office Parks, Economic Development Authority of Western Nevada, Reno + Sparks Chamber of Commerce, and the Nevada Petroleum Marketers Association were provided an opportunity to individually meet with AQMD staff to discuss any concerns or questions. Any questions brought forward were answered and none of the organizations listed above provided concerns regarding significant impact on business and industry. Comments submitted by the organizations, along with AQMD responses, have been included in the DBOH packet.

The AQMD made all materials available for review two weeks prior to the August 22, 2024, DBOH meeting. Notice was sent out via press release, AQMD email subscription list, and social media posts. All materials were posted on the division website with hard copies available upon request.

The estimated economic effect of the proposed rule on businesses and citizens, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects: Changes to the fee structure as a result of the revision to CHAPTER 030 are being proposed to align the division staff activities and facility risk levels with the appropriate fee. Annual fees for sources with a potential to emit greater than sixty (60) tons per year may increase depending on the rate of historical actual emissions for the facility.

Permitting authorities with approved permit programs under 40 CFR part 70 must comply with minimum permit program requirements, which includes collecting fees sufficient to fund the program. These fees must cover all “reasonable (direct and indirect) costs” of the permit program.

Beneficial effects: Changes to the fee structure as a result of revision to CHAPTER 030 are being proposed to align the division staff activities and facility risk levels with the appropriate fee. This restructuring of fees for small businesses and sources with a potential to emit less than a of sixty (60) tons per year will have decreased costs.

Ensuring cost recovery will allow the organization to maintain current staffing levels. Maintaining staffing levels will ensure that air quality services are provided in a timely and quality manner and the health and welfare of the public will continue to be protected.

Direct effects: Approval of the fee structure and increases will allow for cost recovery for the identified programs and services in addition to improving program efficiencies and addressing inequities in permit cost.

Indirect effects: No indirect effects are anticipated at this time.

2. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and citizens and a statement regarding whether any, and if so, which of these methods were used: (Include whether the following was considered: simplifying the proposed rule; establishing different standards of compliance for a business or citizen; and if applicable, modifying a fee or fine set forth in the rule so that business could pay a lower fee or fine).

The AQMD has conducted an internal SWOT analysis of the organization in order to help develop an awareness of business practices and systems, grant requirements, and expectations. This analysis has led to tremendous streamlining of many systems and processes while still providing the same level of protection of public health. As an example, specific minor sources have historically been inspected on an annual basis. As a result of the SWOT analysis, it was determined that these minor sources present little risk to air quality and public health and an annual inspection is not required. In addition, with the proposed revisions to CHAPTER 030, the minimum threshold for an air quality permit will be increased from 0.365 tons per year to five (5) tons per year. This will remove the requirement for an air quality permit for many small businesses. With the actions described above, the division has introduced additional capacity for air quality staff and allowed for increased quality in other services.

3. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

There is no anticipated increase in annual cost to the local government for enforcement of the proposed rule.

4. The proposed rule provides for a new fee or increases, and existing fee and the total annual amount expected to be collected is:

The projected revenue brought in by the new fee structure is estimated at approximately \$200,000 based on FY22-23 service volume.

5. The money generated by the new fee or increase in existing fee will be used by the local government to:

Recover expenses associated with providing the service.

6. The proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity. The following explains when such duplicative or more stringent provisions are necessary:

The proposed change is not duplicative, or more stringent than existing federal, state or local standards.

7. The following constitutes an explanation of the reasons for the conclusions regarding the impact of the proposed rule on businesses:

The AQMD provides a critical environmental conservation and public health service for the region that is not provided by any other organization locally. It is expected that any increase in fees for small businesses that emit less than sixty (60) tons per year will be negligible, while the increase for sources with a potential to emit greater than sixty (60) tons per year may increase depending on the rate of actual emissions historically for the facility. Any increase is representative of the expense of providing the service and facility risk levels. In addition, the AQMD has removed any non-value adding systems and streamlined many of its processes to align with the associated public health risk.

As described previously, the Code of Federal Regulations requires that the regulating agency must comply with minimum permit program requirements, which includes collecting fees sufficient to fund the program. If the AQMD failed to meet this requirement or ceased to exist, air quality management for Washoe County business and industry would be overseen by the Federal Environmental Protection Agency and be subject to federal permitting fees.

After reviewing the comments, arguments, and data provided, the proposed fee increases do not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation, or expansion of a business. The proposed fees are necessary to recover costs associated with the regulation and oversight of these permits which promote public health and safety.

To the best of my knowledge or belief, the information contained in this statement is prepared properly and is accurate.

[redacted] had [redacted]ingsley, [redacted] D [redacted] BA, District [redacted]ealth [redacted]fficer

Date

Health District – Air Quality Division to host Regulatory Listening Sessions this week
Provide input, help shape air quality permitting requirements & regulations

Reno/Sparks, Nev. Aug. 16, 2021 – The Washoe County Health District – Air Quality Management Division (AQMD) is giving residents the opportunity to help shape the requirements and regulations governing air quality permitting in Washoe County by hosting two regulatory listening sessions.

The two virtual sessions will occur on:

LISTENING SESSION 1

When: Aug. 17, 2021, 10 a.m.- noon

Meeting Link: <https://tinyurl.com/54ezbjw>

Call-In Number: 775-325-0620

Phone Conference ID: 202 348 688#

LISTENING SESSION 2

When: Aug. 19, 2021, 4-6 p.m.

Meeting Link: <https://tinyurl.com/c3pnr8fa>

Call-In Number: 775-325-0620

Phone Conference ID: 964 542 722#

The virtual sessions will be held via Microsoft TEAMS and can be accessed by mobile device or computer to watch, or you can call in from a telephone. Attendees will have the opportunity for public comment, share input, and weigh in on key questions to help shape the requirements and regulations governing the air quality permitting of stationary sources in Washoe County. Comments may be submitted during the listening session, in writing, or by email. For more information visit our website by scanning the QR Code below.



“We want to hear from residents directly and get feedback on how we can better serve those in the environmental and business communities,” said Francisco Vega, Division Director for AQMD. “Given the recent air quality issues due to nearby wildfires, we all know how important air quality can be for everyone in the community. These listening sessions are a great way for permitted business owners to give us feedback and for the general community to learn more about what we do.”

The Air Quality Management Division (AQMD) implements clean air solutions that protect the quality of life for the citizens of Reno, Sparks, and Washoe County through community partnerships along with programs and services such as air monitoring, permitting and compliance, planning, and public

education. The AQMD is delegated authority to implement the Clean Air Act (CAA) by the Environmental Protection Agency (EPA). As part of the delegation, the AQMD must have regulations in place that demonstrate how the division plans on maintaining the health based National Ambient Air Quality Standards

Visit OurCleanAir.com for additional information on the Air Quality Management Division.

The Washoe County Health District is nationally accredited by the Public Health Accreditation Board and has jurisdiction over all public health matters in Reno, Sparks, and Washoe County through the policy-making Washoe County District Board of Health. The District consists of five divisions: Administrative Health Services, Air Quality Management, Community and Clinical Health Services, Environmental Health Services and Epidemiology & Public Health Preparedness. [More info can be found here.](#)

N E W S R O O M

NNPH – AIR QUALITY MANAGEMENT DIVISION SEEKS PUBLIC COMMENT ON GENERAL SOURCE PERMITTING**Jun 12, 2024**

June 12, 2024. Reno, Sparks, Nev. – Northern Nevada Public Health– Air Quality Management Division (AQMD) is requesting written public comment on its revisions to the District Board of Health Regulations governing Air Quality Management, Chapter 030 – General Source Permitting. AQMD is also hosting two workshops specific to this rule revision. These revisions will be available on the AQMD website, [OurCleanAir.com](https://www.ourcleanair.com), no later than July 8, 2024.

Many parts of Chapter 030 have not been revised in over 40 years. Due to the extensive nature of this rule revision and the gap between the Washoe County portion of the Nevada State Implementation Plan (SIP) and current regulations, the new language will be a complete replacement of the previous rule.

With this revision, AQMD intends to add clarity and transparency to source permitting. Specifically, the language used in the regulations is more user friendly,

and an updated format and numbering convention has been utilized that makes it easier to navigate.

The revision will also help small businesses, which tend to be smaller sources, by increasing the minimum threshold in which a permit is required and help other businesses by streamlining the permitting process. Below are the parts included in this Chapter:

- General Provisions (Part 030.000)
- General Definitions (Part 030.010)
- General Source Permitting Applicability (Part 030.020)
- General Applications Requirements (Part 030.030)
- General Testing, Monitoring, Recordkeeping, and Reporting Requirements (Part 030.040)
- General Permits (Part 030.100)
- Permits for Minor Sources (Part 030.200)
- Nonattainment New Source Review (NNSR) (Part 030.300)
- Prevention of Significant Deterioration (Part 030.400)
- Part 70 Permit to Construct Requirements (Part 030.500)
- Part 70 Operating Permit Requirements (Part 030.510)

Comments will be accepted starting July 8 through midnight on August 8, 2024, and may be submitted via e-mail to HealthAirQuality-Planning@nnph.org, or mailed or dropped off to the AQMD office at 1001 E. 9th St., Building B ([Find the AQMD Dropbox here](#)), in Reno. All correspondence **must include** first and last name, mailing address, and contact information.

The two workshops will be hybrid via Microsoft Teams and can be attended in-person in the NNPH Conference Rooms A & B located in Building B at 1001 E. 9th St. Reno, NV 89512. The first public workshop will be held July 8, 2024, at 2 p.m. The second public workshop will be held on Aug. 8, 2024, at 10:30 a.m. These public

workshops will include a presentation regarding the revisions made and an opportunity for questions.

July 8, 2024 Teams Meeting Link

Meeting ID: 266 668 569 457

Passcode: 7d62JX

August 8, 2024 Teams Meeting Link

Meeting ID: 298 067 383 00

Passcode: bQJ7v2

For copies of the proposed revision, presentation, recordings of the workshops, and more information regarding the NNPH's Air Quality Efforts, please visit the Air Quality Management Division's website at [OurCleanAir.com](https://www.ourcleanair.com).

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Please note the Washoe County Health District changed its name to Northern Nevada Public Health on Aug. 31, 2023. [More information is here.](#)

Northern Nevada Public Health (NNPH) is nationally accredited by the Public Health Accreditation Board and has jurisdiction over all public health matters in Reno, Sparks, and Washoe County through the policy-making District Board of Health. NNPH consists of five divisions: Administrative Health Services, Air Quality Management, Community and Clinical Health Services, Environmental Health Services and Epidemiology & Public Health Preparedness. [More info can be found here.](#)

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

NOTE: The *italicized* words and phrases used in this regulation have specific meanings: see DEFINITIONS in each of the subparts.

PART 030.000 - GENERAL PROVISIONS

SECTION A - GENERAL

1. PURPOSE: This regulation requires the *owner* or *operator* of any *stationary source(s)* ("*source(s)*") emitting *air pollutants* ("*pollutants*") located within Washoe County to obtain a *Permit to Construct* (PTC) and/or a *Permit to Operate* (PTO) prior to *constructing, modifying, or operating* that *stationary source*, except for sources listed in SECTION 030.020.B.

- a. The overarching purpose in requiring a PTC and/or PTO is to protect the health and welfare of the public from exposure to unhealthy concentrations of air pollutants. The PTC and PTO, by requiring information on new and existing stationary sources and *modifications* to those sources, not only provide information on *air pollution emissions* (thus facilitating air quality management), but also limit and/or track *air pollution emissions*, thereby reducing *emissions* and/or managing exposure from new and modified sources; this allows economic growth within Washoe County while minimizing associated *air pollution emissions*. Since protection of public health is the Air Quality Management Division's (AQMD's) primary concern, an application for a new source or a *modification* to an existing source that would adversely impact public health may be denied; should this occur, the *owner* or *operator* is encouraged to contact the AQMD to discuss revisions to the proposed source or *modification* that would reduce the source's impact on air quality to acceptable levels.
- b. Time and resources are necessary to prepare and to process applications for *construction* and operation of a source, and these regulations may require the *installation* and operation of *control equipment* or other measures to limit *emissions*. In addition, there may be monitoring, reporting and recordkeeping requirements included in the permits. Therefore, the *owner/operator* should include application preparation and processing time and the cost of control devices and monitoring/testing in their *project plans*.
- c. Constructing or operating a *source* without obtaining the proper PTC or PTO, exceeding *emissions* limitations, or violating a permit term or condition can result in fines and other penalties (including an order to cease *construction* or operation). Therefore, *owners* and *operators* should review this regulation carefully to determine whether they are required to obtain a PTC or PTO and, if so, what standards and conditions apply. If it is unclear whether a specific *source* is subject to this regulation, the *owner/operator* should contact the AQMD for guidance.
- d. A source may be subject to one or more of the *air pollution* permit regulations within PART 030.000, GENERAL REQUIREMENTS, depending on the source's type, size, and *emissions*, and on the air quality status of the area the source will locate in or impact. Therefore, *owner/operators* should review the applicability criteria in PART 030.020 carefully to determine which of the following apply to the *construction, modification, and/or operation* of their source:

- (1) 030.100 – General Permits
- (2) 030.200 – Minor Source Permit Requirements
- (3) 030.300 – Nonattainment New Source Review (NNSR)

- (4) 030.400 – Prevention of Significant Deterioration (PSD)
- (5) 030.500 – PART 70 Permit to Construct Requirements
- (6) 030.510 – PART 70 Operating Permit Requirements

SECTION B - GENERAL PROHIBITIONS

1. *SEVERABILITY*. If any provision of these regulations or the application thereof to any person or circumstance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of these regulations which can be given effect without the invalid provision or application, and to this end the provisions of these regulations are declared to be severable.
2. *PROHIBITED CONDUCT: CONCEALMENT OF EMISSIONS*. No *person* may install, *construct* or use any device which conceals any *emission* without reducing the total release of regulated air pollutants to the atmosphere.
3. *PROHIBITED CONDUCT: OPERATION OF SOURCE WITHOUT REQUIRED EQUIPMENT; REMOVAL OR MODIFICATION OF REQUIRED EQUIPMENT; MODIFICATION OF REQUIRED PROCEDURE*. Except as otherwise provided in these regulations, no *person* may:
 - a. Operate a stationary source of *air pollution* unless the *control equipment* for air pollution, which is required by *applicable requirements* or conditions of the permit, is installed and operating.
 - b. Disconnect, alter, modify or remove any of the *control equipment* for *air pollution* or modify any procedure required by an applicable requirement or condition of the permit.
4. *PROHIBITED ACTS*. As required by Nevada Revised Statute (NRS) 445B.470,
 - a. A *person* shall not knowingly:
 - (1) Violate any applicable provision, the terms or conditions of any permit or any provision for the filing of information;
 - (2) Fail to pay any fee;
 - (3) Falsify any material statement, representation or certification in any notice or report; or
 - (4) Render inaccurate any monitoring device or method, required pursuant to the provisions of NRS 445B.100 to 445B.640, inclusive, CHAPTER 030, or any regulation adopted pursuant to those provisions.
 - b. Any *person* who violates any provision of NRS 445B.470.1 shall be punished by a fine of not more than \$10,000 for each day of the violation.
 - c. The burden of proof and degree of knowledge required to establish a violation of NRS 445B.470.1 are the same as those required by 42 U.S.C. PART 7413(c).
 - d. If, in the judgment of the *Control Officer* or the *Control Officer's* designee, any *person* is engaged in any act or practice which constitutes a criminal offense pursuant to NRS 445B.100 to 445B.640, inclusive, the *Control Officer* or the designee may request that the Attorney General or the district attorney of the county in which the criminal offense is alleged to have occurred institute by indictment or information a criminal prosecution of the *person*.
 - e. If, in the judgment of the *Control Officer* of a local *air pollution* control board, any *person* is engaged in such an act or practice, the *Control Officer* may request that the district attorney of the county in which the criminal offense is alleged to have occurred institute by indictment or information a criminal prosecution of the *person*.

5. VISIBLE EMISSIONS: MAXIMUM OPACITY; DETERMINATION AND MONITORING OF OPACITY.

- a. Except as otherwise provided in this section, no *owner* or *operator* may cause or permit the discharge into the atmosphere from any *emission* unit which is of an *opacity* equal to or greater than 20 percent. *Opacity* shall be determined by one of the following methods:
 - (1) If *opacity* is determined by a visual measurement, it must be determined as set forth in Reference Method 9 in 40 CFR PART 60 Appendix A.
 - (2) If a source uses a *continuous monitoring system* for the measurement of *opacity*, the data must be reduced to 6-minute averages as set forth in 40 CFR PART 60.13(h).
- b. The provisions of this section do not apply to that part of the *opacity* that consists of uncombined water. The burden of proof to establish the application of this exemption is upon the person seeking to use the exemption.
- c. If the provisions of 40 CFR PART 60, Subpart D or Da apply to an *emission* unit, the *emission* unit must be allowed one 6-minute period per hour of not more than 27 percent *opacity* as set forth in 40 CFR PART 60.42(a)(2) and 40 CFR PART 60.42a(b).
- d. The *continuous monitoring system* for monitoring *opacity* at a *facility* must be operated and maintained by the *owner* or *operator* as specified in the permit for the *facility* in accordance with the requirements of PART 030.040.

SECTION C - GENERAL PERMIT PROVISIONS

1. PERMITS: REVOCATION AND REISSUANCE.

- a. A permit may be revoked by the *Control Officer* if the required *control equipment* is not operating.
- b. A permit may be revoked by the *Control Officer* upon determining that there has been a violation of CHAPTER 030, or the provisions of 40 CFR PART 52.21, or 40 CFR PARTS 60, 61, or 63, Prevention of Significant Deterioration, New Source Performance Standards, National *Emission* Standards for Hazardous Air Pollutants, Approval and Promulgation of State Plans for Designated Facilities and Pollutants.
- c. The revocation is effective ten (10) business days after the service of a written notice.
- d. To reissue a revoked permit, the holder of the revoked permit must file a new application with the *Control Officer*, accompanied by the fee for an initial permit. An environmental review of the stationary source must be conducted as though *construction* had not yet commenced.

2. PERMITS: TRANSFERS; ADMINISTRATIVE AMENDMENT.

- a. A permit may not be transferred from one *owner* or piece of equipment to another unless otherwise specified in paragraph 030.000.C.2.c.(5).
- b. An *owner* or *operator* may apply for an administrative amendment reflecting a change of ownership or the name of the stationary source.
- c. The holder of a permit may request in writing, or the *Control Officer* may initiate, an administrative amendment of a permit to:
 - (1) Correct typographical errors;
 - (2) Identify a change in the name, address or telephone number of any person identified in the operating permit, or provide a similar minor administrative change at the stationary source;
 - (3) Require more frequent monitoring or reporting by the holder of the permit;
 - (4) Add the serial numbers of specific pieces of equipment which were not available at the time of the issuance of or revision of the operating permit; or
 - (5) Allow for a change in ownership or operational control of a stationary source if the *Control Officer* determines that no other change in the permit is necessary. A person who requests an administrative amendment pursuant to this paragraph must submit to the *Control Officer* a written agreement specifying a date for the transfer of responsibility for the permit.
- d. A holder of an *operating permit* must request an administrative amendment on an application provided by the Director. The application must be accompanied by a fee as determined by the District Board of Health.
- e. The Director shall:
 - (1) Issue or deny an application for an administrative amendment within thirty (30) calendar days after receipt of the application.
 - (2) If the administrative amendment is for a PART 70 Operating Permit, send a copy of the administrative amendment to the *Administrator*.

SECTION D - GENERAL ENFORCEMENT PROVISIONS

1. VIOLATIONS: ACTS CONSTITUTING; NOTICE.

- a. Failure to comply with any requirement of these regulations, any applicable requirement or any condition of a permit constitutes a violation. As required by NRS 445B.450, the *Control Officer* shall issue a written notice of an alleged violation to any *owner* or *operator* for any violation, including, but not limited to:
 - (1) Failure to apply for and obtain a permit;
 - (2) Failure to *construct* a stationary source in accordance with the application for a permit or any condition in the Permit to Construct, as approved by the *Control Officer*;
 - (3) Failure to *construct* or operate a stationary source in accordance with any condition of a permit;
 - (4) Commencing *construction* or *modification* of a stationary source without applying for and receiving a permit or a *modification* of a permit;
 - (5) Failure to comply with any requirement for recordkeeping, monitoring, reporting or compliance certification contained in a permit; or
 - (6) Failure to pay fees.
- b. The written notice must specify the provision of these regulations, the condition of the permit or the applicable requirement that is being violated.
- c. Written notice shall be deemed to have been served if delivered to the person to whom addressed or if sent by registered or certified mail to the last known address of the *person*.

PART 030.010 - GENERAL DEFINITIONS

SECTION A - DEFINITIONS AND ACRONYMS

Unless the context otherwise requires, the terms used in PART 030.010 shall have the meaning given in this part, in PARTS 030.100 through 030.510; NRS 445B; the Federal Clean Air Act, or common usage, in that order of priority.

ACT or “Clean Air Act” or “CAA” means the Federal Clean Air Act as amended.

ACTUAL EMISSIONS means:

- a. The actual rate of *emissions* from an *emissions unit*, as determined in accordance with paragraphs (1) and (2) of this definition, except that this definition shall not apply for calculating whether a *significant emissions* increase has occurred, or for establishing a PAL. Instead, the definitions of *baseline actual emissions* and *projected actual emissions* shall apply for those purposes.
 - (1) In general, *actual emissions* as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the *pollutant* during a consecutive 24-month period (except for purposes of annual *emissions* reporting) which precedes the particular date and which is representative of normal *source* operation. The *Control Officer* shall allow the use of a different time period upon a determination that it is more representative of normal *source* operation. *Actual emissions* shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.
 - (2) For any *emissions unit* that has not begun normal operations on the particular date, *actual emissions* shall equal the *potential to emit* of the unit on that date.
- b. For the purposes of annual *emissions* reporting, *actual emissions* shall be calculated for each calendar year.

ADJACENT PROPERTIES means parcels of land that lie near each other or that are in close proximity to each other.

ADMINISTRATOR means the *Administrator* of the United States Environmental Protection Agency or the *Administrator's* representative or delegate.

AFFECTED FACILITY means, with reference to a stationary or temporary source, any apparatus to which an air pollution-related standard is applicable.

AGRICULTURAL OPERATIONS means any operation devoted to the bona fide production of crops, or animals, or fowl including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity.

AFFECTED SOURCE means a *source* made up of one or more affected units. An affected unit shall be any unit or segment of a *facility*, which is subject to *emissions* reductions or limitations under Title IV of the *Act*.

AFFECTED STATE means all States that are contiguous to Washoe County whose air quality may be affected, or all States and tribes that are within 50 miles of the *PART 70 source* under consideration. Notice of all *PART 70* issuances, *renewals*, or *modifications* shall be provided to *Affected states* as applicable.

AIR POLLUTANT or POLLUTANT means any *air pollution* agent or combination of such agents, including any physical, chemical, biological, radioactive (including *source* material, special nuclear material, and byproduct material) substance or matter which is emitted into or otherwise enters the *ambient air*. Such term includes any precursors to the formation of any *air pollutant*, to the extent the *EPA Administrator* or *Control Officer* has identified such precursor or precursors for the particular purpose for which the term “*air pollutant*” is used.

AIR POLLUTION means the presence in the outdoor atmosphere of one or more *air pollutants*, or any combination thereof, in sufficient quantities and of such characteristics and duration, which may, or tend to:

- a. Injure human health or welfare, plant or animal life, or property;
- b. Limit visibility or interfere with scenic, aesthetic and historic values of the State; or
- c. Interfere with the enjoyment of life or property or the conduct of business.

ALLOWABLE EMISSIONS means the specific maximum *emission* rate allowed under a *Permit to Construct* or *Permit To Operate*, which shall be based on the *source's potential to emit* (as determined by the physical or operational design of the equipment and any practically *enforceable* permit conditions that limit the *emissions* of the *source* based on use of *emissions control equipment*, controlled operating rates, hours of operation, or other *emissions* control methods as approved by the *Control Officer*) based on the most stringent of the following:

- a. Applicable standards as set forth in 40 CFR PARTS 60, 61, or 63;
- b. The applicable Nevada State Implementation Plan (SIP) limitation;
- c. The *emission* rate specified in a permit condition, including those with a future compliance date;
- d. An *enforceable emissions* limitation established in the permit pursuant to an applicable requirement; or *enforceable emissions* cap assumed by the *source* to avoid an otherwise applicable requirement.

AMBIENT AIR means that portion of the atmosphere, external to *buildings*, to which the general public has access.

APPLICABLE REQUIREMENTS means:

- a. Any standard or other requirement provided for in the applicable implementation plan approved or promulgated by *EPA* through rule making under Title I of the *Act* that implements the relevant requirements of the *Act*, including any revisions to that plan promulgated in 40 CFR PART 52;
- b. Any term or condition of any preconstruction permits issued pursuant to regulations approved or promulgated through rule making under Title I including PARTS C or D, of the *Act*;
- c. Any standard or other requirement under section 111 of the *Act*, including section 111(d);
- d. Any standard or other requirement under section 112 of the *Act*, including any requirement concerning accident prevention under section 112(r)(7) of the *Act*;
- e. Any standard or other requirement of the acid rain program under Title IV of the *Act* or the regulations promulgated thereunder;
- f. Any requirements established pursuant to section 504(b) or section 114(a)(3) of the *Act*;

- g. Any standard or other requirement under section 126(a)(1) and (c) of the Act;
- h. Any standard or other requirement governing solid waste incineration under section 129 of the Act;
- i. Any standard or other requirement for consumer and commercial products under section 183(e) of the Act;
- j. Any standard or other requirement for tank vessels under section 183(f) of the Act;
- k. Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under Title VI of the Act, unless the *Administrator* has determined that such requirements need not be contained in a Title V permit; and
- l. Any national *ambient air* quality standard or increment or visibility requirement under part C of Title I of the Act, but only as it would apply to temporary sources permitted pursuant to section 504(e) of the Act.

AUTHORITY TO CONSTRUCT means an authorization to *construct* a stationary source of air pollution, generally conveyed by a permit. This term was superseded in 2024 by the term *PERMIT TO CONSTRUCT*, but means the same.

BASELINE ACTUAL EMISSIONS (BAE) means the rate of emissions, in tons per year, of a *regulated NSR pollutant*, as determined in accordance with paragraphs a. through d. of this definition.

- a. For any existing *electric utility steam generating unit*, *baseline actual emissions* means the average rate, in tons per year, at which the unit actually emitted the *pollutant* during any consecutive 24-month period selected by the *owner* or *operator* within the 5-year period immediately preceding when the *owner* or *operator* begins actual *construction* of the *project*. The *Control Officer* shall allow the use of a different time period upon a determination that it is more representative of normal *source* operation.
 - (1) The average rate shall include *fugitive emissions* to the extent quantifiable, and *emissions* associated with startups, shutdowns, and *malfunctions*.
 - (2) The average rate shall be adjusted downward to exclude any non-compliant *emissions* that occurred while the *source* was operating above any *emission* limitation that was legally *enforceable* during the consecutive 24-month period.
 - (3) The average rate shall be adjusted downward to exclude any *emissions* that would have exceeded an *emission* limitation with which the *major stationary source* must currently comply, had such *major stationary source* been required to comply with such limitations during the consecutive 24-month period. However, if an *emission* limitation is part of a *Maximum Achievable Control Technology* standard that the *Administrator* proposed or promulgated under 40 CFR PART 63, the *baseline actual emissions* need only be adjusted if the *Control Officer* has taken credit for such *emissions* reductions in an attainment demonstration or maintenance plan.
 - (4) For a *regulated NSR pollutant*, when a *project* involves multiple *emissions units*, only one consecutive 24-month period must be used to determine the *baseline actual emissions* for the *emissions units* being changed. A different consecutive 24-month period can be used for each *regulated NSR pollutant*.
 - (5) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by paragraph a.(2). of this definition.
- b. For an existing *emissions unit* (other than an *electric utility steam generating unit*), *baseline actual*

emissions means the average rate, in tons per year, at which the *emissions unit* actually emitted the *pollutant* during any consecutive 24-month period selected by the *owner* or *operator* within the 10-year period immediately preceding either the date the *owner* or *operator* begins actual *construction* of the *project*, or the date a *complete* permit application is received by the *Control Officer* for a permit required under this section, whichever is earlier.

- (1) The average rate shall include *fugitive emissions* to the extent quantifiable, and *emissions* associated with startups, shutdowns, and *malfunctions*.
 - (2) The average rate shall be adjusted downward to exclude any non-compliant *emissions* that occurred while the *source* was operating above an *emission* limitation that was legally *enforceable* during the consecutive 24-month period.
 - (3) The average rate shall be adjusted downward to exclude any *emissions* that would have exceeded an *emission* limitation with which the *major stationary source* must currently comply, had such *major stationary source* been required to comply with such limitations during the consecutive 24-month period. However, if an *emission* limitation is part of a *Maximum Achievable Control Technology* standard that the *Administrator* proposed or promulgated under 40 CFR PART 63, the *baseline actual emissions* need only be adjusted if the *Control Officer* has taken credit for such *emissions* reductions in an attainment demonstration or maintenance plan.
 - (4) For a *regulated NSR pollutant*, when a *project* involves multiple *emissions units*, only one consecutive 24-month period must be used to determine the *baseline actual emissions* for all the *emissions units* being changed. A different consecutive 24-month period can be used for each *regulated NSR pollutant*.
 - (5) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by paragraphs b.2 and b.3 of this definition.
- c. For a new *emissions unit*, the *baseline actual emissions* for purposes of determining the *emissions* increase that will result from the initial *construction* and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's *potential to emit*.
- d. For a PAL for a stationary *source*, the *baseline actual emissions* shall be calculated for existing *electric utility steam generating units* in accordance with the procedures contained in paragraph a. of this definition, for other existing *emissions units* in accordance with the procedures contained in paragraph b. of this definition, and for a new *emissions unit* in accordance with the procedures contained in paragraph c. of this definition.

BEGIN ACTUAL CONSTRUCTION means in general, initiation of physical on-site *construction* activities on an *emissions unit* which are of a permanent nature. Such activities include, but are not limited to, *installation* of *building* supports and foundations, laying of underground pipework, and *construction* of permanent storage *structures*. With respect to a change in method of operating this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

BEST SYSTEM OF CONTROL (BSC) means:

- a. The lowest *emissions* limitation that a particular source is capable of meeting by the application of control technology that is reasonably available, considering technological and economical feasibility. In determining BSC, the following criteria shall be considered:

- (1) Energy and environmental impact and cost;
 - (2) Cost-effectiveness;
 - (3) Control technology in use by similar sources; and
 - (4) Technical feasibility.
- b. *BSC* may be determined on a case-by-case or source category-specific basis, whichever is more stringent, and should take into account relevant findings and determinations in *EPA's* RACT/BACT/LAER Clearinghouse.
- c. The determination of cost-effectiveness shall use the analysis methodologies contained in the *EPA* Office of Air Quality Planning and Standards Cost Control Manual.
- d. If the *Control Officer* determines that technological or economic limitations would make the imposition of an *emissions* standard infeasible, a design, equipment, work practice, or operational standard, or combination thereof, may be prescribed instead to, in the judgment of the Control Officer, satisfy the requirements for the application of *BSC*.
- e. **BSC Threshold**. *BSC* must be determined and applied to:
- (1) Each *pollutant* at a new source with a source-wide PTE that equals or exceeds the thresholds listed below unless that *pollutant* is subject to BACT or LAER requirements under the major source provisions of PARTS 030.300 or 030.400; and
 - (2) Each *pollutant* at an existing source with a source-wide PTE increase resulting from a *modification* that equals or exceeds the thresholds listed below unless that *pollutant* is subject to BACT or LAER requirements under the major source provisions of PARTS 030.300 or 030.400:

REGULATED MINOR SOURCE POLLUTANT	BSC PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO ₂	40
LEAD	0.6
H ₂ S	5
TOTAL REDUCED SULFUR (TRS), (including H ₂ S)	5

- (3) For each of the pollutants in paragraphs e.(1) and e.(2) above for which *BSC* must be determined, *BSC* is determined for and applied to each proposed new *emissions unit* and each existing *emissions unit* at which a PTE *emissions* increase in that *pollutant* would occur as a result of a physical change or change in the method of operation in the unit.

BRITISH THERMAL UNIT (Btu) means the quantity of heat required to raise the temperature of one pound of water by one degree Fahrenheit at or near its point of maximum density (39.16 °F or 3.98 °C).

BSC SIGNIFICANT EMISSIONS INCREASE and BSC THRESHOLD: See *Best System of Control*.

BUILDING, STRUCTURE, FACILITY OR INSTALLATION means:

- a. All of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same "Major Group" (i.e., which have the same first two digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 Supplement (U.S. Government Printing Office stock numbers 4101-0066 and 003-005-00716-0, respectively).
- b. Notwithstanding the provisions of paragraph (a) of this section, *building, structure, facility, or installation* means, for onshore activities under Standard Industrial Classification (SIC) Major Group 13: Oil and Gas Extraction, all of the pollutant-emitting activities included in Major Group 13 that are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). *Pollutant* emitting activities shall be considered adjacent if they are located on the same surface site; or if they are located on surface sites that are located within 1/4 mile of one another (measured from the center of the equipment on the surface site) and they share equipment. Shared equipment includes, but is not limited to, produced fluids storage tanks, phase separators, natural gas dehydrators or *emissions* control devices. Surface site, as used in this paragraph (b), has the same meaning as in 40 CFR PART 63.761.

CLASS I AREA means any area listed as Class I in 40 CFR PART 81 Subpart D, including SECTION 81.418, or an area otherwise specified as Class I in the legislation that creates a national monument, a national primitive area, a national preserve, a national recreational area, a national wild and scenic river, a national wildlife refuge, or a national lakeshore or seashore.

COMMENCE as used in reference to *construction* or *modification* of a stationary source, means that the owner or operator has:

- a. Obtained all necessary preconstruction approvals or permits, including those required by federal air quality control laws and regulations, Washoe County District Board of Health Regulations Governing Air Quality Management, and air quality laws and regulations which are part of the applicable state implementation plan; and
- b. Taken affirmative steps toward *construction* or *modification*, in one of the following ways:
 - (1) Has begun, or caused to begin, a continuous program of actual on-site *construction* of the source to be *completed* within a reasonable time, as demonstrated by the initiation of physical on-site *construction* activities on an *emission* unit which are of a permanent nature, which may include, without limitation, the *installation* of *building* supports and foundations, laying of underground pipework and the *construction* of permanent storage *structures*;
 - (2) Has entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the *owner* or *operator*, to undertake a program of actual *construction* of the source, to be *completed* within a reasonable time; or
 - (3) For *modification* of a stationary source, has begun those on-site activities, other than preparatory activities, which mark the initiation of the *modification*.

COMPLETE means in reference to an application for a permit that the application, in the judgment of the *Control Officer*, contains all of the information necessary for processing the application. Such a determination

does not prohibit the *Control Officer* from a finding during the permitting process that additional or clarifying information is needed to *complete* the review process and determine whether to issue a permit or deny the application.

CONSTRUCT means the erection, fabrication, or *installation* of an affected *facility*.

CONSTRUCTION means any physical change or change in the method of operation of an *emission* unit, including, without limitation, the fabrication, erection, *installation* or *modification* of an *emission* unit, that would result in a change in emissions.

CONTROL EQUIPMENT means a mechanism, device or contrivance used to reduce or prevent air pollution, that is not, aside from *air pollution* control laws and regulations, vital to production of the normal product of the source or to its normal operation.

CONTROL OFFICER means the *District Health Officer* of the Washoe County *Health District* or the *person* designated by said *District Health Officer* to enforce these local *air pollution* control ordinances and regulations as approved by said District Board of Health created pursuant to the interlocal agreement of the City of Reno, the City of Sparks, and the County of Washoe, Nevada.

CONTIGUOUS PROPERTY means any property under single or joint ownership or operatorship which is in physical contact, touching, or adjoining.

CONTINUOUS MONITORING SYSTEM means the equipment required for monitoring *emissions* which is used to sample and, if applicable, condition, to analyze, and to provide a permanent record of *emissions* or process parameters.

CRITERIA POLLUTANTS means those pollutants for which there is a National *Ambient Air* Quality Standard (NAAQS).

DRAFT PERMIT means the version of a General, Minor, or Major PTC or PTO, including PSD, NNSR or *PART 70 permits*, that the *Health District* offers for public participation or *affected state* review under *Health District* Regulations for such permits.

DUST means an *air pollutant* consisting of minute solid particles released into the atmosphere by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, land leveling or clearing, or any combination thereof.

ELECTRIC UTILITY STEAM GENERATING UNIT means any steam electric generating unit that is constructed for the purpose of supplying more than one-third of its potential electric output capacity and more than 25 MW electrical output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the *affected facility*.

EMERGENCY means a situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God.

EMERGENCY GENERATOR means a stationary combustion device, such as a reciprocating internal combustion engine or turbine that serves solely as a secondary source of mechanical or electrical power whenever the primary energy supply is disrupted or discontinued during power outages or natural disasters that are beyond the control of the *owner* or *operator* of a *facility*.

EMISSION or EMISSIONS means that act of passing into the atmosphere any *air pollutant* or a *gas* stream, which contains any *air pollutants*, or the *air pollutants* so passed into the atmosphere.

EMISSION LIMIT means a requirement established by the *Control Officer* or contained in any applicable requirement, that limits the quantity, rate, or concentration of *emissions* of air pollutants on a continuous basis, including any requirement relating to the operation or maintenance of a source to assure continuous *emission* reduction, and any design, equipment, work practice or operational standard promulgated under these regulations or the Act.

EMISSIONS UNIT:

- a. For all stationary sources, means any part of a stationary source that emits or would have the potential to emit any regulated *pollutant* and includes an *electric utility steam generating unit*.
- b. For purposes of calculating *emissions* increases from *emissions units* in PARTS 030.300 and 030.400, there are two types of *emissions units*:
 - (1) A *new emissions unit* is any *emissions unit* that is (or will be) newly constructed and that has existed for less than two (2) years from the date such *emissions unit* first operated.
 - (2) An *existing emissions unit* is any *emissions unit* that does not meet the requirements in paragraph b.(1) of this definition. A *replacement unit* is, by definition, an existing *emissions unit*.

ENFORCEABLE means a requirement, limitation, standard or condition in a permit or other document which is both legally *enforceable* and *enforceable* as a practical matter. Legally *enforceable* means that the permit or document includes an obligation to comply with the condition. *Enforceable* as a practical matter means that permit conditions:

- a. Consist of emissions, operational or production limits which are objective and quantifiable;
- b. Require the use of in-place *air pollution control equipment*, specify that the equipment is to be operated while *emissions* are being generated, with any exceptions expressly stated, and that the equipment is to be properly operated and maintained;
- c. Consist of *emissions* limits with corresponding averaging times which are appropriate for the applicable requirement; and
- d. Consist of monitoring, recordkeeping, reporting, and testing requirements to determine compliance with permit conditions (e.g., *emissions* limitations) as specified in PART 030.040, and are included in the permit or document, as applicable.

EPA means the United States Environmental Protection Agency.

EPA ADMINISTRATOR means the *Administrator* of the U.S. Environmental Protection Agency (*EPA*) or his or her designee.

EXCESS EMISSIONS generally means any *emission* which exceeds any applicable *emission* limitation prescribed by these regulations or that is contained in an operating permit. The averaging time and test procedures for determining *excess emissions* must be as specified in the relevant condition or conditions of the operating permit, except that this does not preclude the use, including the exclusive use, of any credible evidence or information relevant to the determination of whether a source would have been in compliance with the *applicable requirements* if the appropriate performance or compliance test or procedure had been performed to determine excess emissions.

FACILITY means all of the pollutant-emitting activities that belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same "Major Group" (which have the same first two digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 Supplement (U.S. Government Printing Office stock numbers 41010066 and 003-005-00176-0, respectively) or the North American Industry Classification System, as published in 2002.

FEDERAL LAND MANAGER means with respect to any lands in the United States, the secretary of the department with authority over such lands or that person's delegate.

FEDERALLY ENFORCEABLE means all limitations and conditions which are *enforceable* by the *Administrator*, including those requirements developed pursuant to 40 CFR PARTS 60, 61 and 63, requirements within any applicable Nevada SIP, any permit requirements established pursuant to 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51, subpart I, including *operating permits* issued under an EPA-approved program that is incorporated into the Nevada SIP and that expressly requires adherence to any permit issued under such program.

FUEL means any form of combustible matter, solid, liquid, vapor or gas which is used to generate energy.

FUEL BURNING EQUIPMENT means any device, except internal combustion engines, used for the primary purpose of producing heat or power by indirect heat transfer in which the products of combustion do not come into direct contact with any process material.

FUGITIVE DUST means particulate emissions, that are not collected by a capture system, is entrained into the *ambient air* and is caused from human and/or natural activities, such as unpaved roads, *construction* activity, movement of soil, vehicles, equipment, blasting and wind. For the purpose of these regulations, *fugitive dust* does not include *particulate matter* emitted directly from the exhaust of motor vehicles and other internal combustion engines, from portable brazing, soldering, or welding equipment, and does not include *emissions* from process and combustion sources that are subject to other sections of these regulations. *Fugitive dust* is a type of fugitive emission.

FUGITIVE EMISSIONS means *emissions* of any pollutants, including *fugitive dust*, which could not reasonably pass through a *stack*, *chimney*, vent, or a functionally equivalent opening.

GAS means matter that has no definite shape or volume.

GENERAL PERMIT means:

- a. A permit (either a PTC and/or PTO) issued pursuant to PART 030.100, or
- b. In the context of a *PART 70 permit*, a permit that meets the requirements of 40 CFR PART 70.6(d).

GOOD ENGINEERING PRACTICE (GEP) means a stack height based on the equation and requirements found in 40 CFR 51.100(ii).

HAZARDOUS AIR POLLUTANT (HAP) means any *air pollutant* listed by EPA as a HAP pursuant to section 112(b) of the Act.

HEALTH DISTRICT means the Washoe County *Health District* created pursuant to NRS CHAPTER 439 and interlocal agreement of the City of Reno, the City of Sparks, and the County of Washoe, Nevada and includes all the incorporated cities and unincorporated areas within the geographic boundaries of Washoe County, Nevada.

HEAT INPUT means the maximum actual or design *fuel* capacity, whichever is greater, stated in British thermal units (Btu) per hour for the *emission unit* and will be expressed using the higher heating value of the *fuel* unless otherwise specified.

INCINERATOR means a furnace used primarily for the thermal destruction of waste, including human and pet crematories, burn-out ovens, and other solid, liquid, and gaseous waste incinerators.

INSIGNIFICANT MINOR SOURCE or INSIGNIFICANT STATIONARY SOURCE: See definition of *minor source*.

INSIGNIFICANT MINOR SOURCE MODIFICATION: See definition of *modification*.

LIKE-KIND REPLACEMENT generally means the replacement of existing components (*emissions units*, control equipment, etc.) with similar, equivalent, or comparable, new components (e.g. components that have the same throughput capacity, control efficiency or, utilization factor as the old component) and neither increases the potential to emit of the *emissions unit* nor triggers a new applicable requirement.

MALFUNCTION means any sudden, infrequent, and not reasonably preventable failure of *air pollution* control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the *emission* limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not *malfunctions*.

MAJOR STATIONARY SOURCE means,

- a. For purposes of NNSR permitting, the definition specified in PART 030.300.
- b. For purposes of PSD permitting, the definition specified in PART 030.400.

MAJOR MODIFICATION means,

- a. For purposes of NNSR permitting, the definition specified in PART 030.300.
- b. For purposes of PSD permitting, the definition specified in PART 030.400.

MINOR MODIFICATION means a *modification* that is not a *major modification* for that pollutant.

- a. A *modification* at a *minor source* is a *minor modification* unless the *emissions* increase from the *modification* would constitute a new *major stationary source* by itself (see *major stationary source* definitions in PARTS 030.300-030.510).
- b. Any PTE *emissions* increase of a *regulated minor source pollutant* resulting from a *modification* at a *significant minor source* requires a *permit modification*.
- c. Any PTE *emissions* increase of a *regulated minor source pollutant* resulting from a *modification* at an *insignificant minor source* increasing the source-wide PTE to greater than or equal to the PTE threshold for *significant minor sources* (see table in paragraph a. of *minor source* definition) requires a PTC.
- d. Any PTE *emissions* increase of a *regulated minor source pollutant* greater than or equal to the BSC threshold (see table in the BSC definition) resulting from a *modification* at an *insignificant* or *significant minor source* must install and operate the BSC for such *pollutant* and source as determined by the Control Officer.

MINOR SOURCE or MINOR STATIONARY SOURCE means any source that is not a *major stationary source*. A *major stationary source* can emit more than one pollutant, so may be classified as major because of the level of *emissions* of one or more pollutants, but may also emit some regulated pollutants at *minor source* levels. A *minor source* may be either a *natural minor source* or a *synthetic minor source* (see definition—a *synthetic minor source* needs *enforceable* limitations to qualify as a minor source). In addition, minor sources are classified by their Potential to Emit (PTE) as *significant minor sources* or *insignificant minor sources*:

- a. A *minor source* is a *significant minor source* if it has a PTE equal to or greater than the PTE threshold listed in the table below for the pollutants listed. A *significant minor source* must have a *minor source* permit (PTC and/or PTO) addressing each *pollutant* equaling or exceeding their listed threshold.

POLLUTANT	PTE THRESHOLD, TPY
PM10	5
PM2.5	5
CO	5
VOC	5
NOx	5
SO ₂	5
LEAD	0.3
H ₂ S	5
TOTAL REDUCED SULFUR (TRS), including H ₂ S)	5

- b. A *minor source* is an *insignificant minor source* if it has a PTE less than the PTE thresholds shown for each *pollutant* listed.

MINOR SOURCE BASELINE DATE means the earliest date after the trigger date on which a *major stationary source* or a *major modification* subject to the PSD permitting program under PART 030.400 and/or 40 CFR PART 52.21 submits a *complete* PSD application under those regulations.

- a. The trigger date is:
 - (1) In the case of PM₁₀ and sulfur dioxide, August 7, 1977;
 - (2) In the case of nitrogen dioxide, February 8, 1988; and
 - (3) In the case of PM_{2.5}, October 20, 2011.
- b. The baseline date is established for each regulated NSR *pollutant* for which increments or other equivalent measures have been established if:
 - (1) The area in which the proposed source or *modification* would *construct* is designated as attainment or unclassifiable under section 107(d)(1)(A)(ii) or (iii) of the Act for the *pollutant* on the date of its *complete* application under PART 030.400 and/or 40 CFR PART 52.21 ; and
 - (2) In the case of a major stationary source, the *pollutant* would be emitted in significant amounts, or, in the case of a *major modification*, there would be a *significant net emissions increase* of the pollutant.

MODIFICATION means:

- a. When applied to a stationary source: means any physical change in, or change in the method of operation of a source which:
 - (1) Increases the amount of any regulated air pollutant, to which a standard applies, emitted into the atmosphere by that stationary source; or
 - (2) Results in the *emission* of any regulated air pollutants, to which a standard applies, into the atmosphere if the regulated air pollutants were not previously emitted.
 - (a) For Nonattainment New Source Review (NNSR) purposes under PARTS 030.300 (NNSR) and 030.400 (PSD), *modifications* at a *major stationary source* can be major (because there is both a *significant emissions* increase and a *significant net emissions increase* of that *pollutant* resulting from the *modification*), or minor or both depending on the attainment designation of each pollutant. Major *modifications* are subject to a number of regulatory conditions, such as air impact analyses. Minor *modifications* at major stationary sources are not subject to NNSR or PSD permitting, but are addressed in these regulations and, if a regulated *minor source* pollutant, generally require a permit *modification*.
 - (b) For PART 70 (Title V) *operating permit* purposes under PART 030.510, there are several classifications of *modifications*. These are defined and discussed in PART 030.510.
 - (c) *Minor modifications*, whether at major or minor stationary sources, are classified as either significant or insignificant.
 - (i) A *minor modification* is significant if:
 - (A) the PTE of the source for that *pollutant* prior to the *modification* equals or exceeds the *significant minor source* permitting threshold for that pollutant, and

(B) the *modification* results in any increase in the PTE of the source for that pollutant.

- (ii) A *minor modification* is insignificant if it is not a significant *minor modification*.
- (iii) If the source-wide PTE increase resulting from a significant *minor modification* equals or exceeds the *BSC threshold* for that regulated *minor source* pollutant, it is significant and *BSC* must be applied to that PTE increase as specified in the *BSC* definition.

- b. When applied to a permit (either a PTC or PTO): a revision or change to a permit, usually by adding new or revising existing permit terms or conditions, including *emissions* limitations and monitoring, recording, and reporting requirements. There are different types of permit *modifications*, depending on the regulation being applied.

NATURAL MINOR SOURCE means a *minor stationary source* whose maximum capacity to emit regulated air pollutants under its physical and operational design falls below the major source thresholds for those pollutants. In other words, the source does not need any *enforceable* restrictions (such as *emissions* limits, use of add-on control equipment, and/or restrictions on input, output, throughput, material or *fuel* composition, operating hours) to qualify as a minor source.

NEW STATIONARY SOURCE means:

- a. For stationary sources subject to the requirements of Section 112 of the Clean Air Act, a stationary source for which the *owner* or *operator* commenced *construction* or reconstruction after the *Administrator* proposed regulations pursuant to Section 112 of the Clean Air Act which established an *emission* standard applicable to the stationary source.
- b. For all other stationary sources, a stationary source or *modification* for which an *owner* or *operator* has not submitted a *complete* application before the effective date of the program.

NEW SOURCE PERFORMANCE STANDARDS (NSPS) means the standards established in the federal rules at 40 CFR PART 60.

NITROGEN OXIDES means all oxides of nitrogen except nitrous oxide, as measured by test methods approved by the *EPA*.

NONATTAINMENT AREA means a geographic area designated by the Environmental Protection Agency (*EPA*) at 40 CFR Part 81 as exceeding a National *Ambient Air* Quality Standards (NAAQS) for a given criteria pollutant. An area is nonattainment only for the pollutants for which the area has been designated nonattainment.

NONATTAINMENT NSR PERMIT or NNSR PERMIT means a permit issued pursuant to PART 030.300 or 40 CFR Part 51 Appendix S.

NONATTAINMENT POLLUTANT means, in relation to a *nonattainment area*, the *regulated NSR pollutant* (or its precursors) that causes that area to be designated as a *nonattainment area*.

NONROAD ENGINE means:

- a. Except as provided in paragraph b below, a *nonroad engine* is any internal combustion engine that

meets any of the following criteria:

- (1) It is (or will be) used in or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as garden tractors, off-highway mobile cranes and bulldozers).
- (2) It is (or will be) used in or on a piece of equipment that is intended to be propelled while performing its function (such as lawnmowers and string trimmers).
- (3) That, by itself or in or on a piece of equipment, is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.

b. An internal combustion engine is not a *nonroad engine* if it meets any of the following criteria:

- (1) The engine is used to propel a motor vehicle, an aircraft, or equipment used solely for competition.
- (2) The engine is regulated under 40 CFR PART 60, (or otherwise regulated by *NSPS*) promulgated under Section 111 of the Act. Note that this criterion does not apply for engines meeting any of the criteria of paragraph a of this definition that are voluntarily certified under 40 CFR PART 60.
- (3) The engine otherwise included in paragraph a.(3) of this definition remains or will remain at a location for more than twelve (12) consecutive months, or a shorter period of time for an engine located at a seasonal source. A location is any single site at a *building, structure, facility, or installation*. Any engine (or engines) that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced, will be included in calculating the consecutive time period. An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (i.e., at least two (2) years) and that operates at that single location approximately three (3) months (or more) each year but less than a full year.

NORMAL FARM CULTURAL PRACTICE means all activities by the *owner*, lessee, agent, independent contractor, and/or supplier conducted on any *facility* for the production of crops, nursery plants or the management of livestock or fowl. Disturbances of the field surface caused by turning under stalks, tilling, leveling, planting, fertilizing, or harvesting are included in this definition.

ONE-HOUR PERIOD means any 60-minute period.

OWNER and/or *OPERATOR* means any *person* who owns, leases, operates, controls, or supervises a *facility, building, structure, installation, site, activity, or a stationary source* which directly or indirectly result or may result in *emissions* of any *air pollutant* for which a national standard is in effect of which an *affected facility* is a part.

OPACITY means the degree to which an object seen through a plume is obscured, stated as a percentage.

OPERATING PERMIT has the same meaning as *Permit to Operate*.

PART 70 PERMIT or PART 70 OPERATING PERMIT means any permit or group of permits that is issued, renewed, amended or revised pursuant to PART 030.510, which are approved by EPA under 40 CFR PART 70.

PART 70 SOURCE means any *source* subject to the permitting requirements in PARTS 030.500 and/or 030.510.

PARTICULATE MATTER means any material, except uncombined water such as water vapor and water droplets, which exists in a finely divided form as a solid or liquid at *reference conditions*, with an aerodynamic diameter smaller than one hundred (100) micrometers.

PERMIT MODIFICATION means:

- a. For a PART 70 permit, a revision to the permit that meets the requirements of 40 CFR PART 70.7(e), and
- b. Generally, a revision to any permit issued pursuant to CHAPTER 030.

PERMIT TO CONSTRUCT (PTC) means a document issued by the *Control Officer* allowing, with or without restrictions, the *construction* of a new *source* of *air pollution* or the *modification* of an existing *source* of *air pollution*. The PTC also allows the *source* or *modification* to operate for a limited period of time. Authorization to operate under the PTC expires:

- a. Upon issuance of a *Permit to Operate* (PTO) for the new *source* or *modification*, or
- a. One year after initial start-up if a *complete* application for a PTO has not been submitted, whichever occurs first.

PERMIT TO OPERATE (PTO) means a document issued by the Control Officer, allowing, with or without restrictions, the operation of a new or existing *source* of *air pollution*.

PERSON means any individual, firm, association, organization, partnership, business trust, public or private corporation, company, department or bureau of the state, municipality or any officer, agent or employee thereof, or any other legal entity whatsoever that is recognized by the law as the subject of rights and duties.

PM_{2.5} means *particulate matter* with an aerodynamic diameter less than or equal to a nominal two and one-half (2.5) micrometers (microns or μ) as measured by a reference method based on 40 CFR PART 50 Appendix L and designated in accordance with 40 CFR PART 53 or by an equivalent method designated in accordance with 40 CFR Part 53.

PM_{2.5} EMISSIONS means finely-divided solid or liquid material, including condensable particulate matter, with an aerodynamic diameter less than or equal to a nominal two and one-half (2.5) micrometers (microns or μ) emitted to the *ambient air* as measured by an applicable reference method, or an equivalent or alternate method, specified in 40 CFR PART 51 Appendix M or by a test method specified in the SIP.

PM₁₀ means *particulate matter* with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers (microns or μ) as measured by a reference method based on 40 CFR PART 50 Appendix J and designated in accordance with 40 CFR PART 53 or by an equivalent method designated in accordance with 40 CFR PART 53.

PM10 EMISSIONS means finely-divided solid or liquid material, including condensable particulate matter, with an aerodynamic diameter less than or equal to a nominal (ten) 10 micrometers (microns or μ) emitted to the *ambient air* as measured by an applicable reference method, or an equivalent or alternate method, specified in 40 CFR PART 51 Appendix M or by a test method specified in the SIP.

POTENTIAL TO EMIT (PTE) means the maximum capacity of a stationary *source* to emit a *pollutant* under its physical and operational design. Any physical or operational limitation on the capacity of the *source* to emit a pollutant, including *air pollution control equipment* and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on *emissions* is *federally enforceable*. *Emissions* associated with insignificant activities shall be included in the calculation of *potential to emit* for the *facility*. *Secondary emissions* do not count in determining the *potential to emit* of a stationary *source*.

PREVENTION OF SIGNIFICANT DETERIORATION means the EPA-implemented *major source* preconstruction permit programs under 40 CFR PART 52.21 or the PART 030.400 *major source* preconstruction permit program approved by the *Administrator* and incorporated into the SIP pursuant to 40 CFR PART 51.166 to implement the requirements of that section. Any permit issued under such a program is a major NSR permit.

PROCESS EQUIPMENT means any equipment used for storing, handling, transporting, processing or changing any material, excluding that equipment specifically defined as *fuel-burning equipment* or incinerators.

PROJECT means a plan to *construct a new stationary source* or a plan to take an action not defined in these rules as a physical change in, or change in the method of operation of, a *source* (e.g., a physical change at a *source* that does not increase *emissions* from that *source*, such as a new sidewalk). A *modification*, in contrast, is a more narrowly defined physical change in, or change in the method of operation of, a *source*, because there must be an *emissions* increase associated with it; therefore, not all *projects* are *modifications*.

PSD PERMIT means a permit issued pursuant to PART 030.400.

RECONSTRUCTION OR RECONSTRUCT means:

- a. For the purpose of meeting the requirements of 40 CFR PART 60, the definition at 40 CFR PART 60.15, or
- b. For the purpose of meeting the requirements of 40 CFR PART 63, the definition at 40 CFR PART 63.2.

REFERENCE CONDITIONS means that all measurements of *ambient air* quality are corrected to a reference temperature of 77 °F (25 °C) and to a reference pressure of thirty (30) inches (760 millimeters, 1013.2 millibars) of mercury.

REFERENCE METHOD means any method of sampling and analyzing for a regulated *air pollutant* as described in of 40 CFR PART 60 Appendix A.

REGULATED AIR POLLUTANT means, for purposes of PART 70 permitting under PARTS 030.500 and 030.510, the following:

- a. *Nitrogen oxides* or any volatile organic compounds;
- b. Any *pollutant* for which a national *ambient air* quality standard has been promulgated.
- c. Any *pollutant* that is subject to any standard promulgated under Section 111 of the Act.
- d. Any class I or II substance subject to a standard promulgated under or established by Title VI of the Act.
- e. Any *pollutant* subject to a standard promulgated under Section 112 or other requirements established under Section 112 of the Act, including the following:
 - (1) Any *pollutant* subject to requirements under Section 112(j) of the Act. If the *Administrator* fails to promulgate a standard pursuant to Section 112(e) of the Act, any *pollutant* for which a subject *source* would be major shall be considered to be regulated on the date eighteen (18) months after the applicable date established pursuant to Section 112(e) of the Act; and
 - (2) Any *pollutant* for which the requirements of Section 112(g)(2) of the Act have been met, but only with respect to the individual *source* subject to the Section 112(g)(2) requirement.
- f. Greenhouse gases that are *subject to regulation* as defined in 40 CFR PART 70.2.

REGULATED MINOR SOURCE POLLUTANT means all criteria pollutants, hydrogen sulfide (H₂S), and Total Reduced Sulfur (TRS). TRS includes H₂S.

REGULATED NSR POLLUTANT, for purposes of the Nonattainment NSR permitting program at PART 030.300 and PSD permitting program at PART 030.400, means the following:

- a. Any *pollutant* for which a national *ambient air* quality standard has been promulgated. This includes, but is not limited to, the following:
 - (1) PM_{2.5} *emissions* and PM₁₀ *emissions* shall include gaseous *emissions* from a source or activity, which condense to form *particulate matter* at ambient temperatures. On or after January 1, 2011, such condensable *particulate matter* shall be accounted for in applicability determinations and in establishing *emissions* limitations for PM_{2.5} and PM₁₀ in PSD permits. Compliance with *emissions* limitations for PM_{2.5} and PM₁₀ issued prior to this date shall not be based on condensable *particulate matter* unless required by the terms and conditions of the permit or the applicable implementation plan. Applicability determinations made prior to this date without accounting for condensable *particulate matter* shall not be considered in violation of this section unless the applicable implementation plan required condensable *particulate matter* to be included.
 - (2) Any *pollutant* identified under 40 CFR PART 52.21(b)(50)(i)(b) as a constituent or precursor for a *pollutant* for which a national *ambient air* quality standard has been promulgated. Precursors identified by the *Administrator* for purposes of NSR are the following:
 - (a) Volatile organic compounds and *nitrogen oxides* are precursors to ozone in all attainment and unclassifiable areas.
 - (b) Sulfur dioxide is a precursor to PM_{2.5} in all attainment and unclassifiable areas.
 - (c) *Nitrogen oxides* are presumed to be precursors to PM_{2.5} in all attainment and unclassifiable areas, unless the State demonstrates to the *Administrator's* satisfaction or EPA demonstrates that *emissions of nitrogen oxides* from sources in a specific area are not a significant contributor to that area's ambient PM_{2.5} concentrations.

- (d) Volatile organic compounds are presumed not to be precursors to PM_{2.5} in any attainment or unclassifiable area, unless the State demonstrates to the *Administrator's* satisfaction or *EPA* demonstrates that *emissions* of volatile organic compounds from sources in a specific area are a significant contributor to that area's ambient PM_{2.5} concentrations.

REGULATED POLLUTANT means an *air pollutant subject to regulation* by the Health District. [or “under the Act.”]

RENEWAL means the process by which a holder of an *operating permit* applies for and the *Control Officer* reissues the *operating permit* at the end of its term.

REPLACEMENT UNIT means an *emissions unit* for which all the criteria listed in paragraphs (a) through (d) of this definition are met. No creditable *emission* reductions shall be generated from shutting down the existing *emissions unit* that is replaced.

- a. The *emissions unit* is a reconstructed unit within the meaning of 40 CFR PART 60.15(b)(1), or the *emissions unit* completely takes the place of an existing *emissions unit*;
- b. The *emissions unit* is identical to or functionally equivalent to the replaced *emissions unit*;
- c. The replacement does not alter the basic design parameters of the process unit; and
- d. The replaced *emissions unit* is permanently removed from the *major stationary source*, otherwise permanently disabled, or permanently barred from operation by a permit that is *enforceable* as a practical matter. If the replaced *emissions unit* is brought back into operation, it shall constitute a new *emissions unit*.

RESPONSIBLE OFFICIAL means:

- a. For a corporation:
 - (1) A President;
 - (2) A Vice President in charge of a principal business function;
 - (3) A Corporate Secretary;
 - (4) A Treasurer; or
 - (5) An authorized representative of such a person who is responsible for the overall operation of the *facility* and who is designated in writing by an officer of the corporation and approved in advance by the *Control Officer*.
- b. For a partnership or sole proprietorship, a general partner or the proprietor, respectively.
- c. For a municipality or a state, federal or other public agency, a ranking elected official or a principal executive officer, including, for a federal agency, a chief executive officer who has responsibility for the overall operations of a principal geographic unit of the agency.

REVIEWING AUTHORITY means the State *air pollution* control agency, local agency, other State agency, Indian tribe, or other agency authorized to carry out a permit program, or the *Administrator* in the case of *EPA*-implemented permit programs.

SCHEDULED MAINTENANCE means the maintenance which is planned by the management of a stationary source, or any part thereof, which is anticipated at least one (1) month in advance.

SCHEDULED REPAIR means the repair of a stationary source, or any part thereof, which occurs within one (1) month of discovery of the need for the repair and which is not a part of scheduled maintenance.

SHUTDOWN means the cessation of operation of operation of any *air pollution control equipment* or process equipment for any purpose.

SIGNIFICANT or SIGNIFICANTLY for purposes of *emissions* increases, means:

- a. For purposes of minor source permitting, the definition specified in PART 030.200:
- b. For purposes of NNSR permitting, the definition specified in PART 030.300.
- c. For purposes of PSD permitting, the definition specified in PART 030.400.

SIGNIFICANT MINOR SOURCE: See *Minor Source*.

SIGNIFICANT MODIFICATION: See *Modification*.

SMOKE means small *gas-borne* particles resulting from incomplete combustion, consisting predominantly of carbon, ash, and other combustible material present in sufficient quantity to be observable or, as a suspension in *gas* of solid particles in sufficient quantity to be observable.

SOURCE means:

- a. Any property, real or personal, under common ownership or control that directly emits, or may emit, any *air pollutant*.
- b. A source may be stationary, mobile, portable, temporary or permanent and can include:
 - (1) Any *building, structure, facility or installation*;
- c. One or more pieces of equipment or machinery, devices, articles, contrivances, or facilities;
- d. One or more activities that may emit (such as open burning); and/or
- e. One or more area sources (such as storage piles, bare land, or unpaved roads) that may emit under certain conditions (e.g., wind or traffic).
- c. A *source* consists of one or more *emissions units*.
- d. As used in this CHAPTER 030, *source* and *stationary source* are used interchangeably; *non-stationary sources* are specifically identified (e.g., as a *mobile source*).
- e. There are a number of different types of regulated *air pollution* sources identified and defined in various regulations; see, for example, the definitions for *minor sources, major sources, PART 70 (Title V) sources, and HAP sources, as well as* the different designations for mobile sources and internal combustion engines (ICE), such as *non-road engines, propulsion units, and vessels*.

STACK means any flue, pipe, conduit, or duct arranged to conduct any *smoke, gas, air pollutant, or emission* (including suspended solids and liquids) to the atmosphere, but does not include flares.

STARTUP means the setting into operation of any *air pollution control equipment* or process equipment for any purpose except routine phasing in of process equipment.

STATE IMPLEMENTATION PLAN (SIP) means the State Implementation Plan approved or promulgated for the State of Nevada under Section 110 or 172 of the Act.

STATIONARY SOURCE means:

- a. All *buildings, structures, facilities and installations*, including temporary sources, which:
 - (1) Belong to the same major industrial groupings described in the Standard Industrial Classification Manual, as incorporated by reference in NAC 445B.221;
 - (2) Are located on one or more contiguous or adjacent properties;
 - (3) Are owned or operated by the same person or by persons under common control; and
 - (4) Emit or may emit any regulated air pollutant.
- b. Contracted operations that support the primary operations of the stationary source are part of the stationary source, except that temporary *construction* activities, including, without limitation, the *construction of emissions units*, are not part of the stationary source.
- c. The term does not include motor vehicles, nonroad engines and nonroad vehicles.

SYNTHETIC MINOR SOURCE means a stationary *source* that otherwise has the *potential to emit* one or more *regulated air pollutants* in amounts that are at or above the threshold for *major sources*, but is subject to one or more restrictions that reduce its *potential to emit* to less than those *major source* thresholds. Such restrictions must be legally *enforceable* and *enforceable* as a practical matter.

TEMPORARY SOURCE means any *building, structure, facility or installation* which:

- a. Emits or may emit any regulated air pollutant;
- b. May be moved from one location to another;
- c. Is located or operated in a location for a period of less than twelve (12) months;
- d. Is not an affected source; and
- e. May be subject to other applicable federal requirements under the *Act*.

TOTAL REDUCED SULFUR (TRS) means the sum of the mass of sulfur compounds, hydrogen sulfide, mercaptans, dimethyl sulfide, dimethyl disulfide, and any other organic sulfides, emitted and measured by EPA Method 16 in 40 CFR PART 60 Appendix A or an approved equivalent method, and expressed as hydrogen sulfide.

VENT means any opening through which air pollutants are exhausted into the ambient air.

VIOLATION means a failure to comply with any applicable requirement, any provisions of the District Board of Health Regulations Governing Air Quality Management, or a condition of a permit.

VOLATILE ORGANIC COMPOUNDS (VOC) has the meaning ascribed to it in 40 C.F.R. PART 51.100(s).

ACRONYMS

BACT	Best Available Control Technology
BAE	Baseline Actual Emissions
BSC	Best System of Control
CO	Control Officer (or, in context, carbon monoxide)
FLM	Federal Land Manager
GHG	Greenhouse Gases
HAP	Hazardous Air Pollutant
LAER	Lowest Achievable Emissions Rate
MACT	Maximum Achievable Control Technology
NAAQS	National Ambient Air Quality Standard
NEI	Net Emissions Increase
NNSR	Nonattainment New Source Review (generally referring to major sources)
NSR	New Source Review
PAE	Projected Actual Emissions
PSD	Prevention of Significant Deterioration
PTC	Permit to Construct
PTE	Potential To Emit
PTO	Permit to Operate
RACT	Reasonably Available Control Technology
SER	Significant Emissions Rate
SSM	Startup, Shutdown, and Malfunction
VOC	Volatile Organic Compounds

PART 030.020 - GENERAL SOURCE PERMITTING APPLICABILITY

SECTION A - APPLICABILITY

1. REGULATORY REQUIREMENTS. Stationary sources emitting air pollutants located in Washoe County, depending on their type, location, and size, may be subject to one or more of the County's *air pollution* control regulations. Sources may have only one *emission* source (such as gasoline dispensing) or multiple activities (e.g., an asphalt plant with storage piles, unpaved roads, an incinerator, and a wood stove in the office) that subject them to various regulations and *emissions* and/or operating limitations. Therefore, *owner/operators* should review all applicable *air pollution* regulations to determine whether their source is subject to CHAPTER 030.
2. PERMITS. Except as provided in SECTION 030.020.B, *owners* and *operators* of new sources and *modifications* to existing sources of *air pollution* must obtain a *Permit To Construct* (PTC) before *beginning actual construction*.
 - a. A PTC authorizes the *construction* of a *source* or *modification* and, for a period of time, its operation (generally, until a *Permit To Operate* (PTO) is issued following completion of the authorized *construction* and by way of submittal of a *complete* application, but no longer than twelve (12) months after initial start-up).
 - (1) A PTC expires if *construction* does not *commence* within eighteen (18) months of permit issuance.
 - (2) *Construction* authorized by the PTC must be completed within a reasonable time, based on typical *construction* times for that type of source or *modification*.
 - b. A PTO, whether for a minor or a *major source*, expires five (5) years from the date of issuance and must be renewed by submitting a *complete* application. Since a PTC is only required for proposed new sources and for *modifications* to existing sources, existing sources that are not being modified, but which are, or become, subject to CHAPTER 030, shall be issued a PTO without having to obtain a PTC.
 - c. A permit must contain the following conditions:
 - (1) The term or expiration date of the permit.
 - (2) That the holder of the permit shall retain records of all required monitoring data and supporting information for five (5) years after the date of the sample collection, measurement, report or analysis, where supporting information includes all records regarding calibration and maintenance of the monitoring equipment and all original strip-chart recordings for continuous monitoring instrumentation.
 - (3) Requirements for monitoring that are sufficient to ensure compliance with the conditions of the operating permit, including:
 - (i) All procedures or test methods for monitoring and analyzing *emissions* required pursuant to the *applicable requirements* or adopted pursuant to 42 USC 7414(a)(3) or 7661c(b).
 - (ii) If the applicable requirement does not require periodic testing or monitoring, periodic monitoring that is sufficient to yield reliable data from the relevant period which is

representative of the stationary source's compliance with the conditions of the operating permit. Such monitoring requirements must use terms, test methods, units, averaging periods and other statistical conventions consistent with the applicable requirement.

- (iii) As necessary, requirements concerning the use, maintenance and the *installation* of equipment, or methods for monitoring.

(4) All *applicable requirements* for recordkeeping and requirements, where applicable, to keep:

- (i) Records of monitoring information required by the conditions of the permit, including the date, the location, and the time of the sampling or the measurements and the operating conditions at the time of the sampling or measurements; and
- (ii) The date on which the analyses were performed, the company that performed them, the analytical techniques that the company used and the results of such analyses.

(5) All reporting requirements and requirements to:

- (i) Promptly report all deviations from the requirements of the operating permit; and
- (ii) State the probable cause of all deviations and any action taken to correct the reported deviations.

(6) That each of the conditions and requirements of the permit is severable, and if any are held invalid, the remaining conditions and requirements continue in effect.

(7) That the holder of the permit shall comply with all conditions of the permit and that any noncompliance constitutes a violation and is grounds for:

- (i) An action for noncompliance;
- (ii) Revising, revoking, reopening and revising, or terminating the permit by the *Control Officer*, or
- (iii) Denial of an application for a renewal of an *operating permit* by the *Control Officer*.

(8) That the need to halt or reduce activity to maintain compliance with the conditions of the permit is not a defense to noncompliance with any condition of the permit.

(9) That the *Control Officer* may revise, revoke and reissue, reopen and revise, or terminate the permit for cause.

(10) That the permit does not convey any property rights or any exclusive privilege.

(11) That the holder of the permit shall provide the *Control Officer*, in writing and within a reasonable time, with any information that the *Control Officer* requests to determine whether cause exists for revising, revoking and reissuing, reopening and revising, or terminating the permit, or to determine compliance with the conditions of the permit.

(12) That the holder of the permit shall pay fees to the *Control Officer* in accordance with the provisions set forth in these regulations.

(13) That the holder of the permit shall allow the *Control Officer* or any authorized representative, upon presentation of credentials, to:

- (i) Enter upon the premises of the holder of the permit where:

(A) The stationary source is located;

- (B) Activity related to *emissions* is conducted; and/or
- (C) Records are kept pursuant to the conditions of the permit;

- (ii) Have access to and copy, during normal business hours, any records that are kept pursuant to the conditions of the permit;
- (iii) Inspect, at reasonable times, any facilities, practices, operations or equipment, including any equipment for monitoring or controlling air pollution, that are regulated or required pursuant to the permit; and
- (iv) Sample or monitor, at reasonable times, substances or parameters to determine compliance with the conditions of the permit or applicable requirements.

(14) That a responsible official of the stationary source shall certify that, based on information and belief formed after a reasonable inquiry, the statements made in any document required to be submitted by any condition of the permit are true, accurate and *complete*.

(15) That permits must be posted conspicuously at or near the stationary source.

- d. A single *Permit To Construct* may be issued for an entire stationary *source* or for all components of an integrated system or process consisting of one or more *emissions units*, or for a *modification* to an existing source, even if the *modification* involves more than one new *emissions unit* and/or *modification* of more than one existing *emissions unit*.
- e. Sources and *modifications* are generally classified based on quantity of *emissions* (as *major* or *minor*) and on the air quality of the area where they are located (either attainment or nonattainment with the NAAQS). A *source* can be both major and minor and located in both attainment and *nonattainment areas*, depending on the *air pollutants* emitted, so may fall within several or all these classifications. For example, a *source* may emit major amounts of NO₂ but only a minor amount of PM_{2.5} and be located in an area that is in attainment of the NO₂ NAAQS but nonattainment for the PM_{2.5} NAAQS.
- f. *Stationary sources* not subject to either minor or *major source* permitting may still be required to obtain a *general permit* under PART 030.100.
- g. *Minor stationary sources* are generally subject to the permitting regulations in PART 030.200; but may also be subject to national, state or county *source-specific emissions* limitations (e.g., Federal nationwide *New Source Performance Standards (NSPS)* or National Emission Standards for *Hazardous Air Pollutants (NESHAP)* or local requirements for that specific *source* category).
- h. If a *source* is a new *major stationary source* or a *major modification to an existing major stationary source* for a *pollutant* for which the area is designated attainment (air quality complies with the NAAQS for that pollutant), then the source is subject to *Prevention of Significant Deterioration (PSD)* permitting. See PART 030.400.
- i. If a *source* is a new *major stationary source* or a *major modification to an existing major stationary source* for a *pollutant* for which the area is designated nonattainment (air quality exceeds the NAAQS for that pollutant), then the *source* is subject to major Nonattainment NSR. See PART 030.300.
- j. If the *source* is a *major source* as defined in PART 030.500 and/or 030.510, it must obtain a PART 70 *operating permit*, even if it is an existing *source* that has not been modified. New and modified *stationary sources* that meet the definition of major source under in PART 030.500 and/or 030.510, must submit a *complete* application within twelve (12) months of commencing operation under the PTC. See PART 030.500 and/or 030.510.
- k. In addition, new and/or existing sources (minor and major) may be subject to Federal national

emissions standards, specifically New Source Performance Standards (NSPS) and/or National Emission Standards for Hazardous Air Pollutants (NESHAP).

3. APPLICABILITY PROCEDURES AND EMISSIONS CALCULATIONS: The following procedures and calculations shall be used when determining whether a *new stationary source* or a *modification* to an existing *stationary source* is a minor or major source or *modification*; whether it is required to obtain a *Permit To Construct (PTC)* and/or *Permit To Operate*, and if so, under which NSR program(s) the permit is required: a New Source Review (NSR), including Minor Source, Prevention of *Significant Deterioration (PSD)*, and/or Nonattainment NSR (NNSR) PTC; and if a *PART 70 operating permit* is required.
 - a. Applicability is first determined on the basis of whether the *source* is of the type or size exempted from permit requirements, then (if not exempt), on a *potential to emit* and pollutant-by-pollutant basis. The *source* can be a *minor source* for some pollutants, a *major source* of other pollutants and can be located in an area that is nonattainment for certain pollutants and in attainment for other pollutants.
 - b. Generally, all *applicable requirements* are combined into a single permit. For example, a proposed new *source* that will be minor for one pollutant, PSD for another, and NNSR for another will apply for a single permit that combines the requirements for all these programs.
 - c. EXEMPTIONS: The first step in making applicability determinations is to determine whether the *source* is exempt from the permit requirements of CHAPTER 030. If so, the *source* is not required to obtain any permits, although certain *air pollution* control requirements and limitations in CHAPTERS 020 and 040 may still apply.
 - (1) For new stationary sources, determine whether it belongs to the type, size or category of source that is exempt from the requirements of CHAPTER 030. Exempt sources are listed in SECTION 030.020.B. If your source is listed in SECTION 030.020.B, it is exempt and does not require a permit. If the source consists of multiple activities or *emissions units*, certain activities may be exempt, while other activities may require a permit; if any one activity or *emissions unit* requires a permit, the source must obtain a permit for that part of the source.
 - (2) For proposed changes to an existing stationary source that is not exempt, determine whether the proposed change is a physical change or change in the method of operation. If not, the proposed change is not a *modification* and does not require a permit. If it is a *modification*, the next step is to determine whether the *modification* is classified as major or minor. This is determined by following the applicability criteria for *modifications* to minor sources in PART 030.200 or for major sources in PARTS 030.300 through 510.
 - d. POTENTIAL TO EMIT (PTE): The next step in making applicability determinations is to determine the PTE of the proposed new or modified source in tons of *emissions* per year.
4. REGULATED AIR POLLUTANTS: There are different groups of pollutants for purposes of CHAPTER 030 for which permits are required:
 - a. Criteria pollutants. These are the pollutants for which there are National *Ambient Air Quality Standards (NAAQS)*. They are PM_{2.5} (which includes precursors NO_x and SO₂ (and in nonattainment areas, VOC and ammonia)), PM₁₀, SO₂, NO₂, ozone (regulated through its precursors: VOC and NO_x), CO, and lead (Pb). Stationary sources (unless exempt) emitting these pollutants at or above the significant *minor source* threshold must, at a minimum, obtain a *minor source* permit (new sources must obtain a PTC; existing sources must obtain a PTO and modified

sources must obtain both a PTC and PTO) or a *general permit* for those pollutants (See PARTS 030.100 and 030.200). They may also be subject to PSD (See PART 030.400), NNSR in nonattainment areas (see PART 030.300), and/or PART 70 (See PARTS 030.500 and/or 030.510) permit requirements, depending on the quantity of emissions.

- b. Regulated Minor Source Pollutants. This group consists of the *criteria pollutants* plus Hydrogen Sulfide (H₂S) and Total Reduced Sulfur (TRS) compounds (which includes H₂S). Sources with a PTE for these pollutants at or above the thresholds found in the definition of *minor source* are termed significant minor sources and require a permit. See PART 030.200 and the definitions in PART 030.010.
- c. Regulated NSR pollutants. For minor NSR and NNSR, this group only consists of criteria pollutants and their precursors. For PSD, this group consists of certain noncriteria pollutants in addition to all the *criteria pollutants* and includes the pollutants *subject to regulation* under the PSD permitting program. Unless exempt, *major stationary sources* (new or modified) emitting these noncriteria pollutants may be subject to PSD permitting and require a PTC. See PART 030.400.
- d. Regulated air pollutants. This group consists of the *regulated NSR pollutants* plus the *Hazardous Air Pollutants* (HAP) regulated under SECTION 112(b) of the *Act*. Sources that are major for any one of these pollutants must obtain a PART 70 (Title V) *operating permit* (PTO). See PART 030.500 and/or 030.510.
- e. Regulated pollutants. This group consists of all the air pollutants regulated by Washoe County, and includes all of the *air pollutant* groups listed in this paragraph and any other air pollutants subject to various Washoe County regulations.

5. APPLICABILITY CALCULATIONS FOR CONSTRUCTION (NSR) PERMITS (PTC)

- a. NEW STATIONARY SOURCES: Calculate the proposed new source's *potential to emit* (PTE) for each pollutant. Use the tables provided below to determine which permit program requirements are applicable:
 - (1) A *Minor source* permit is required if the entire source has a potential to emit equal to or greater than the thresholds listed in the table below for each of the regulated *minor source* pollutants listed, but is not a major source as defined in PART 030.300 or PART 030.400:

Regulated Minor Source Pollutant	Minor Source Threshold Potential to Emit (PTE), tpy
PM10	5
PM2.5	5
CO	5
VOC	5
NOx	5
SO2	5
Lead (Pb)	0.3
H2S	5
Total reduced sulfur (including H2S)	5

- (2) Any new *minor source* must apply *Best System of Control (BSC)* to each regulated *minor source pollutant* whose PTE equals or exceeds the following *BSC thresholds*:

REGULATED MINOR SOURCE POLLUTANT	BSC PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO ₂	40
LEAD	0.6
H ₂ S	5
TOTAL REDUCED SULFUR (TRS), including H ₂ S)	5

- (3) A *major stationary source* permit is required if the new source is subject to PSD permitting (See PART 030.400) and/or nonattainment New Source Review (NSR) (NNSR) permitting (See PART 030.300).

- (i) Applicability determinations are made on a pollutant-by-pollutant basis, so a new source may be subject to both minor and major permitting. However, in most cases, a single PTC which includes all the requirements and conditions that the source must meet, is issued.

- b. MODIFICATIONS TO EXISTING SOURCES: *Modifications* are either minor or major and a *minor modification* may be further classified as either insignificant or significant. Once a change or project is determined to be a *modification*, determine whether the existing source (as it is currently configured) is minor or major (see the *major stationary source* definitions and the criteria in PARTS 030.300 and 030.400).

(4) EXISTING MINOR STATIONARY SOURCES:

- (i) If the existing source is minor (based on its PTE), then a modification is minor unless the *emissions* increase resulting from the *project* constitutes a *major stationary source* by itself; this is determined by reviewing the applicability provisions in the definition of a *major stationary source* (not the definition of a *major modification*) in PARTS 030.300 and 030.400.
- (ii) If the *emissions* increase of a *pollutant* is major in and of itself, then:
- (A) If the area is in attainment for that pollutant, the *modification* is subject to PSD review for that *pollutant* (and possibly additional pollutants (see the applicability provisions in PART 030.400) and may still be subject to minor NSR permitting for other pollutants (see below).
- (B) If the area is nonattainment for that *pollutant* and the PTE of the existing source is major for that nonattainment pollutant, the *modification* is subject to NNSR review for only that *pollutant* (see the applicability provisions in PART 030.300) and may still be subject to minor NSR permitting for other pollutants (see below).

- (iii) If the *emissions* increase is not major in and of itself, then the *modification* is minor (either significant or insignificant).
 - (A) If the existing source is an *insignificant minor source* (based on its PTE) and the PTE *emissions* increase, as a result of the *modification*, maintains the *facility-wide* PTE below the significant *minor source* permitting threshold, then the *modification* is an *insignificant minor source modification* and does not require a *permit*.
 - (B) If the existing source is an *insignificant minor source* (based on its PTE) and the PTE *emissions* increase, as a result of the *modification*, equals or exceeds the *significant minor source* permitting threshold but is not major in and of itself, then the *modification* is a *significant minor source modification* and requires a PTC. In addition, if the PTE *emissions* increase equals or exceeds the *BSC threshold*, *BSC* must be determined and applied to those emissions.
 - (C) If the existing source is a significant *minor source* (based on its PTE), any *modification* that results in a PTE increase, that is not major in and of itself, is significant and requires a *permit modification*. In addition, if the PTE *emissions* increase equals or exceeds the *BSC threshold*, *BSC* must be determined and applied to those emissions.

(5) EXISTING MAJOR STATIONARY SOURCES:

- (i) If the source is major, determine whether the *modification* is minor or major by calculating the (*project*) *emissions* increase and the *net emissions increase* for each pollutant.
 - (A) The *modification* is minor for each *pollutant* for which either the *emissions* increase, or the *net emissions increase*, is not *significant*. *Minor modifications*, even those at *major stationary sources*, are not subject to *major source* PTC requirements (PSD, NNSR), but may be subject to *minor source modification* PTC and PTO permitting based on PTE increases and the *minor source* permitting thresholds (See PART 030.200) and subject to *BSC* based on PTE increases and the *BSC thresholds*.
 - (B) The *major modification* significance levels (thresholds) for PSD permitting are provided in PART 030.400 and NNSR permitting are provided in PART 030.300.
 - (C) The *modification* is major for each *pollutant* for which both the *emissions* increase and the *net emissions increase* is *significant*. If the area is attainment or unclassifiable for a pollutant, then that *pollutant* is subject to PSD permitting (See PART 030.400). If the area is nonattainment for that *pollutant* and the *source* is major for that *nonattainment pollutant*, then that *pollutant* is subject to NNSR permitting (See PART 030.300)

c. **EMISSIONS INCREASE CALCULATIONS FOR MAJOR STATIONARY SOURCES:** Calculate the *emissions* increase (also called the “*project emissions* increase”) and the *net emissions increase* (also called the contemporaneous net increase) that will result from the proposed *project* for each *pollutant* using the following calculation methodology. If both the *project emissions* increase and the *net emissions increase* are *significant*, the *modification* is a *major modification*.

- (1) The procedure for calculating (before beginning actual *construction*) whether a significant *emissions* increase (i.e., the first step of the process) will occur depends upon the type of *emissions units* being modified, according to paragraphs 030.020.A.5.c.(2), (3), and (4). The

procedure for calculating (before beginning actual *construction*) whether a significant net *emissions* increase will occur at the *major stationary source* (i.e., the second step of the process) is contained in the definition of net *emission* increase. Regardless of any such preconstruction projections, a *major modification* results if the project causes a significant *emissions* increase and a significant net *emissions* increase.

- (2) Actual-to-projected-actual applicability test for projects that only involve existing *emissions units*. A significant *emissions* increase of a regulated NSR *pollutant* is projected to occur if the sum of the difference between the projected *actual emissions* and the baseline actual emissions, for each existing *emissions unit*, equals or exceeds the significant threshold for that *pollutant* (as defined in PART 030.300).
- (3) Actual-to-potential test for projects that only involve *construction* of a new *emissions unit(s)*. A significant *emissions* increase of a regulated NSR *pollutant* is projected to occur if the sum of the difference between the potential to emit from each new *emissions unit* following completion of the project and the *baseline actual emissions* (as defined in PART 030.010) of these units before the project equals or exceeds the significant threshold for that *pollutant* (as defined in PART 030.300).
- (4) Hybrid test for projects that involve multiple types of *emissions units*. A significant emissions increase of a regulated NSR *pollutant* is projected to occur if the sum of the difference for all *emissions units*, using the method specified in paragraphs 030.020.A.5.c.(2) and (3) as applicable with respect to each *emissions unit*, equals or exceeds the significant threshold for that pollutant (as defined in PART 030.300).
- (5) The “sum of the difference” as used in paragraphs 030.020.A.5.c.(2), (3), and (4) include both increases and decreases in *emissions* calculated in accordance with those paragraphs.

d. Plantwide Applicability Limitation (PAL): For any *major stationary source* with a PAL for a *regulated NSR pollutant*, the *major stationary source* shall comply with the requirements under PART 030.500.

6. PERMIT TO CONSTRUCT (PTC): TYPE, DURATION

a. A *Permit To Construct* expires and is invalid:

- (1) If the permittee does not *commence construction* within eighteen (18) months of the PTC date of issuance;
- (2) If the permittee commences *construction* and then ceases *construction* for a period of eighteen (18) months or longer.
- (3) If a *complete* application for a new PTO or *modification* of an existing PTO is not submitted within twelve (12) months after initial start-up of the new source or *modification*.
- (4) Upon the issuance of a PTO.

b. The *Control Officer* may extend the eighteen (18) month period upon written request and a satisfactory showing of good cause why an extension is justified. This provision does not apply to the time period between *construction* of the approved phases of a phased *construction* project; each phase must *commence construction* within eighteen (18) months of the projected and approved commencement date.

c. An expired PTC cannot be reauthorized or reinstated. If a PTC expired prior to completion of the *construction* authorized in the PTC, a new PTC application must be submitted if the permittee wishes to resume and complete that *construction*.

- d. For sources required to obtain a PTC, a PTO can only be issued if the *construction* of the source is completed in accordance with and in compliance with all *applicable requirements* in the PTC.
- e. A PTC will be denied if the application, engineering data or any other documentation submitted by the applicant shows, or the *Control Officer* determines, that the *source*:
 - (1) Cannot meet the requirements of, or be operated in compliance with, federal, state, or local regulations;
 - (2) Will prevent the attainment or maintenance of state or national *ambient air* standards; or
 - (3) Will cause a violation of the approved State Implementation Plan.
- f. If the source or *modification* has not been constructed in accordance with the PTC, and/or the *air pollution* control system or equipment is less effective as specified in the PTC, the permittee will be denied a *PTO* until and unless such deficiencies are corrected.
- g. To assure compliance with all applicable state, local and federal regulations, the PTC and PTO may impose written conditions of operation including, but not limited to, restrictions on *emissions* outputs, operating times, process temperatures, and other parameters on the source or *modification*.

7. PERMIT TO OPERATE (PTO): TYPE, DURATION

- a. A *PTO* expires and is invalid five (5) years from the date of issuance;
- b. An expired *PTO* cannot be reauthorized or reinstated. If a *PTO* expired prior to renewal completion, a new *PTO* application must be submitted if the permittee wishes to resume operation.
- c. A *PTO* will be denied if the application, engineering data or any other documentation submitted by the applicant shows, or the *Control Officer* determines, that the *source*:
 - (1) Cannot meet the requirements of, or be operated in compliance with, federal, state, or local regulations;
 - (2) Will prevent the attainment or maintenance of state or national *ambient air* standards; or
 - (3) Will cause a violation of the approved State Implementation Plan.
- d. To assure compliance with all applicable state, local and federal regulations, the *Control Officer* may impose written conditions of operation including, but not limited to, restrictions on *emissions* outputs, operating times and process temperatures on any permit.
- e. RENEWALS. A *PTO* expires five (5) years from the date of issuance and can be renewed by applying for a new *PTO*.
 - (1) The *renewal* process for *PART 70 permits* is detailed in PART 030.510.
 - (2) The *renewal* process for minor sources is detailed in PART 030.200.
 - (3) Timely filing of the *renewal* application provides the applicant a *permit shield*.
 - (4) Each *renewal* must be accompanied by the appropriate fee.

SECTION B - EXEMPTIONS AND INSIGNIFICANT SOURCES

The existing or new sources listed in paragraphs 030.020.B.1 and B.2 are exempted from the requirement to obtain a *Permit to Construct* and/or *Permit to Operate* unless they are subject to the PART 70 regulations as defined in PART 030.500 or 030.510.

1. Exemptions - Categorical

- a. The following sources or source categories are exempt from all permitting requirements in CHAPTER 030 unless otherwise specified. Any applicable county, state, and/or federal requirements shall still apply to these sources or source categories.
 - (1) Agricultural equipment used in *agricultural operations*, other than agricultural equipment that is classified as, or located at, a source for which a permit is required under Title V of the *Clean Air Act*, or that is subject to any standard set forth in 40 CFR PARTS 60, 61, or 63.
 - (2) Motor vehicles, special mobile equipment licensed for highway travel, and any internal combustion engines associated with the operation of licensed mobile equipment.
 - (3) Nonroad engines as defined in 40 CFR 1068.30.
 - (4) *Emergency* (backup) electrical generators located and/or operated at residential locations;
 - (5) Tobacco/cannabis smoking rooms and areas;

2. Exemptions - Insignificant Sources

- a. *Emissions* from insignificant activities, as determined pursuant to this section, must be included in the calculation of potential to emit and any determination of whether a stationary source requires a PTC or PTO.
- b. A stationary source is not required to obtain a permit for *emissions* below the threshold for a *minor source* as set forth in paragraph 030.020.A.5.a.(1) or for any *emission* unit determined to be an insignificant activity in accordance with this section, as long as the stationary source is not otherwise subject to any other requirement to obtain a permit under Title V of the Act. Such an exclusion from the requirements relating to permitting is not an exclusion or exemption from any other requirement relating to the operation of the *emission* unit determined to be an insignificant activity.
- c. A stationary source which consists solely of insignificant activities, as determined pursuant to this section, and which exceeds the threshold for a *minor source* as set forth in paragraph 030.020.A.5.a.(1), may be required to obtain a permit as determined by the *Control Officer*.
- d. The following *emissions units* are considered to be insignificant activities and not required to be permitted unless the *emission* unit is otherwise subject to another specific applicable requirement which requires an operating permit, including, without limitation, any requirement or standard set forth in 40 CFR PART 60, 61 or 63, or in the determination of a major source:
 - (1) Emergency Compression Ignition Engine that is stationary and has an output rating that is less than six hundred (600) horsepower;
 - (2) Emergency Spark Ignition Engines that is stationary and has an output rating that is less than one thousand eight hundred (1,800) horsepower;
 - (3) Hydraulic and hydrostatic testing equipment;
 - (4) Air conditioning equipment or *fuel-burning equipment* used for human comfort and/or safety of properties that do not have *applicable requirements* under Title VI of the *Clean Air Act* and individually has a rating that is less than 1,000,000 Btu's per hour;

- (5) Commercial food preparation (such as restaurants or prep kitchens etc.) that does not use solid *fuel*;
- (6) Standalone laundry activities, such as independent laundry mats, laundry facilities in apartment complexes, except for dry-cleaning, and steam boilers greater than or equal to 1,000,000 Btu/hr;
- (7) Blacksmith forges;
- (8) Drop hammers or hydraulic presses for forging or metalworking (excluding engines);
- (9) Plant maintenance and upkeep activities (e.g., grounds-keeping, general repairs, cleaning, painting, welding, plumbing, re-tarring roofs, installing insulation, and paving parking lots), provided these activities are not included as part of a manufacturing process, are not related to the source's primary business activity. Cleaning and painting activities qualify as insignificant activities if they are not subject to volatile organic compound (VOC or HAP) control requirements;
- (10) Handheld equipment for buffing, polishing, cutting, drilling, sawing, grinding, turning, or machining wood, metal, or plastic; including air compressors, pneumatically operated equipment, and hand tools;
- (11) Brazing, soldering, welding equipment, and cutting torches related to manufacturing and *construction* activities if:
 - (i) These activities do not result in *emission* of HAP metals;
 - (ii) The *emissions* of *particulate matter* are vented to a control device located and vented inside the *building*;
- (12) Batteries and battery charging stations, except at battery manufacturing plants;
- (13) Storage tanks, vessels, and containers holding or storing liquid substances that will not emit any VOCs or HAPs;
- (14) Equipment used to mix and package non-VOC or non-HAPs emitting liquids;
- (15) Vents from continuous *emissions* monitors and other analyzers;
- (16) Handheld applicator equipment for hot melt adhesives with no VOCs in the adhesive formulation;
- (17) CO₂ lasers used only on metals and other materials that do not contain any HAPs;
- (18) Laser trimmers using *dust* collection to prevent fugitive emissions;
- (19) Electric or steam-heated drying ovens and autoclaves, but not the *emissions* from the articles or substances being processed in the ovens or autoclaves or the boilers delivering the steam;
- (20) Equipment used for surface coating, painting, dipping, or spraying operations, except those that will emit VOCs or HAPs;
- (21) Onsite cleaning, stripping, and subsequent coating of outdoor objects and *structures* such as *buildings*, bridges, billboards, signs, water towers, swimming pools, lampposts, fences, railings, monuments, etc. that must be done periodically for maintenance purposes, provided the following requirements are met:
 - (i) Abrasive blasting operations, if conducted, employ tarps, enclosures, or other techniques as required by SECTION 040.029, "Abrasive Blasting," to prevent *dust* nuisances;
 - (ii) Solid waste, hazardous waste, and waste waters generated by the operations are managed in accordance with applicable regulations;
- (22) Grinding, machining, and sanding operations, abrasive cleaning operations (dry or wet), pneumatic conveying and woodworking operations that vent to the inside of a *building* and have no visible *emissions* to the outside of the *building*;
- (23) Parts washers and rinse tanks using detergent cleaners that will not emit any VOCs or HAPs;

- (24) Tumblers used for the cleaning and deburring of metal products without abrasive blasting;
- (25) Abrasive blasting operations that do not exhaust or release particulate *emissions* to the ambient air;
- (26) Non-commercial brick and clay products (tiles, ceramic, etc.) manufacturing operations, including any drying equipment if the *heat input* is less than 1,000,000 btu/hr.
- (27) An *emission* unit is an insignificant activity if the *emission* unit is not otherwise subject to a specific *applicable requirement*, including, without limitation, any requirement or standard set forth in 40 CFR PART 60, 61 or 63, and meets the following criteria:
 - (i) The operation of the *emission* unit, not considering controls or limits on production, type of materials processed, combusted or stored, or hours of operation, will not result in:
 - (A) *Emissions* of a regulated air pollutant, on a potential to emits basis, that exceed Four thousand (4,000) pounds per year; and
 - (B) *Emissions* of regulated air pollutants that adversely impact public health or safety, or exceed any *ambient air* quality standards.
 - (C) The *emissions* from the *emission* unit are not relied on to avoid any other applicable requirements.

PART 030.030 - GENERAL APPLICATIONS REQUIREMENTS

SECTION A - APPLICATIONS CONTENT

1. Application for a *Permit to Construct* (PTC) and/or *Permit To Operate* (PTO) shall be submitted on forms furnished by the *Control Officer*.
2. A separate application is required for each new or modified stationary source.
3. Each application shall include, as applicable, the following information:
 - a. Name and address of business and any other identifying information;
 - b. Nature of business, including products produced and processes to be used, including any applicable NAICS and/or SCC codes;
 - c. Name, phone number, and email address of *Responsible Official*;
 - d. Name, phone number, and email address of owner's agent, manager or other contact person;
 - e. Name, phone number, and email address of the manager of the plant or another appropriate person to contact;
 - f. The address and physical location of any records that the applicant must keep pursuant to the requirements of the operating permit, if the records are kept at a location other than the emitting *facility*;
 - g. Process information, including process flow diagrams, a narrative of the process flow diagram, description of all insignificant activities, and an identification and a description of all points of *emissions* and all activities which may generate *emissions* in sufficient detail to establish the basis for the applicability of all applicable requirements, standards and fees;
 - h. Site information, including description of site and property boundary limiting public access,
 - i. A plot plan, including the distance to, length, width, and height of; *buildings* within two hundred (200) feet, or other distance specified by the *Control Officer*, from the place where the new or modified stationary source or portable source will be installed;
 - j. Calculations of the *facility-wide potential to emit* and the *potential to emit* for each *emission unit* with citations for all *emission* factors used;
 - k. A description of the nature and quantity of *emissions* for all regulated pollutants on an hourly and annual basis, expressed in units as necessary to determine compliance, including demonstration as to whether the proposed project will be a major source or *major modification* and which pollutants the source will be major for;
 - l. Calculations and methods used to estimate *emissions* and other parameters, including assumptions, citations and references;
 - m. A list and description of each *facility* or process equipment to be permitted or to have their permit revised, including the control equipment, control measures and/or work practices to be utilized in *emission* reduction;
 - n. The identification and description, including but not limited to manufacturer, model, rating and serial number, of each *emission unit* in sufficient detail to establish the applicable requirements.
 - o. The following information, to the extent it is needed to determine or regulate emissions: fuels, *fuel* use, raw materials, material usage rates, production rates, and operating schedules.
 - p. A list and description of any *air pollution* control equipment, and any devices or activities for monitoring compliance with *emission* limitations;
 - q. Proposed monitoring, recordkeeping, and reporting sufficient to ensure compliance with any emission, throughput, production, material type and composition, operational, or other limitation or requirement;

- r. The operating times, temperatures, fuels used, raw materials consumption, production rates, process rates, or other pertinent information for each emission unit;
 - s. Such other information or documentation requested by the *Control Officer* as necessary to determine compliance with all requirements and standards;
 - t. A declaration signed by the Responsible Official under penalty of perjury stating that, the statements and information in the application are true, accurate, and *complete*. Signature of the declaration statement shall subject the Responsible Official to liability for perjury under NRS 199.145.
 - u. A wet original signature of the responsible official;
 - v. Any fees as set by the District Board of Health.
4. METHODS TO DETERMINE *SOURCE* EMISSION RATES. *Emission* rates for each emission unit must be determined using accepted engineering practice methods. Such *emission* rates shall be used to establish annual *emissions* fees, applicability of permit requirements and any other applicable requirement (including new *source* control technology requirements), and for the purposes of determining whether there are *emissions* violations. These methods include, but are not limited to, the use of *emission* factors from approved publications such as "AP - 42 COMPILATION OF AIR POLLUTION EMISSION FACTORS" published by the U.S. *EPA*, source test data from an approved *reference test method*, manufacturers specification, or mass balance *emissions* calculations. The methodology selected is subject to the approval of the *Control Officer*, who may reject the proposed methodology and require use of another methodology, including requiring the *owner* or *operator* to conduct reference method testing to determine *emissions* rates. It is the burden of the *source operator* to provide satisfactory scientific evidence of different *emission* rates if the *operator* wishes to dispute *emission* rates determined by the *Control Officer*.
5. In case of a dispute regarding *emission* rates, the *Control Officer* may require that the application and reports be certified by a licensed professional engineer as to the accuracy of the technical information concerning equipment, calculations, or other items submitted by the applicant. The certification shall be given under oath or upon information and belief that statements made in the application are truthful, accurate and correct.

SECTION B - APPLICATION PROCESSING

1. PROCESSING STEPS AND DEADLINES. Applications for permits are received, evaluated and will result in either issuance or denial of the requested permit. A summary of the steps in the process are:
 - a. Application is received by the *Control Officer*.
 - b. The *Control Officer* has a specified time frame from receipt of the application to determine whether the application is administratively *complete*. If the determination is not made within the specified timeframe, the application is deemed administratively *complete*.
 - c. If the application is:
 - (1) Administratively *complete*, the *Control Officer* notifies the permittee the application is *complete* and advises of the next steps of the permitting process.
 - (2) Administratively incomplete, the *Control Officer* returns the application to the permittee in conjunction with a description of what is deficient.
 - d. During the technical review, the *Control Officer* may discover that information needed to *complete* the processing of the application is missing. Written correspondence will be provided to the permittee with specific details of what additional information is required. Upon notification of missing information, the timeline for application processing will cease until the necessary information is provided. The discovery of missing information may occur more than once during the processing of an application.
 - e. At any time that additional information is requested, the number of days between and including the date that the request for information is sent and the date that the information received is considered sufficient, are not counted in determining the deadline for issuing or denying the permit. If, for example, a request for missing information is sent on day forty (40) of a one hundred eighty (180) day processing period (which would end on April 1) and the information is provided and determined sufficient on day sixty one (61), then twenty one (21) days (Day 61 – Day 40) are added to the original one hundred eighty (180) day date of April 1, making the new one hundred eighty (180) day ending date April 22.
 - f. During the review, the *Control Officer* may provide public notice of the *proposed permit*, including, where required, an opportunity to comment and a public hearing.
2. PROCESSING. The *Control Officer*, using standard engineering practices and methods, will determine which local, state and/or federal regulations apply to the *source*, determine if the proposed project and associated control technology will meet regulatory requirements, and determine what, if any, *pre-construction* monitoring or testing will be required before the permit is issued.
 - a. The *Control Officer* will perform the evaluations required to determine compliance with all *applicable requirements* and make a preliminary written decision as to whether a *Permit to Construct* and/or *Permit to Operate* should be approved, conditionally approved, or disapproved. This decision will be supported by a succinct written analysis;
 - b. The *Control Officer* shall provide notice, if required pursuant to CHAPTER 030, stating the preliminary decision of the *Control Officer* and where the public may inspect the information required to be made available. The notice must provide thirty (30) calendar days from the date of publication for the public to submit written comments on the preliminary decision;
 - c. At the time notice of the preliminary decision is published, the *Control Officer* shall make available for public inspection the information submitted by the applicant, the supporting analysis for the

preliminary decision to grant or deny the *Permit to Construct* and/or *Permit to Operate*, including any *proposed permit* conditions, and the reasons therefore.

- d. The *Control Officer* will consider and respond to all public comments received during the comment period before taking final action on whether to issue the *PTC* or *PTO*.
- e. Public notice shall be accomplished by posting a notice on a website maintained by the agency and establishing a list of *persons* interested in receiving air quality information and notifying those people, by email or other means.
- f. The costs of publication of the notice, if any, may be borne by the applicant.

PART 030.040 - GENERAL TESTING, MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

SECTION A - TESTING

1. EXCESS EMISSIONS: SCHEDULED MAINTENANCE, TESTING OR REPAIRS; NOTIFICATION OF DIRECTOR; MALFUNCTION, UPSET, START-UP, SHUTDOWN OR HUMAN ERROR.
 - a. Scheduled maintenance, testing, or repairs which may result in *excess emissions* of regulated air pollutants prohibited by this regulation and/or permit terms and conditions must be approved in advance in writing by the *Control Officer* and performed during a time designated by the *Control Officer* as being favorable for atmospheric ventilation.
 - b. Each *owner* or *operator* shall notify the *Control Officer* of the proposed time and expected duration at least thirty (30) calendar days before any scheduled maintenance or testing which may result in *excess emissions* of regulated air pollutants prohibited in this regulation. The scheduled maintenance or testing must not be conducted unless the scheduled maintenance or testing is approved in writing by the *Control Officer*.
 - c. Each *owner* or *operator* shall notify the *Control Officer* of the proposed time and expected duration at least twenty-four (24) hours before any scheduled repairs which may result in *excess emissions* of regulated air pollutants prohibited by this regulation and/or permit terms and conditions. The scheduled repairs must not be conducted unless the scheduled repairs are approved in writing by the *Control Officer*.
 - d. The *owner* or *operator* of the stationary source shall promptly report to the *Control Officer* any deviations from the requirements of a permit or these regulations. The report to the *Control Officer* shall include the probable cause of all deviations and any action taken to correct the deviations. Prompt is defined as submittal of a report within fifteen (15) calendar days of the deviation. This definition does not alter any reporting requirements as established for reporting of excess emissions.
 - e. Each *owner* or *operator* shall notify the *Control Officer* of any *excess emissions* within twenty-four (24) hours after any *malfunction* or upset of the process equipment, or equipment for controlling pollution, or during start-up or shutdown of that equipment.
 - f. Each *owner* or *operator* shall provide the *Control Officer*, within fifteen (15) calendar days after any *malfunction*, upset, start-up, shutdown or human error which results in *excess emissions*, sufficient information to quantify the excess emissions. The information must include at least the following:
 - (1) The identity of the stack or other point of emission, or both, where the *excess emissions* occurred.
 - (2) The estimated magnitude of the *excess emissions* expressed in *opacity*, or in the units of the applicable limitation on emissions, and the operating data and methods used in estimating the magnitude of the excess emissions.
 - (3) The time and duration of the excess emissions.
 - (4) The identity of the equipment causing the excess emissions.
 - (5) If the *excess emissions* were the result of a *malfunction*, the steps taken to remedy the *malfunction* and the steps taken or planned to prevent the recurrence of the *malfunction*.
 - (6) The steps taken to limit the excess emissions.
 - (7) Documentation that the equipment for controlling air pollution, process equipment or processes were at all times maintained and operated, to a maximum extent practicable, in a manner consistent with good practice for minimizing emissions.

- g. Each *owner* or *operator* shall ensure that any notification or related information submitted to the *Control Officer* pursuant to this section is provided in a format specified by the *Control Officer*.
- h. Nothing in this section limits the authority of the *Control Officer* to institute actions under SECTIONS 113 and 303 of the Act or to exercise his or her authority under CHAPTER 030.

2. TESTING AND SAMPLING.

- a. If specified in the permit to *construct*, a new or modified source shall conduct or have testing and sampling conducted to demonstrate compliance with any permit limit (e.g., visible emissions, *emission* rates, control efficiencies, VOC content). Testing and/or sampling must be conducted and the results submitted to the *Control Officer* within sixty (60) calendar days after achieving the maximum rate of production at which the *affected facility* will be operated, but not later than one hundred eighty (180) calendar days after initial start-up of the *facility* and at such other times as may be required by the *Control Officer*.
- b. Tests of performance must be conducted and data reduced in accordance with the methods and procedures of the test contained in each applicable subsection of this section unless the *Control Officer*.
 - (1) Specifies or approves, in specific cases, the use of a reference method with minor changes in methodology;
 - (2) Approves the use of an equivalent method;
 - (3) Approves the use of an alternative method, the results of which the *Control Officer* has determined to be adequate for indicating whether a specific stationary source is in compliance; or
 - (4) Waives the requirement for tests of performance because the *owner* or *operator* of a stationary source has demonstrated by other means to the *Control Officer's* satisfaction that the *affected facility* is in compliance with the standard.
- c. Tests of performance must be conducted under such conditions as the *Control Officer* specifies to the *operator* of the plant based on representative performance of the *affected facility*. The *owner* or *operator* shall make available to the *Control Officer* such records as necessary to determine the conditions of the test of performance. Operations during periods of start-up, shutdown and *malfunction* do not constitute representative conditions of a test of performance unless otherwise specified in the applicable standard.
- d. The *owner* or *operator* of an *affected facility* shall give notice to the *Control Officer* thirty (30) calendar days before the test of performance to allow the *Control Officer* to have an observer present. A written testing procedure for the test of performance must be submitted to the *Control Officer* at least thirty (30) calendar days before the test of performance to allow the *Control Officer* to review and approve the proposed testing procedures.
- e. Each test of performance must consist of at least three separate runs using the applicable method for that test. Each run must be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the runs apply. In the event of forced shutdown, failure of an irreplaceable portion of the sampling train, extreme meteorological conditions or other circumstances with less than three valid samples being obtained, compliance may be determined using the arithmetic mean of the results of the other two runs upon the *Control Officer's* approval.

- f. All testing and sampling shall be performed in accordance with approved methods and as specified by the *Control Officer*.
- g. The cost of all testing and sampling and the cost of all sampling holes, scaffolding, electric power and other pertinent allied facilities as may be required and specified in writing by the *Control Officer* must be provided and paid for by the *owner* of the stationary source.
- h. All information and analytical results of testing and sampling must be certified as to their truth and accuracy and as to their compliance with all provisions of these regulations, and copies of these results must be provided to the *Control Officer* no later than sixty (60) calendar days after the testing or sampling, or both.
- i. Notwithstanding the provisions of paragraph 030.040.A.2.b, the *Control Officer* shall not approve an alternative method or equivalent method to determine compliance with a standard or *emission* limitation contained in 40 CFR PART 60, 61 or 63 or for an *affected source*.

SECTION B - MONITORING, RECORDKEEPING AND REPORTING

1. *MONITORING SYSTEMS: CALIBRATION, OPERATION AND MAINTENANCE OF EQUIPMENT.* The owners or operators of all stationary sources identified in Appendix P of 40 CFR PART 51(1.1) as amended from time to time, are required to install, calibrate, operate and maintain all monitoring equipment necessary for continuously monitoring the pollutants specified in Appendix P for the applicable source category. Those stationary sources must meet the basic requirements of Appendix P of 40 CFR PART 51(2.0 et seq.).
2. *MONITORING SYSTEMS: LOCATION.*
 - a. All continuous monitoring systems or monitoring devices must be installed so that representative measurements of *emissions* or process parameters from the *affected facility* are obtained. Additional procedures for the location of continuous monitoring systems are contained in the applicable Performance Specifications of Appendix B of 40 CFR PART 60.
 - b. When the effluents from a single *affected facility* or two or more *affected facilities* subject to the same *emission* standards are combined before being released to the atmosphere, the *owner* or *operator* may install applicable continuous monitoring systems for each effluent or for the combined effluent. When the *affected facilities* are not subject to the same *emission* standards, separate continuous monitoring systems must be installed for each effluent. When the effluent from one *affected facility* is released to the atmosphere through more than one point, the *owner* or *operator* shall install applicable continuous monitoring systems on each separate effluent unless the *installation* of fewer systems is approved by the *Control Officer*.
3. *MONITORING SYSTEMS: VERIFICATION OF OPERATIONAL STATUS.*
 - a. Unless otherwise approved by the *Control Officer* or specified in these regulations, the requirements of SECTION 030.040.B apply to all continuous monitoring systems required under applicable provisions of CHAPTER 030.
 - b. All continuous monitoring systems and monitoring devices must be installed and operational before conducting performance tests. Verification of operational status must, as a minimum, consist of the following:
 - (1) For continuous monitoring systems referred to in paragraph 030.040.B.4.b, completion of the conditioning period specified by *applicable requirements* in Appendix B of 40 CFR PART 60.
 - (2) For monitoring devices referred to in SECTION 030.040.B, completion of the manufacturer's written requirements or recommendations for checking the operation or calibration of the device.
4. *MONITORING SYSTEMS: PERFORMANCE EVALUATIONS.*
 - a. During any performance tests required under paragraph 030.040.A.2 or within thirty (30) calendar days thereafter and at such other times as may be required by the *Control Officer* under PART 114 of the Act, the *owner* or *operator* of any *affected facility* shall conduct continuous evaluations of the performance of monitoring systems and furnish the *Control Officer* within sixty (60) calendar days thereof two, or upon request more, copies of a written report of the results of such tests. These evaluations must be conducted in accordance with the specifications and procedures provided in SECTION 030.040.B.
 - b. Continuous monitoring systems listed within SECTION 030.040.B must be evaluated in accordance with the requirements and procedures contained in the applicable performance specification of

Appendix B of 40 CFR PART 60. Continuous monitoring systems for measuring:

- (1) *Opacity of emissions* must comply with Performance Specification 1.
- (2) *Nitrogen oxides emissions* must comply with Performance Specification 2.
- (3) *Sulfur dioxide emissions* must comply with Performance Specification 2.
- (4) The oxygen and carbon dioxide content of effluent gases must comply with Performance Specification 3.

5. *MONITORING SYSTEMS: ADJUSTMENTS.*

- a. *Owners or operators* of all continuous monitoring systems installed in accordance with the provisions of SECTION 030.040.B shall check the zero and span drift at least once daily in accordance with the method prescribed by the manufacturer of the systems unless the manufacturer recommends adjustments at shorter intervals, in which case the recommendations must be followed. The zero and span must, as a minimum, be adjusted whenever the twenty four (24) hour zero drift or twenty four (24) hour calibration drift limits of the applicable performance specifications in Appendix B of 40 CFR PART 60 are exceeded.

6. *MONITORING SYSTEMS: MEASUREMENT OF OPACITY.*

- a. For continuous monitoring systems measuring *opacity* of emissions, the optical surfaces exposed to the effluent gases must be cleaned before performing the zero or span drift adjustments, except that for systems using automatic zero adjustments, the optical surfaces must be cleaned when the cumulative automatic zero compensation exceeds 4 percent *opacity*. Unless otherwise approved by the *Control Officer*, the following procedures, as applicable, must be followed:
 - (1) For extractive continuous monitoring systems measuring gases, minimum procedures must include introducing applicable zero and span *gas mixtures* into the measurement system as near the probe as is practical. Span and zero gases certified by their manufacturer to be traceable to National Institute of Standards and Technology reference gases must be used whenever these reference gases are available. The span and zero *gas mixtures* must be the same composition as specified in Appendix B of 40 CFR PART 60. Every six (6) months after the date of manufacture, span and zero gases must be reanalyzed by conducting triplicate analyses with Reference Methods 6 for SO₂, 7 for NO, and 3 for O₂ and CO₂, respectively. The gases may be analyzed at less frequent intervals if longer shelf lives are guaranteed by the manufacturer.
 - (2) For non-extractive continuous monitoring systems measuring gases, minimum procedures include upscale checks using a certified calibration *gas cell* or test cell which is functionally equivalent to a known *gas concentration*. The zero check may be performed by computing the zero value from upscale measurements or by mechanically producing a zero condition.
 - (3) For continuous monitoring systems measuring *opacity* of emissions, minimum procedures include a method for producing a simulated zero *opacity* condition and an upscale (span) *opacity* condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. These procedures must provide a system check of the analyzer internal optical surfaces and all electronic circuitry, including the lamp and photodetector assembly.
- b. Notwithstanding the provisions of paragraph 030.040.B.6 above, the *Control Officer* shall not approve an alternative method or equivalent method to determine compliance with a standard or

emission limitation contained in 40 CFR PART 60, 61 or 63 or for an *affected source*.

7. *MONITORING SYSTEMS: FREQUENCY OF OPERATION.*

- a. Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required by paragraph 030.040.B.5, all continuous monitoring systems must be in continuous operation and meet minimum frequency of operation requirements as follows:
 - (1) All continuous monitoring systems referred to in this section for measuring *opacity* of *emissions* must complete a minimum of one cycle of operation (sampling, analyzing and data recording) for each successive 10-second period.
 - (2) All continuous monitoring systems referred to in paragraph 030.040.B.4 for measuring oxides of nitrogen, sulfur dioxide, carbon dioxide or oxygen must complete a minimum of one cycle of operation (sampling, analyzing and data recording) for each successive 15-minute period.

8. *MONITORING SYSTEMS: RECORDATION OF DATA.*

- a. *Owners* or *operators* of all continuous monitoring systems for the measurement of *opacity* shall reduce all data to 6-minute averages and for systems other than *opacity* to 1-hour averages.
- b. For systems other than *opacity*, 1-hour averages must be computed from four (4) or more data points equally spaced over each 1-hour period.
- c. Data recorded during periods of system breakdowns, repairs, calibration checks, and zero and span adjustments must not be included in the data averages computed under this section. An arithmetic or integrated average of all calibrated data must be used. The data output of all continuous monitoring systems may be recorded in reduced or nonreduced form, e.g., ppm *pollutant* and percent O₂ or lb/million Btu of *pollutant*.
- d. All *excess emissions* must be converted into units of the standard using the applicable conversion procedures specified in these regulations. After conversion into units of the standard, the data may be rounded to the same number of significant digits used in those sections to specify the applicable standard, e.g., rounded to the nearest one (1) percent *opacity*.
- e. As used in this section, "calibrated data" means data which is precise and accurate within a stated acceptance criteria for the instrument.

9. *MONITORING SYSTEMS: RECORDS; REPORTS.*

- a. Any *owner* or *operator* subject to the provisions of SECTION 030.040.B shall maintain records of the occurrence and duration of any start-up, shutdown or *malfunction* in the operation of an *affected facility* and any *malfunction* of the *air pollution control equipment* or any periods during which a *continuous monitoring system* or monitoring device is inoperative.
- b. Each *owner* or *operator* required to install a *continuous monitoring system* shall submit a written report of *excess emissions* to the *Control Officer* for every calendar quarter. All quarterly reports must be postmarked by the thirtieth (30th) day following the end of each calendar quarter and must include the following information:
 - (1) The magnitude of *excess emissions* computed in accordance with this section, any conversion factors used, and the date and time of commencement and completion of each time period of *excess emissions*.

- (2) Specific identification of each period of *excess emissions* that occurs during start-ups, shutdowns and *malfunctions* of the *affected facility*.
 - (3) The nature and cause of any *malfunction*, if known, the corrective action taken or preventative measures adopted.
 - (4) Specific identification of each period during which the *continuous monitoring system* was inoperative, except for zero and span checks, and the nature of any repairs or adjustments that were made. When no *excess emissions* have occurred and the *continuous monitoring system* has not been inoperative, repaired or adjusted, such information must be included in the report.
- c. Any *owner* or *operator* subject to the provisions of SECTION 030.040.B, shall maintain a file of all measurements, including:
- (1) Continuous monitoring systems, monitoring devices and performance testing measurements;
 - (2) All *continuous monitoring system* performance evaluations;
 - (3) All continuous monitoring systems or monitoring device calibration checks;
 - (4) Adjustments and maintenance performed on these systems or devices; and
 - (5) All other information required by this section, recorded in a permanent form suitable for inspection. The file must be retained for at least two (2) years following the date of the measurements, maintenance, reports, and records.

10. ALTERNATIVE MONITORING PROCEDURES OR REQUIREMENTS.

- a. Upon written application by an *owner* or *operator*, the *Control Officer* may approve alternatives to any monitoring procedures or requirements of this section, including, but not limited to, the following:
- (1) Alternative monitoring requirements when *installation* of a *continuous monitoring system* or monitoring device specified by those sections would not provide accurate measurements due to liquid water or other interferences caused by substances with the effluent gases.
 - (2) Alternative monitoring requirements when the *affected facility* is infrequently operated.
 - (3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.
 - (4) Alternative locations for installing continuous monitoring systems or monitoring devices when the *owner* or *operator* can demonstrate that *installation* at alternate locations will enable accurate and representative measurements.
 - (5) Alternative methods of converting regulated *air pollutant* concentration measurements to units of the standards.
 - (6) Alternative procedures for performing daily checks of zero and span drift that do not involve use of span gases or test cells.
 - (7) Alternatives to the test methods of the American Society for Testing and Materials or sampling procedures specified by any provision of this section.
 - (8) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, Appendix B of 40 CFR PART 60, but adequately demonstrate a definite and consistent relationship between their measurements and the measurements of *opacity* by a system complying with the requirements in Performance Specification 1. The *Control Officer* may require that such demonstration be performed for each affected facility.

- (9) Alternative monitoring requirements when the effluent from a single *affected facility* or the combined effluent from two or more *affected facilities* are released to the atmosphere through more than one point.
- b. Notwithstanding the provisions of paragraph 030.040.B.10.a, the *Control Officer* shall not approve an alternative method or equivalent method to determine compliance with a standard or *emission* limitation contained in 40 CFR PART 60, 61 or 63 and for an *affected source*.
11. **RECORD KEEPING.** Each holder of a *Permit To Construct* or *Permit To Operate* shall keep adequate records concerning *pollutant emissions* for any equipment or process for which the permit was issued. All permittees operating add-on *emissions control equipment* shall maintain records sufficient to legally demonstrate that the equipment has operated in compliance with all applicable Federal, State and *Health District* regulations. The permittee shall also record any times or occasions when the *emissions control equipment* is not in operation due to equipment failure, maintenance or any other reason.
12. **NOTIFICATION TO CONTROL OFFICER: CONSTRUCTION, RECONSTRUCTION AND INITIAL START-UP; DEMONSTRATION OF CONTINUOUS MONITORING SYSTEM PERFORMANCE.**
- a. Any *owner* or *operator* subject to the provisions of these regulations, shall furnish the *Control Officer* written notification of:
- (1) The date that *construction* or reconstruction of an *affected facility* is commenced, postmarked no later than thirty (30) calendar days after such date.
 - (2) The anticipated date of initial start-up of an *affected facility*, postmarked not more than sixty (60) calendar days and not less than thirty (30) calendar days before such date.
 - (3) The actual date of initial start-up of an *affected facility*, postmarked within fifteen (15) calendar days after such date.
 - (4) If applicable, the date upon which a demonstration of the *continuous monitoring system* performance commences in accordance with SECTION 030.040.B. Notification must be postmarked not less than thirty (30) calendar days before such date.
13. **YEARLY REPORTS, ANNUAL EMISSIONS**
- a. Any *owner* or *operator* subject to the provisions of CHAPTER 030 shall submit yearly 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* specified on the *Permit to Construct* and/or *Permit to Operate*. The completed report must be submitted to the *Control Officer* no later than March 31 annually for the preceding calendar year.

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.100 - GENERAL PERMITS

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 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 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) 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) 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 - RECORKEEPING 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 030.000.D and NRS 445B.570.
2. Any owner or operator subject to the provisions of PART 030.100 shall submit yearly 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 emission units/systems covered under the General permit. The completed report must be submitted to the *Control Officer* no later than March 31 annually for the preceding calendar year.

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.200 - Minor Source Permit Requirements

SECTION A - GENERAL

1. Applicability. PART 030.200 is applicable to any stationary source located in Washoe County that has the potential to emit (PTE) a Regulated Minor Source Pollutant equal to or greater than the Minor Source Permit Thresholds listed in the table below, but less than the major source thresholds listed in PARTS 030.300, 030.400, 030.500, and/or 030.510. PART 030.200 is also applicable to any source that takes a voluntarily accepted emission limitation to avoid obtaining a PART 70 operating permit.

Regulated Minor Source Pollutant	Minor Source Threshold Permit Potential to Emit (PTE), tpy
PM10	5
PM2.5	5
CO	5
VOC	5
NOx	5
SO2	5
Lead (Pb)	0.3
H2S	5
Total reduced sulfur (including H2S)	5

SECTION B - DEFINITIONS

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

EXEMPT STATIONARY SOURCE means any stationary source with a potential to emit lower than the Minor Source Permit Thresholds listed in paragraph 030.200.A.1.

EXISTING MINOR SOURCE means any minor source that has been issued a minor source permit under PART 030.200 and is not a new minor source.

LIKE-KIND the replacement of existing components (emissions units, control equipment, etc.) with similar, equivalent, or comparable, new components (e.g. components that have the same throughput capacity, control efficiency or, utilization factor as the old component) and neither increases the potential to emit of the emissions unit nor triggers a new applicable requirement.

MINOR SOURCE or MINOR STATIONARY SOURCE means any source that is not a *major stationary source* for a particular *pollutant*. A major stationary source can emit more than one pollutant, so may be classified as major because of the level of emissions of one or more pollutants, but may also emit some regulated pollutants at minor source levels. A minor source may be either a *natural minor source* or a *synthetic minor source* (see definition—a synthetic minor source needs enforceable limitations to qualify as a minor source).

MINOR SOURCE PERMIT means a permit that authorizes the construction (Permit to Construct, PTC) or operation (Permit to Operate, PTO) of a minor source.

MINOR PERMIT REVISION means a permit revision that is not a SIGNIFICANT PERMIT REVISION.

MODIFICATION or MODIFY means a physical change in, or a change in the method of operation, of a minor source that increases the source's PTE of any pollutant identified in paragraph 030.200.A.1.

NEW MINOR SOURCE means any minor source for which no minor source permit has been issued or whose minor source permit has expired without an application for renewal having been submitted in a timely manner.

SIGNIFICANT means, for a minor new source, a source with a facility-wide PTE that exceeds thresholds specified in the table below. Means, for a modified source, an increase in the PTE of any of the following pollutants at a rate that would equal or exceed any of the following:

POLLUTANT	PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO ₂	40
LEAD	0.6
H ₂ S	5
TOTAL REDUCED SULFUR (TRS), including H ₂ S	5

SIGNIFICANT PERMIT REVISION means a permit revision allowing any of the revisions listed in SECTION F.1.

VOLUNTARILY ACCEPTED EMISSION LIMITATION means those permit emission limitations or other standards proposed by a source to avoid being subject to New Source Review, having to obtain a PART 70 Operating Permit, becoming a major source of Hazardous Air Pollutants, Best System of Control (BSC), or other applicable requirements.

SECTION C - PERMIT APPLICATION

1. Duty to Apply for a Minor Source Permit

- a. Except as provided in SECTION 030.200.F, no person shall commence construction of or make a modification to a minor source except in compliance with a minor source PTC that authorizes such construction or modification.
- b. Except as provided in SECTION 030.200.F, no person shall operate a minor source except in compliance with a minor source PTC or PTO that authorizes such operation.
- c. For the renewal of an existing minor source permit, a timely application shall be submitted to the Control Officer. An application for renewal shall be considered timely if it is deemed complete and submitted at least one hundred eighty (180) calendar days, but no more than two hundred seventy (270) calendar days, before the date of permit expiration.
- d. If the submittal of an application for renewal of an existing minor source permit is not timely, there is no permit application shield as provided in paragraph 030.200.C.3, and the source loses its authority to operate upon permit expiration until the renewal permit is issued.
- e. If the source fails to submit an application for renewal of an existing minor source PTO prior to permit expiration, the source loses its authority to operate upon permit expiration, the source will be treated as a new minor source, and the application will be subject to all of the requirements of paragraph 030.200.C.5.

2. Complete Application

- a. To be deemed complete, an application must contain all information required under paragraph 030.200.C.5 and must be accompanied by payment of the applicable fee(s).
- b. Unless the Control Officer determines that an application is not administratively complete within thirty (30) calendar days of receipt, any application for a new, renewal, minor modification, or significant revision permit shall be deemed complete.
- c. During the technical review, the Control Officer may discover that information needed to complete the processing of the application is missing. Written correspondence will be provided to the permittee with specific details of what additional information is required. Upon notification of missing information, the timeline for application processing will cease until the necessary information is provided. The discovery of missing information may occur more than once during the processing of an application.
- d. At any time that additional information is requested, the number of days between and including the date that the request for information is sent and the date that the information received is considered sufficient, are not counted in determining the deadline for issuing or denying the permit. If, for example, a request for missing information is sent on day forty (40) of a one hundred eighty (180) day processing period (which would end on April 1) and the information is provided and determined sufficient on day sixty-one (61), then twenty-one (21) days (Day 61 – Day 40) are added to the original one hundred eighty (180) day date of April 1, making the new one hundred eighty (180) day ending date April 22.
- e. Failure to provide the additional information required by the Control Officer by the deadline in the written correspondence could result in denial of the application.

3. Permit Application Shield. If an existing minor source submits a timely and complete application for renewal of a minor source PTO, the source's continued operation after permit expiration and before issuance of the renewed permit is not a violation. The application shield shall cease to apply if, after a completeness determination, the applicant fails to submit any additional information identified as needed to process the application by a deadline the Control Officer has specified in writing or the renewed permit is denied for any other reason.

4. Duty to Supplement or Correct Application. Any applicant who fails to submit any relevant facts or submits incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submission, submit such supplementary facts or corrected information promptly. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date the applicant files a complete application, but before issuance of the permit.
5. Application Contents. An application for a minor source permit shall contain all the information necessary to be deemed a complete application. An application for a new minor source permit, renewal of an existing minor source permit, and any revision to a minor source permit shall include, as needed, the following information:
 - a. The company name and address (and the source name and address, if different).
 - b. The owner's and Responsible Official's name, email address, telephone number and the name(s) of plant site manager/contact with associated email addresses and telephone numbers.
 - c. A declaration signed by the Responsible Official under penalty of perjury stating that, the statements and information in the application are true, accurate, and complete. Signature of the declaration statement shall subject the Responsible Official to liability for perjury under NRS 199.145.
 - d. Identifying information that includes, but is not limited to:
 - (1) A description of the source's processes and products using the North American Industrial Classification System (NAICS).
 - (2) The following emissions-related information:
 - (a) The PTE of all regulated minor source air pollutants emitted from each emissions unit and activity, including fugitive emissions.
 - (b) Identification and description, including but not limited to manufacturer, model, rating and serial number, of each emissions unit in sufficient detail to establish the applicable requirements.
 - (c) The following information, to the extent it is needed to determine or regulate emissions: fuels, fuel use, raw materials, material usage rates, production rates, and operating schedules.
 - (d) Identification and description of air pollution control equipment and compliance monitoring devices or activities, including design specifications.
 - (e) Any limitations on source operation affecting emissions or on any work practice standards affecting emissions.
 - (f) Other information required by any applicable requirement or to determine applicability of an applicable requirement.
 - (g) A justification for any exemption sought from any otherwise applicable requirement.
 - (h) The calculations on which the information in paragraphs 030.200.C.5.(d)(2)(a) through (g) is based.
 - e. For a new or modified source, a schedule of construction, if applicable.
 - f. A list of emission limitations and other requirements applicable to the source.
 - g. A list of emissions units or activities claimed as exempt and/or insignificant under SECTION 030.020.B
 - h. The following information may be required where the application proposes the following:
 - (1) A new minor source that will have a PTE that is significant for any regulated minor source air pollutant shall include a demonstration of BSC for the affected pollutant and shall include the methodology by which BSC was determined and how compliance with BSC will be demonstrated,

including material usage limits, performance testing, or continuous emissions monitoring, if applicable.

- (2) A modification to an existing minor source that requires a *significant* permit revision pursuant to paragraph 030.200.F.1.e shall contain the following:
 - (a) A description and quantification of the increase in the PTE resulting from the modification.
 - (b) A proposed BSC for each affected pollutant, the methodology by which BSC was determined and how compliance with BSC is to be demonstrated, including material usage limits, performance testing, or continuous emissions monitoring, if applicable.
- i. A new minor source or revision to a minor source proposing a voluntarily accepted emission limitation shall include enough detail to demonstrate that the voluntarily accepted emission limitation is enforceable as a practical matter, and such detail shall include, at minimum, how the limitation affects each emissions unit and each air pollutant from that emissions unit.
- j. A *significant* permit revision or a renewal for a source that is not in compliance at the time the application is submitted, shall include a compliance plan to address the non-compliant issue(s). The plan shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any requirements that the source is not in compliance at the time of permit issuance. Any such plan shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.
- k. An application for a minor permit revision for a minor source shall contain the information necessary to demonstrate that the change qualifies as a minor permit revision pursuant to paragraph 030.200.F.2.
- l. Such other information or documentation requested by the Control Officer as necessary to determine compliance with all applicable requirements and standards.

SECTION D - PERMIT CONTENT

1. Terms and Conditions. A minor source permit issued by the Control Officer shall include terms and conditions that contain all of the following, as applicable:
 - a. Identification of all applicable requirements.
 - b. A physical description of each emissions unit(s) and operating information consistent with the application information.
 - c. Emission limitations for any source of emissions or emissions unit that ensure all of the following:
 - (1) The National Ambient Air Quality Standards (NAAQS) will be attained or maintained.
 - (2) Compliance with the applicable requirements of these regulations and the Act.
 - d. Monitoring, testing, reporting, and recordkeeping requirements that ensure adequate information is provided to evaluate compliance with the permit terms and conditions including, at a minimum, all of the following:
 - (1) Applicable and appropriate monitoring and testing requirements, such as:
 - (a) Emissions monitoring and analysis procedures or test methods.
 - (b) Where an applicable regulation does not require periodic testing or monitoring (which may consist of record-keeping designed to serve as monitoring), periodic monitoring specifications sufficient to yield reliable data from the relevant time period(s) that are representative of the source's compliance with the permit. Such monitoring requirements may ensure that terms, test methods, units, averaging periods, and other statistical conventions are consistent with the applicable regulation.
 - (c) As necessary, requirements concerning the use, maintenance and, where appropriate, installation of monitoring equipment or methods.
 - (d) The Control Officer may require monitoring or testing to assure compliance with all applicable requirements. Any monitoring or testing shall be performed in accordance with paragraph 030.200.D.d.(2), any applicable requirement, or other methods approved by the Control Officer.
 - (2) With respect to recordkeeping, the permit may incorporate all applicable recordkeeping requirements, including the following:
 - (a) Records of required monitoring information that includes:
 - (i) The date, place, as listed in the permit, and time of sampling or measurements.
 - (ii) The date(s) analyses were performed.
 - (iii) The person and/or company, if a third party, that performed the monitoring, sampling, measurements or analyses.
 - (iv) The analytical techniques or methods used.
 - (v) The results of such analyses.
 - (vi) The operating conditions at the time of sampling or measurement.
 - (vii) Calibration and maintenance of instrumentation and equipment.
 - (viii) Raw data relating to calculation of emissions.
 - (b) Retention of all records required to be kept under the conditions of the permit for a period of at

least five (5) years from the creation of the record.

- (3) With respect to reporting, the permit shall incorporate all applicable reporting requirements.
- e. A requirement that any requested revision of an emission limitation, monitoring, testing, reporting, or recordkeeping requirement be made consistent with the permit revision requirements in SECTION 030.200.F.
- f. Emission and operational limitations and standards necessary to ensure:
 - (1) Compliance with any BSC determination, if one has been required.
 - (2) The source does not require a major source PTC or PART 70 Operating Permit.
 - (3) Compliance with all applicable requirements at the time of permit issuance.
 - (4) That any ambient air increment as prescribed by PART 030.400 is not exceeded.
 - (5) Compliance with a voluntarily accepted emission limitation.
- g. The permit shall specify and reference the origin of and authority for each term or condition.
- h. A permit term not to exceed five (5) years from the date of issuance.
- i. A severability clause to ensure the continued validity of permit requirements in the event of a challenge to any portion of the permit.
- j. A list of insignificant activities pursuant to SECTION 030.020.B
- k. A provision to ensure the source pays fees to the Control Officer consistent with the approved fee schedule.
- l. Terms and conditions that allow for changes by the source among reasonably anticipated operating scenarios identified in its application, as approved by the Control Officer. Such terms and conditions shall require the source:
 - (1) To record in a log at the permitted facility, while making a change from one operating scenario to another, the scenario under which the facility is operating.
 - (2) For each such alternative operating scenario, to comply with all applicable requirements and the requirements of PART 030.200.
- m. Any compliance plan required to be included in the application under paragraph 030.200.C.5.j.
- n. A condition stating that if the new or modified source cannot be constructed as authorized by the permit, the permittee shall provide a written notice to the Control Officer of any proposed revisions and obtain a revised permit prior to commencing construction. A source may be subject to enforcement action as a result of differences between the permitted and constructed source.
- o. A condition stating that the 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, termination, or of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- p. A condition that specifies the permittee must comply with all conditions of the permit and that any permit noncompliance constitutes a violation of the regulations and is grounds for enforcement action; for permit termination, or revocation; or for denial of a permit renewal application.
- q. Inspection and entry requirements which require that, upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Control Officer or an authorized representative to enter the permittee's premises where a source is located or emissions related activity is conducted and to:

- (1) Have access to and copy any records that must be kept under the conditions of the permit.
 - (2) Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
 - (3) Sample or monitor substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.
 - (4) Document alleged violations using devices such as cameras or video equipment.
- r. A statement that issuance of the permit does not convey any property rights of any sort, or any exclusive privilege.
 - s. A requirement that the permittee 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 permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Control Officer copies of records required to be kept by the 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.
 - t. A requirement that any person who has been issued a permit pursuant to this section shall post such permit in compliance with the requirements of paragraph 030.020.A.(15).
 - u. A requirement that the permit will not waive, or make less stringent, any limitations or requirements contained in or issued pursuant to the Washoe County portion of the Nevada State Implementation Plan (SIP), or that are otherwise federally enforceable.
 - v. A requirement that the permit shall not affect the responsibilities of the permittee to comply with the applicable portions of a control strategy in the SIP.
 - w. A requirement that the permittee shall furnish the *Control Officer* written notification of:
 - (1) The date that construction or reconstruction is commenced, postmarked no later than thirty (30) calendar days after such date.
 - (2) The anticipated date of initial start-up, postmarked not more than sixty (60) calendar days and not less than thirty (30) calendar days before such date.
 - (3) The actual date of initial start-up, postmarked within fifteen (15) calendar days after such date.
 - x. The Control Officer may impose additional conditions necessary to ensure compliance with any applicable requirement.
2. Acknowledgment of Responsibility for Compliance. The permit shall contain a statement that the permittee's commencement of operation constitutes an acknowledgment that the permittee assumes the responsibility of ensuring that the source's emissions units and emission control equipment have been constructed and will be operated in compliance with all applicable requirements.

SECTION E - PERMIT APPLICATION PROCESSING PROCEDURES

1. Action on Application

- a. A minor source permit to construct, permit to operate, and/or permit renewal may be issued only after the Control Officer has:
 - (1) Received the correct and complete application as prescribed by paragraph 030.200.C.2.
 - (2) Determined that the conditions of the permit provide for compliance with all applicable requirements.
 - (3) Determined that the source or emissions units will not interfere with attainment and maintenance of the NAAQS and has imposed emission limitations in accordance with paragraphs 030.200.D.1.c and D.1.f.
 - (4) Complied with the requirements for public participation under paragraph 030.200.E.3. as applicable.
 - (5) Determined that all required fees have been paid.
- b. Following the close of any public participation process prescribed by paragraph 030.200.E.3, the Control Officer shall make the determination to issue or deny the permit.
- c. The Control Officer shall deny a permit to construct, permit to operate, and/or permit renewal if the applicant fails to submit the correct application or to demonstrate that the source will be designed, controlled, and operated in a manner that meets all applicable requirements, or to demonstrate that the source will not interfere with attainment or maintenance of any NAAQS.
- d. If the Control Officer denies the permit to construct, permit to operate, and/or permit renewal, a notice of denial shall be served on the applicant by method providing evidence of receipt. The notice shall detail the grounds for denial and describe the applicant's right to appeal the denial under paragraph 020.000.C.2.a.
- e. If the Control Officer issues the permit or permit revision, the new or revised permit shall be provided to the applicant. The permit or revision becomes effective upon issuance unless stayed by the District Board of Health.

2. Permit Processing Deadlines

The Control Officer shall either issue or deny the permit within one hundred eighty (180) calendar days, commencing after the date on which the application is received. This issuance time frame is exclusive of the days when the Control Officer is awaiting the submittal of requested information, as specified in paragraph 030.200.C.2, and days required for public participation, as specified in paragraph 030.200.E.3.

3. Public Participation

The Control Officer shall provide for public notice, comment, and an opportunity for a hearing in accordance with the following procedures:

a. Notice of Proposed Action.

- (1) After receipt of a complete application for any of the following proposed actions for minor source permits, a Notice of Proposed Action (NPA) shall be provided.

(a) A new minor source with a potential to emit any pollutant that exceeds the following:

POLLUTANT	PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO ₂	40
LEAD	0.6
H ₂ S	5
TOTAL REDUCED SULFUR (TRS), including H ₂ S	5

- (b) A new minor source that will be located within 1,000 feet of the outer boundary of a school, hospital, or residential area.
 - (c) A significant permit revision that is required because of a significant increase in an existing minor source's potential to emit.
 - (d) A voluntarily accepted emissions limitation as provided in paragraph 030.200.G.4.
- (2) The Notice of Proposed Action on the application shall contain all of the following:
- (a) The name and address of the permittee or permit applicant and, if different, of the facility regulated by the permit.
 - (b) The date the Control Officer received the complete application.
 - (c) The location where documents relevant to the application, including the application, the proposed permit conditions, and determinations of BSC, if applicable, will be available.
 - (d) The nature of the source involved in the permit action.
 - (e) The pollutants to be emitted by the source and the projected quantities of those pollutants.
 - (f) The name, address, and telephone number persons may contact for instructions on how to obtain additional information, such as a copy of the draft permit, technical support document, the application, relevant supporting materials, and other materials available to the Control Officer that are relevant to the permitting decision.
 - (g) The location of the administrative record, the times at which the record will be open for public inspection, and a statement that all data submitted by the applicant (except confidential information, in accordance with NRS 445B.570 and SECTION 020.000.D) are available as part of the administrative record.
 - (h) The Control Officer's preliminary determination whether the application for a permit should be approved or disapproved.
 - (i) An opportunity for any person to submit written comments on the application for a permit and any relevant documents.
 - (j) An opportunity for any person to request a public hearing, consistent with the requirements of paragraph 030.200.E.3.b below, at which oral and written comments on the application will be received, or notice of such a hearing if one has been scheduled.
- (3) The NPA and the draft permit shall be provided during the thirty (30) calendar day public comment period. All written comments must be received by the Control Officer before expiration of the

public comment period.

- (4) The Control Officer shall consider all written and oral comments, and all other documents on the administrative record, before taking final action on the permit.
- (5) The Control Officer shall send a copy of the NPA to the applicant and to officials and agencies having jurisdiction over the location where the proposed construction would occur, including:

- (a) The U.S. Environmental Protection Agency (EPA), if requested, except that the NPA shall be sent to EPA if the subject of the NPA is a voluntarily accepted emission limit pursuant to SECTION 030.200.G that an applicant requests to avoid having to obtain a PART 70 Operating Permit.
- (b) Any other person who requests such notice.

- b. During the public comment period specified in SECTION 030.200.E.3.a.(3), any person may petition the Control Officer in writing for a public hearing. All such petitions shall contain the petitioner's name, address, daytime telephone number, email address, and reason for requesting a hearing.

- (1) If a proper petition is filed and the Control Officer determines that there is a significant degree of public interest, the Control Officer shall hold a public hearing no sooner than thirty (30) calendar days, but no later than seventy (70) calendar days, after the date of the NPA. In determining if a significant degree of public interest exists, the Control Officer shall consider all relevant factors, including, but not limited to, the number of petitioners, the nature of their concerns as stated in their petitions, and the type and quantity of emissions emitted by the source and the proximity of the source to sensitive areas such as parks, schools, hospitals or residential areas.
- (2) At least seven (7) calendar days prior to the public hearing, notice of the public hearing shall be given to the petitioner, to the applicant and to those listed in SECTION 030.200.E.3.a.(5) in the same manner as required for the NPA.
- (3) If the petition for hearing is denied, the Control Officer shall notify the petitioner within thirty (30) calendar days of receipt of the petition.

4. Permit Transfers

- a. A minor source permit issued under PART 030.200 may be transferred from the existing permittee to a new permittee if the applicable administrative amendment fee is paid and all the applicable requirements are met.
- b. A permit is not transferable, by operation of law or otherwise, from one location to another, or from one piece of equipment or process to another but may be transferred from one person to another upon approval of the Control Officer and payment of a transfer fee set by the District Board of Health.
- c. The new permit holder is entitled to use the permit until expiration at no further cost.

SECTION F - Revisions to an Existing Minor Source Permit

1. **Significant Permit Revision.** The following changes at a minor source require a significant permit revision and are subject to the permit application requirements in SECTION 030.200.C and the public participation requirements in paragraph 030.200.E.3, if applicable:
 - a. Establishing or revising a voluntarily accepted emission limitation or standard, as described in SECTION 030.200.G.
 - b. A change in fuel not authorized by the permit, except for a switch from fuel oil or coal to natural gas or propane.
 - c. A change that relaxes monitoring, testing, recordkeeping, or reporting requirements, except when such change results from either:
 - (1) Equipment removal that results in a permanent decrease in actual emissions, if the source keeps on-site records of the change in a log that meets the requirements of SECTION 030.200.F.6 below and if the relaxed requirements in the permit apply solely to the equipment that was removed.
 - (2) Newly applicable requirements specified in 40 CFR PART 60, 61, or 63.
 - d. A change that will require any of the following:
 - (1) Except for a BSC determination required by SECTION 030.200.F.1.f, a case-by-case determination of an emission limitation or other standard.
 - (2) A source-specific determination of ambient impacts, or a visibility or increment analysis.
 - (3) A case-by-case determination of a monitoring, record-keeping, and reporting requirement.
 - e. Replacement of a piece of air pollution control equipment listed in the permit with one that the permittee cannot demonstrate will have the same or better pollutant removal efficiency. In determining the comparative removal efficiency of air pollution control equipment, the Control Officer shall rely upon relevant performance testing results, vendor performance guarantees, and emissions factors.
 - f. A new or modified sources that increases the source's potential to emit a regulated air pollutant, by an amount equal to or exceeding a *significant* increase. The modification shall apply BSC to each emissions unit to which the increase applies.
 - g. The Control Officer may deny the significant permit revision because the proposed revision does not comply with all applicable requirements.
2. **Minor Permit Revision.** If the proposed change at a minor source is not listed in SECTION 030.200.F.1, but is listed below in SECTIONS 030.200.F.2.a.(1) through (5), such change requires a minor permit revision and is subject to the permit application requirements in SECTION 030.200.C.
 - a. The following changes require a minor permit revision:
 - (1) The construction of a new emissions unit that is not a like-kind replacement.
 - (2) Increasing operating hours or rates of production above the permitted level, any other physical change or change in method of operation that will result in an increase in the source's PTE that is less than the significant levels listed in the definition of *Significant* found in SECTION 030.200.B.
 - (3) A change in fuel, if not authorized in the permit.
 - (4) A change that results in emissions subject to any new or revised monitoring, recordkeeping, or reporting requirement that is not already in the permit if the revision proposes monitoring,

- recordkeeping, and/or reporting that provides the required quantification.
- (5) Replacement of an item of air pollution control equipment listed in the permit with one that has the same or better efficiency, but that employs a different technology or substantially different design. The application for the minor permit revision must demonstrate the efficiency of the replacement air pollution control equipment is equivalent or better than the equipment being replaced.
 - (6) Conversion of Permit to Construct to a Permit to Operate
- b. The application shall specify how the change qualifies as a minor permit revision under paragraph 030.200.F.2 and propose language for the permit revision sought. No change listed in paragraph 030.200.F.2 shall proceed if the Control Officer objects or deems the application incomplete.
 - c. The Control Officer may deny the minor revision because:
 - (1) The change does not qualify as a minor permit revision because it is a significant permit revision.
 - (2) The change does not otherwise qualify as a minor permit revision under the criteria in paragraph 030.200.F.2.
 - (3) There is insufficient information to determine if it qualifies as a minor permit revision.
 - (4) The proposed revision does not comply with all applicable requirements.
3. **Administrative Amendment.** The following changes require a permit revision, are considered administrative, and may be initiated by either the source or the Control Officer. These changes are not subject to the revision processes in paragraphs 030.200.F.1 and F.2:
- a. Correcting typographical errors.
 - b. Changing the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source (except transfers of ownership, which are subject to the requirements of paragraph 030.000.C.2).
 - c. Correcting a permit condition, including but not limited to emission standards and compliance demonstration requirements, consistent with an existing requirement.
 - d. Incorporating newly applicable requirements due to an amendment to an existing rule or adoption of a new rule.
 - e. Incorporating alternative testing or compliance monitoring requirements that have received the Administrator's approval under 40 CFR PART 60, 61, or 63.
 - f. Incorporating newly applicable monitoring or testing requirements specified in 40 CFR PART 60, 61, or 63 that apply because of a change in applicability of those requirements to the source, including removal from the permit of monitoring or testing requirements that no longer apply as a result of the change.
 - g. Incorporating test methods or monitoring requirements specified in an applicable requirement that the source may use as an alternative to the testing or monitoring requirements in the permit.
4. **Changes That Can Be Made With Notice.** The following changes at a minor source may be made without a permit revision if the source provides prior written notice of the change, within the applicable timeframe for the change listed below, on a form specified by the Control Officer, unless the Control Officer objects within the applicable timeframe.
- a. Replacing an item of air pollution control equipment listed in the permit with an identical (i.e., same model, different serial number) item: thirty (30) calendar days after the date of receipt of the written notice by the Control Officer. The Control Officer may require verification of the efficiency of the new equipment by performance tests.

- b. Replacing an item of air pollution control equipment listed in the permit with one that is not identical, but is substantially similar and has the same or better pollutant removal efficiency: thirty (30) calendar days after the date of receipt of the written notice by the Control Officer. The Control Officer may require a verification of the efficiency of the new equipment by performance tests.
- c. A physical change, or a change in the method of operation, that does not increase the source's potential to emit: thirty (30) calendar days after the date of receipt of the written notice by the Control Officer (includes a like-kind replacement of an emissions unit or the addition of an insignificant activity).
- d. A change that amounts to reconstruction of the source or an individual emissions unit, unless the reconstruction triggers a new applicable requirement: thirty (30) calendar days after the date of receipt of the written notice by the Control Officer. For purposes of this requirement, reconstruction of a source or an emissions unit shall be presumed if the fixed capital cost of the new component(s) exceeds fifty (50) percent of the fixed capital cost of a comparable entirely new source or emissions unit.
- e. Removal of one or more emissions unit(s) or activity that is part of an existing minor source permit. This change will not affect the source's potential to emit until it is incorporated into the permit through a permit renewal, permit revision, or the Control Officer action identified in paragraph 030.200.F.6.

5. Reopening for Cause.

- a. A permit may be reopened and revised under any of the following circumstances:
 - (1) Additional requirements (including excess emissions requirements) become applicable to an affected source. Upon approval by the Control Officer, excess emissions offset plans shall be deemed to be incorporated into the permit.
 - (2) 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.
 - (3) The Control Officer determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
 - (4) Proceedings to reopen and issue a permit shall follow the same requirements as apply to any permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.
- b. Reopenings under paragraph 030.200.F.5 shall not be initiated before a notice of such intent is provided to the source by the Control Officer at least thirty (30) calendar days in advance of the date that the permit is to be reopened, except that the Control Officer may provide a shorter time period in the case of an emergency.

- 6. The Control Officer may revise a permit annually for a minor source without notice or public input to incorporate changes filed pursuant to paragraphs 030.200.F.3 and F.4 above.
- 7. Any modification at a minor source that results in an increase in PTE equal to or greater than the emissions of a major stationary source (as defined in PARTS 030.300 and 030.400) is subject to the applicable permit requirements in PART 030.510, as well as those in PARTS 030.300, 030.400, and/or 030.500.

SECTION G - Permits Containing Voluntarily Accepted Emission Limitations

1. A source may voluntarily propose in its application, and accept in its permit, emission limitations that are enforceable as a practical matter to avoid being subject to any of the following:
 - a. New Source Review under PARTS 030.300 or 030.400.
 - b. Having to obtain a PART 70 Operating Permit under PART 030.500.
 - c. Becoming a major Hazardous Air Pollutants (HAPs) source.
 - d. Becoming subject to BSC.
 - e. Meeting any other applicable requirements (excluding air quality fees).
2. A source that proposes a voluntarily accepted emission limitation shall comply with the requirements of paragraph 030.200.C.5.i.
3. The public participation procedures set forth in paragraph 030.200.E.3 apply to sources proposing to establish an initial voluntarily accepted emission limitation as described in paragraph 030.200.G.1.a-c.
4. A source that proposes a voluntarily accepted emission limitation to avoid becoming a major stationary source, including a major source of fugitive emissions of any such pollutant under PARTS 030.300 or 030.400 as described in paragraph 030.200.G.1.a, or becoming a new PART 70 source as described in paragraph 030.200.G.1.b must determine if the proposed stationary source is a major source and is listed as belonging to one of the source categories. If it is not listed, fugitive emissions must not to be included in the facility-wide PTE to determine if it is a major source.

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.300 - NONATTAINMENT NEW SOURCE REVIEW (PERMIT REQUIREMENTS FOR MAJOR SOURCES IN NONATTAINMENT AREAS)

SECTION A - APPLICABILITY PROCEDURES

1. Preconstruction Review Requirements. The preconstruction review requirements of PART 030.300 shall apply to the *construction of any new major stationary source* or any *project at an existing major stationary source* in an area designated as *nonattainment* for any National Ambient Air Quality Standard under 40 CFR PART 81.329.
2. *Construction of Major Stationary Sources or Major Modifications*
 - a. If a proposed project will result in a new major stationary source for any regulated NSR pollutant, then the requirements of paragraph 030.300.A.3 and SECTIONS 030.300.C through H apply to that pollutant(s).
 - b. If a proposed project will result in a major modification at a major stationary source for any regulated NSR pollutant, then the requirements of paragraph 030.300.A.3 and SECTIONS 030.300.C through H apply to that pollutant(s).
3. Permit to *Construct* Requirement. No new *major stationary source*, or *major modification* to which the requirements of SECTIONS 030.300.C through H apply, shall begin actual *construction* or operate without a Permit to *Construct* that requires that the *major stationary source* or *major modification* meet these requirements.
4. Major Modification Applicability. The requirements of PART 030.300 apply to projects at *major stationary sources* in accordance with the applicability provisions set out in paragraphs 030.300.A.4.a through A.4.e.
 - a. Except as otherwise provided in paragraph 030.300.A.5, a *project* is a *major modification* for a *regulated NSR pollutant* if either the required preconstruction projected actual emissions or the post-*construction* emissions show that the *project* causes two (2) types of emissions increases: a *significant* emissions increase and a *significant net emissions increase*. The *project* is not a *major modification* if it does not cause a *significant* emissions increase. If the *project* causes a *significant* emissions increase, then the *project* is a *major modification* only if it also results in a *significant net emissions increase*.
 - b. The procedure for calculating (before beginning actual *construction*) whether a *significant* emissions increase will occur depends upon the type of *emissions units* being added or modified as part of the *project*, according to paragraphs 030.300.A.4.c through A.4.e. The procedure for calculating (before beginning actual *construction*) whether a *significant net emissions increase* will occur at the *major stationary source* is contained in the definition of *net emissions increase* and *significant*. Regardless of any such preconstruction projections, a major modification results if the project causes a significant emissions increase and a significant net emissions increase.
 - c. Actual-to-Projected-Actual Applicability Test for Projects that Only Involve Existing *Emissions units*. A *significant* emissions increase of a *regulated NSR pollutant* is projected to occur if the sum of the

- difference between the *projected actual emissions* and the *baseline actual emissions* for each existing *emissions unit* equals or exceeds the *significant* amount for that pollutant.
- d. Actual-to-Potential Test for Projects that Only Involve *construction* of a New *emissions unit(s)*. A *significant* emissions increase of a *regulated NSR pollutant* is projected to occur if the sum of the difference between the PTE from each new *emissions unit* following completion of the *project* and the *baseline actual emissions* of these units before the *project* equals or exceeds the *significant* amount for that pollutant.
 - e. Hybrid Test for Projects that Involve Multiple Types of *emissions units*. A *significant* emissions increase of a *regulated NSR pollutant* is projected to occur if the sum of the emissions differences for each *emissions unit*, calculated using the methods specified in paragraphs 030.300.A.4.c or A.4.d, as applicable with respect to each *emissions unit*, equals or exceeds the *significant* amount for that pollutant.
 - f. The “sum of the difference” as used in paragraphs c, d and e of this section shall include both increases and decreases in emissions calculated in accordance with those paragraphs.
5. *Major sources with Plantwide Applicability Limitations (PAL)*. For any *major stationary source* with a PAL for a *regulated NSR pollutant*, the *Owner* or *Operator* shall comply with the requirements in SECTION 030.300.I.
- a. For any *project* that would increase emissions of a *regulated NSR pollutant* at a *major stationary source* with a PAL for that *regulated NSR pollutant*, the *Owner* or *Operator* shall comply with the requirements in SECTION 030.300.I. For emissions increases resulting from the *project* that are not regulated by a PAL, the *Owner* or *Operator* shall comply with paragraphs 030.300.A.2.b or SECTION 030.300.A.6.
6. Existing *Emission unit* Projects. The provisions of this paragraph apply when a project occurs at an existing emissions unit at a major stationary source, other than a source with a PAL; the project is not a part of a major modification; and the owner or operator elects to use the method specified in paragraphs a.(1) through a.(4) of the definition of projected actual emissions.
- a. Before beginning actual construction of the project, and as a condition of the source's *Permit to Construct*, the owner or operator shall document and maintain a record of the following information:
 - (1) A description of the project;
 - (2) Identification of the emissions unit(s) whose emissions of a regulated NSR pollutant could be affected by the project; and
 - (3) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including the baseline actual emissions, the projected actual emissions, the amount of emissions excluded under paragraph a.(4) of the definition of projected actual emissions and an explanation for why such amount was excluded, and any netting calculations, if applicable.
 - b. If the emissions unit is an existing emissions unit, before beginning actual construction, the owner or operator shall provide a copy of the information set out in paragraph 030.300.A.6.a to the Control Officer. Nothing in this paragraph shall be construed to require the owner or operator of such a unit to obtain any determination from the Control Officer before beginning actual construction, except such owner or operator may still be subject to the requirements of CHAPTER 030, including PART

030.200 or other *applicable requirements*.

- c. The *Owner* or *Operator* shall monitor and maintain a record of the emissions of any *regulated NSR pollutant* from any existing *emissions unit* identified in paragraph 030.300.A.6.a.(2) that did not rely on the *emissions unit's Potential to emit* to estimate the *emissions unit's projected actual emissions*; and calculate and maintain a record of the annual emissions (in tons per year (tpy)) for the *project*, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the *project* increases the design capacity of, or *Potential to emit* that *regulated NSR pollutant* at, such existing *emissions unit*.
 - d. If the *emissions unit* is an existing electric utility steam generating unit, the *Owner* or *Operator* shall submit a report to the *Control Officer* within sixty (60) days after the end of each twelve (12) month period during which records must be generated under paragraph 030.300.A.6.c setting out the unit's annual emissions during the twelve (12) month period that preceded submission of the report.
 - e. If the *emissions unit* is an existing *emissions unit* other than an electric utility steam generating unit, the *Owner* or *Operator* shall submit a report to the *Control Officer* if the annual emissions, in tpy, from the *project* identified in paragraph 030.300.A.6.a exceed the *baseline actual emissions* (as documented and maintained pursuant to paragraph 030.300.A.6.a.(3)), by a *significant* amount for that *regulated NSR pollutant*, and if such emissions differ from the *projected actual emissions* (prior to exclusion of the amount of emissions under the definition of *projected actual emissions*) as documented and maintained pursuant to paragraph 030.300.A.6.a.(3). Such report shall be submitted to the *Control Officer* within sixty (60) days after the end of such year. The report shall contain the following:
 - (1) The name, address, and telephone number of the *major stationary source*;
 - (2) The annual emissions, as calculated pursuant to paragraph 030.300.A.6.c; and
 - (3) Any other information that the *Owner* or *Operator* wishes to include in the report (e.g., an explanation as to why the emissions differ from the *pre-construction* projection).
7. *Availability of Information*. The *Owner* or *Operator* of the *source* shall make the information required to be documented and maintained pursuant to paragraph 030.300.A.6 available for review upon a request for inspection by the *Control Officer* or the general public pursuant to the requirements contained in 40 CFR PART 70.4(b)(3)(viii).
8. *Secondary emissions*. *Secondary emissions* shall not be considered in determining whether a stationary *source* would qualify as a *major stationary source*. If a stationary *source* is subject to PART 030.300 on the basis of the direct emissions from the stationary *source*, the requirements of SECTION 030.300.F, but no other provisions of PART 030.300, must also be met for *Secondary emissions*.

SECTION B - DEFINITIONS

Unless the context otherwise requires, the following terms shall have the meanings set forth below for the purposes of PART 030.300. When a term is not defined in these paragraphs, it shall have the meaning given in PART 030.000, PARTS 030.100 through 030.510; Nevada Revised Statutes (NRS) 445B; the Federal Clean Air Act, or common usage, in that order of priority.

ACTUAL EMISSIONS means the actual rate of emissions of a *regulated NSR pollutant* from an *emissions unit*, as determined in accordance with this definition.

- a. In general, *actual emissions* as of a particular date shall equal the average rate, in tpy, at which the *emissions unit* actually emitted the *regulated NSR pollutant* during a consecutive twenty-four (24) month period which precedes the particular date and which is representative of normal *source* operation. The *Control Officer* shall allow the use of a different time period upon a determination that it is more representative of normal *source* operation. *Actual emissions* shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.
- b. For any *emissions unit* that has not begun normal operations on the particular date, *actual emissions* shall equal the PTE of the unit on that date.
- c. This definition shall not apply for calculating whether a *significant* emissions increase has occurred, or for establishing a PAL under SECTION 030.300.I. Instead, projected *actual emissions* and baseline *actual emissions* shall apply for those purposes.

ATTAINMENT AREA means an area, which is shown by air monitoring, calculated by air quality modeling, or is shown by other reliable methods, to have air quality that meets or exceeds minimum ambient air quality standards.

BASELINE ACTUAL EMISSIONS means the rate of emissions, in tpy, of a *regulated NSR pollutant*, as determined in accordance with paragraphs a through d of this definition.

- a. For any existing electric utility steam generating unit, *baseline actual emissions* means the average rate, in tpy, at which the unit actually emitted the pollutant during any consecutive twenty-four (24) month period selected by the *Owner* or *Operator* within the five (5) year period immediately preceding when the *Owner* or *Operator* begins *actual construction* of the *project*. The *Control Officer* shall allow the use of a different time period upon a determination that it is more representative of normal *source* operation.
 - (1) The average rate shall include *fugitive emissions*, to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.
 - (2) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the *source* was operating above any *emission* limitation that was legally *enforceable* during the consecutive twenty four (24) month period.
 - (3) The average rate shall be adjusted downward to exclude any emissions that would have exceeded an *emission* limitation with which the *major stationary source* must comply as of the particular date, had such *major stationary source* been required to comply with such limitations during the consecutive twenty-four (24) month period. For the purposes of determining *baseline actual emissions* for contemporaneous changes pursuant to paragraph a.2 of the definition of *net emissions increase*, the particular date is the date on which the particular change occurred.

- However, if an *emission* limitation is part of a *Maximum Achievable Control Technology* standard that the Administrator proposed or promulgated under 40 CFR PART 63, the *baseline actual emissions* need only be adjusted if the State of Nevada has taken credit for such emissions reductions in an attainment demonstration or maintenance plan, consistent with the requirements of 40 CFR PART 51.165(a)(3)(ii)(G).
- (4) For a *regulated NSR pollutant*, when a *project* involves multiple *emissions units*, only one consecutive 24-month period must be used to determine the *baseline actual emissions* for the *emissions units* being changed. A different consecutive twenty-four (24) month period can be used for each *regulated NSR pollutant*.
 - (5) The average rate shall not be based on any consecutive twenty-four (24) month period for which there is inadequate information for determining annual emissions, in tpy, and for adjusting this amount if required by this definition.
- b. For an existing *emissions unit* (other than an electric utility steam generating unit), *baseline actual emissions* means the average rate, in tpy, at which the *emissions unit* actually emitted the pollutant during any consecutive twenty four (24) month period selected by the *Owner* or *Operator* within the ten (10) year period immediately preceding either the date the *Owner* or *Operator* begins actual *construction* of the *project*, or the date a *Complete* permit application is received by the *Control Officer* for a permit required under CHAPTER 030, whichever is earlier, except that the ten (10) year period shall not include any period earlier than November 15, 1990.
- (1) The average rate shall include *fugitive emissions* to the extent quantifiable.
 - (2) The average rate shall include emissions associated with startups, shutdowns, and malfunctions.
 - (3) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the *source* was operating above an *emission* limitation that was legally *enforceable* during the consecutive 24-month period.
 - (4) The average rate shall be adjusted downward to exclude any emissions that would have exceeded an *emission* limitation with which the *major stationary source* must comply as of a particular date, had such *major stationary source* been required to comply with such limitations during the consecutive 24-month period. For the purposes of determining *baseline actual emissions* for contemporaneous changes pursuant to paragraph a.2 of the definition of *net emissions increase*, the particular date is the date on which the particular change occurred. However, if an *emission* limitation is part of a *Maximum Achievable Control Technology* standard that the Administrator proposed or promulgated under 40 CFR PART 63, the *baseline actual emissions* need only be adjusted if the State of Nevada has taken credit for such emissions reductions in an attainment demonstration or maintenance plan, consistent with the requirements of 40 CFR 51.165(a)(3)(ii)(G).
 - (5) For a *regulated NSR pollutant*, when a *project* involves multiple *emissions units*, only one consecutive 24-month period must be used to determine the *baseline actual emissions* for all the *emissions units* being changed. A different consecutive 24-month period can be used for each *regulated NSR pollutant*.
 - (6) The average rate shall not be based on any consecutive 24- month period for which there is inadequate information for determining annual emissions, in tpy, and for adjusting this amount if required by paragraphs b.(2) and b.(3) of this definition.
- c. For a new *emissions unit*, the *baseline actual emissions* for purposes of determining the emissions increase that will result from the initial *construction* and operation of such unit shall equal zero; and

thereafter, for all other purposes, shall equal the unit's PTE.

- d. For a PAL for a stationary *source*, the *baseline actual emissions* shall be calculated for existing electric utility steam generating units in accordance with the procedures contained in paragraph a of this definition; for other existing *emissions units*, in accordance with the procedures contained in paragraph b of this definition; and for a new *emissions unit*, in accordance with the procedures contained in paragraph c of this definition.

BASIC DESIGN PARAMETER means:

- a. Except as provided in paragraph c of this definition, for a process unit at a steam electric generating facility, the *Owner* or *Operator* may select as its basic design parameters either maximum hourly heat input and maximum hourly fuel consumption rate or maximum hourly electric output rate and maximum steam flow rate. When establishing fuel consumption specifications in terms of weight or volume, the minimum fuel quality based on Btu content shall be used for determining the basic design parameter(s) for a coal-fired electric utility steam generating unit.
- b. Except as provided in paragraph c of this definition, the basic design parameter(s) for any process unit that is not at a steam electric generating facility are maximum rate of fuel or heat input, maximum rate of material input, or maximum rate of product output. Combustion process units will typically use maximum rate of fuel input. For sources having multiple end products and raw materials, the *Owner* or *Operator* should consider the primary product or primary raw material when selecting a basic design parameter.
- c. If the *Owner* or *Operator* believes the basic design parameter(s) in paragraphs a and b of this definition is not appropriate for a specific industry or type of process unit, the *Owner* or *Operator* may propose to the *Control Officer* an alternative basic design parameter(s) for the *source's* process unit(s). If the *Control Officer* approves of the use of an alternative basic design parameter(s), the *Control Officer* shall issue a permit that is legally *enforceable* that records such basic design parameter(s) and requires the *Owner* or *Operator* to comply with such parameter(s).
- d. The *Owner* or *Operator* shall use credible information, such as results of historic maximum capability tests, design information from the manufacturer, or engineering calculations, in establishing the magnitude of the basic design parameter(s) specified in paragraphs a and b of this definition.
- e. If design information is not available for a process unit, then the *Owner* or *Operator* shall determine the process unit's basic design parameter(s) using the maximum value achieved by the process unit in the 5-year period immediately preceding the planned activity.
- f. Efficiency of a process unit is not a basic design parameter.
- g. The replacement activity shall not cause the process unit to exceed any *emission* limitation, or operational limitation that has the effect of constraining emissions, that applies to the process unit and that is legally *enforceable*.

BEGIN ACTUAL CONSTRUCTION means in general, initiation of physical on-site *construction* activities on an *emissions unit* which are of a permanent nature. Such activities include, but are not limited to, installation of Building supports and foundations, laying of underground pipework, and *construction* of permanent storage structures. With respect to a change in method of operating, this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

BEST AVAILABLE CONTROL TECHNOLOGY (BACT) means an *emission* limitation (including a visible emissions standard) based on the maximum degree of reduction for each *regulated NSR pollutant* which would be emitted from any proposed *major stationary source* or *major modification* which the *Control Officer*,

on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such *source* or *modification* through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of BACT result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR PART 60, 61, or 63. If the *Control Officer* determines that technological or economic limitations on the application of measurement methodology to a particular *emissions unit* would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard or combination thereof may be prescribed instead to satisfy the requirement for the application of BACT. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice, or operation, and shall provide for compliance by means which achieve equivalent results.

BUILDING, STRUCTURE, FACILITY, OR INSTALLATION

- a. means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same *Person* (or *Persons* under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same SIC or NAICS code) as described in either the Standard Industrial Classification (SIC) manual, 1972, as amended by the 1977 supplement or the North American Industry Classification System (NAICS) manual.
- b. Notwithstanding the provisions of paragraph a of this definition, *building, structure, facility, or installation* means, for onshore activities under Standard Industrial Classification (SIC) Major Group 13: Oil and Gas Extraction, all of the pollutant-emitting activities included in Major Group 13 that are located on one or more contiguous or adjacent properties, and are under the control of the same *person* (or *persons* under common control). Pollutant emitting activities shall be considered adjacent if they are located on the same surface site; or if they are located on surface sites that are located within 1/4 mile of one another (measured from the center of the equipment on the surface site) and they share equipment. Shared equipment includes, but is not limited to, produced fluids storage tanks, phase separators, natural gas dehydrators or emissions control devices. Surface site, as used in this paragraph b of this definition, has the same meaning as in 40 CFR PART 63.761.

CATEGORICAL STATIONARY SOURCE means any stationary *source* of *Air pollutants* that belongs to one of the following categories of *stationary sources*:

- a. Coal cleaning plants (with thermal dryers);
- b. Kraft pulp mills;
- c. Portland cement plants;
- d. Primary zinc smelters;
- e. Iron and steel mills;
- f. Primary aluminum ore reduction plants;
- g. Primary copper smelters;
- h. Municipal incinerators capable of charging more than 50 tons of refuse per day;
- i. Hydrofluoric, sulfuric, or nitric acid plants;
- j. Petroleum refineries;
- k. Lime plants;
- l. Phosphate rock processing plants;

- m. Coke oven batteries;
- n. Sulfur recovery plants;
- o. Carbon black plants (furnace process);
- p. Primary lead smelters;
- q. Fuel conversion plants;
- r. Sintering plants;
- s. Secondary metal production plants;
- t. Chemical process plants - The term chemical processing plant shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140;
- u. Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;
- v. Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
- w. Taconite ore processing plants;
- x. Glass fiber processing plants;
- y. Charcoal production plants;
- z. Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input, and
- aa. Any other stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the Act.

CONSTRUCTED EMISSIONS UNIT means any part of a stationary source that emits or has the *Potential to emit* any *Regulated air pollutant* that is newly constructed or modified.

CONTINUOUS EMISSIONS MONITORING SYSTEM (CEMS) means all of the equipment that may be required to meet the data acquisition and availability requirements of PART 030.300, to sample, condition (if applicable), analyze, and provide a record of emissions on a continuous basis.

CONTINUOUS EMISSIONS RATE MONITORING SYSTEM (CERMS) means the total equipment required for the determination and recording of the pollutant mass emissions rate (in terms of mass per unit of time).

CONTINUOUS PARAMETER MONITORING SYSTEM (CPMS) means all of the equipment necessary to meet the data acquisition and availability requirements of PART 030.300, to monitor process and control device operational parameters and other information and to record average operational parameter value(s) on a continuous basis.

EMISSION REDUCTION CREDIT (ERC) means a unit of *emission* reduction (in tpy) that has been issued by the *Control Officer* in accordance with the provisions set forth in SECTION 030.300.F.

EMISSIONS UNIT means any part of a stationary source that emits, or would have the *Potential to emit*, any *regulated NSR pollutant* and includes an electric utility steam generating unit. For purposes of PART 030.300, there are two types of *emissions units* as described in paragraphs a and b of this definition:

- a. A "New *Emissions unit*" is any *emissions unit* which is (or will be) newly constructed and which has existed for less than two (2) years from the date such *emissions unit* first operated. For the purposes of this definition, the date an *emissions unit* first operated shall not be extended by any shakedown period established pursuant to paragraph f of the definition of *net emissions increase*.

- b. An “Existing *Emissions unit*” is any *emissions unit* that does not meet the requirements in paragraph (1) of this definition. A *replacement unit* is an existing *emissions unit*.

LOWEST ACHIEVABLE EMISSION RATE (LAER) means, for any *source*, the more stringent rate of emissions based on the following:

- a. The most stringent *emission* limitation which is contained in the implementation plan of any State for such class or category of stationary *source*, unless the *Owner* or *Operator* of the proposed *major stationary source* demonstrates that such limitations are not achievable; or
- b. The most stringent *emission* limitation which is achieved in practice by such class or category of *stationary sources*. This limitation, when applied to a *major modification*, means the LAER for the new or modified *emissions units* within the *Stationary Source*. In no event shall the application of the term permit a proposed new or modified stationary *source* to emit any pollutant in excess of the amount allowable under an applicable New Source standard of performance.

For purposes of this definition only, the term “any State” means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa, and includes the Commonwealth of the Northern Mariana Islands.

MAJOR MODIFICATION means any physical change in, or change in the method of operation of, a *major stationary source* that would result in a *significant* emissions increase of a *regulated NSR pollutant* and a *significant net emissions increase* of that pollutant from the *major stationary source*.

- c. Any significant *emissions* increase or any *net emissions increase*, from any *emissions units*, at a *major stationary source* that is significant for volatile organic compounds or nitrogen oxides shall be considered *significant* for ozone.
- d. A physical change or change in the method of operation shall not include:
 - (1) Routine maintenance, repair, and replacement;
 - (2) Use of an alternative fuel or raw material by reason of an order under Sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation), or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;
 - (3) Use of an alternative fuel by reason of an order or rule under SECTION 125 of the *Act*;
 - (4) Use of an alternative fuel at a steam generating unit, to the extent that the fuel is generated from municipal solid waste;
 - (5) Use of an alternative fuel or raw material by a stationary *source* which:
 - (a) The *source* was capable of accommodating before December 21, 1976, unless such change would be prohibited under any *Federally enforceable* permit condition which was established after December 21, 1976, pursuant to PART 030 or under regulations approved pursuant to 40 CFR PART 51, Subpart I.
 - (b) The *source* is approved to use under any permit issued under CHAPTER 030.
 - (6) An increase in the hours of operation or in the production rate, unless such change is prohibited under any *Federally enforceable* permit condition which was established after December 21, 1976;

(7) Any change in ownership at a stationary source;

- c. This definition shall not apply with respect to a particular *regulated NSR pollutant* when the *Major stationary source* is complying with the requirements under SECTION 030.300.I for a PAL for that *regulated NSR pollutant*. Instead, the definition of PAL *major modification* shall apply.
- d. The *fugitive emissions* of a *major stationary source* shall be included in determining, for any of the purposes of PART 030.300, whether a particular physical change or change in the method of operation is a *major modification*.

MAJOR STATIONARY SOURCE or MAJOR SOURCE means:

- a. Any stationary source of *Air pollutants* which emits, or has the *Potential to emit*, one hundred (100) tpy or more of any *regulated NSR pollutant* except:
 - (1) For an area designated nonattainment for PM10 and classified as “serious,” a *major stationary source* is a stationary source which emits, or has the *Potential to emit*, seventy (70) tpy or more of PM10.
 - (2) A *major stationary source* is a stationary source which emits, or has the *Potential to emit*, fifty (50) tpy or more in an area classified as “serious” nonattainment for CO where *stationary sources* significantly contribute to ambient CO levels, as determined under regulations issued by EPA pursuant to the *Act*.
 - (3) For an area designated nonattainment for ozone, a source with the *Potential to emit* VOC or NOx in the following amounts shall be considered a *major stationary source*:
 - (a) ≥ 100 tpy in areas classified as “marginal” or “moderate”;
 - (b) ≥ 50 tpy in areas classified as “serious”;
 - (c) ≥ 25 tpy in areas classified as “severe”; and
 - (d) ≥ 10 tpy in areas classified as “extreme.”
- b. Any physical change that would occur at a stationary source not qualifying as a *major stationary source* under paragraph a of this definition, if the change would constitute a *major stationary source* by itself under paragraph a of this definition.
- c. A *major stationary source* that is major for *Volatile organic compounds* shall be considered major for ozone.
- d. A *major stationary source* that is major for nitrogen oxides shall be considered major for ozone, unless EPA has granted a waiver for nitrogen oxides emissions under Section 182(f) of the *Act* and the waiver continues to apply.
- e. The *fugitive emissions* of a *major stationary source* shall be included in determining, for any of the purposes of PART 030.300, whether a source is a *major stationary source*.

NET EMISSIONS INCREASE means, with respect to any *regulated NSR pollutant* emitted by a *major stationary source*, the following:

- a. The amount by which the sum of the following exceeds zero:
 - (1) The increase in emissions from a particular physical change, or change in the method of

- operation, at a stationary *source* as calculated pursuant to paragraphs 030.300.A.4.a through A.4.e; and
- (2) Any other increases and decreases in *actual emissions* at the *major stationary source* that are contemporaneous with the particular change and are otherwise creditable.
- (a) For the purposes of calculating increases and decreases under paragraph a.(2) of this definition, *baseline actual emissions* prior to the contemporaneous *project* shall be determined as provided in the definition of *baseline actual emissions*, except that paragraphs a.(4) and b.(5) of that definition shall not apply.
- b. An increase or decrease in *actual emissions* is contemporaneous with the increase from the particular change only if it occurs between the date five (5) years before *construction* on the particular change commences and the date that the increase from the particular change occurs.
- c. An increase or decrease in *actual emissions* is creditable only if the *Control Officer* has not relied on it in issuing a permit for the *source* under CHAPTER 030, or any other regulation approved by the Administrator pursuant to 40 CFR PART 51 or 40 CFR PART 52.21, which permit is in effect when the increase in *actual emissions* from the particular change occurs.
- d. An increase in *actual emissions* is creditable only to the extent that the new level of *actual emissions* exceeds the old level.
- e. A decrease in *actual emissions* is creditable only to the extent that:
- (1) The old level of *actual emissions* or the old level of *allowable emissions*, whichever is lower, exceeds the new level of *actual emissions*;
 - (2) It is *enforceable* as a practical matter at and after the time that actual *construction* on the particular change begins;
 - (3) The *Control Officer* has not relied on it in issuing any permit under CHAPTER 030 or any other regulations approved pursuant to 40 CFR PART 51, SUBPART I, nor has the State of Nevada relied on it in demonstrating attainment or reasonable further progress; and
 - (4) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.
- f. An increase that results from a physical change at a *source* occurs when the *emissions unit* on which *construction* becomes operational and begins to emit a particular pollutant. Any *replacement unit* that requires shakedown, or any new *emissions unit* that replaces an existing *emissions unit* and that requires shakedown, becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty (180) days.

NONATTAINMENT MAJOR NEW SOURCE REVIEW (NSR) Program means a *major source* preconstruction permit program that has been approved by the Administrator and incorporated into the Nevada State Implementation Plan (SIP), or a program that implements 40 CFR PART 51, Appendix S, Sections I through VI. Any permit issued under such a program is a major NSR permit.

PORTABLE SOURCE means a stationary *source* that is specifically designed to be transferred to a new location as need warrants and operated at that new location for no more than twelve (12) months. Portable sources may be subject to other applicable federal requirements under the *Act*.

PREDICTIVE EMISSIONS MONITORING SYSTEM (PEMS) means all of the equipment necessary to

monitor process and control device operational parameters and other information, and calculate and record the mass emissions rate on a continuous basis.

PREVENTION OF SIGNIFICANT DETERIORATION (PSD) PERMIT means any permit that is issued under a *major source* preconstruction permit program that has been approved by the Administrator and incorporated into the Nevada SIP to implement the requirements of PART C, SUBCHAPTER I of the Act.

PROJECT means a physical change in, or change in the method of operation of, an existing *major stationary source*.

PROJECTED ACTUAL EMISSIONS (PAE) means the maximum annual rate, in tpy, at which an existing *emissions unit* is projected to emit a *regulated NSR pollutant* in any one of the five (5) years (12-month period) following the date the unit resumes regular operation after the *project*, or in any one of the ten (10) years following that date, if the *project* involves increasing the design capacity or PTE of any *emissions unit* for that *regulated NSR pollutant* and full utilization of the unit would result in a *significant* emissions increase or a *significant net emissions increase* at the *major stationary source*.

- a. In determining the *projected actual emissions* (before beginning actual construction), the *Owner* or *Operator* of the *major stationary source*:
 - (1) Shall consider all relevant information, including, but not limited to, historical operational data, the company's own representations, the company's expected business activity and the company's highest projections of business activity, the company's filings with the county, State or federal regulatory authorities, and compliance plans under CHAPTER 030;
 - (2) Shall include *fugitive emissions* to the extent quantifiable;
 - (3) Shall include emissions associated with startups, shutdowns, and malfunctions; and
 - (4) Shall exclude, only for calculating any increase in emissions that results from the particular *project*, that portion of the unit's emissions following the *project* that an existing unit could have accommodated during the consecutive 24- month period used to establish the *baseline actual emissions* and that are also unrelated to the particular *project*, including any increased utilization due to product demand growth.
- b. In lieu of using the method set out in paragraphs a.(1) through a.(4) of this definition, the *Owner* or *Operator* of the *major stationary source* may elect to use the *emissions unit's* PTE in tpy.

REGULATED NSR POLLUTANT, for purposes of PART 030.300, means:

- a. Any pollutant for which a National Ambient Air Quality Standard has been promulgated, and for which pollutant the area is designated nonattainment;
- b. Any pollutant that is identified as a constituent or precursor of a pollutant regulated under paragraph a of this definition provided that such constituent or precursor pollutant may only be regulated under NSR as part of regulation of the criteria *Air pollutant*. The Administrator has identified the following precursors for the purposes of NSR:
 - (1) *Volatile organic compounds* and nitrogen oxides are precursors to ozone in all ozone *Nonattainment areas*.
 - (2) Sulfur dioxide is a precursor to PM_{2.5} in all PM_{2.5} *Nonattainment areas*.

(3) Nitrogen oxides, volatile organic compounds, and ammonia are presumed to be precursors to PM_{2.5} in all PM_{2.5} Nonattainment areas, unless the State or county demonstrates to the Administrator's satisfaction or EPA demonstrates that emissions of nitrogen oxides, volatile organic compounds, or ammonia from sources in a specific area are not a significant contributor to that area's ambient PM_{2.5} concentrations..

- c. PM_{2.5} emissions and PM₁₀ emissions shall include gaseous emissions from a *source* or activity which condense to form *Particulate matter* at ambient temperatures. On or after January 1, 2011, such condensable *Particulate matter* shall be accounted for in applicability determinations and in establishing emissions Limitations for PM_{2.5} and PM₁₀ in NSR permits. Compliance with emissions limitations for PM_{2.5} and PM₁₀ issued prior to this date shall not be based on condensable *Particulate matter* unless required by the terms and conditions of the permit or the applicable implementation plan. Applicability determinations made prior to this date without accounting for condensable *Particulate matter* shall not be considered in violation of this section unless the applicable implementation plan required condensable *Particulate matter* to be included.

REPLACEMENT UNIT means an *emissions unit* for which all the criteria listed in paragraphs a. through d. of this definition are met. No creditable *emission* reductions shall be generated from shutting down the existing *emissions unit* that is replaced. The criteria are:

- a. The *emissions unit* is a reconstructed unit within the meaning of 40 CFR PART 60.15(b)(1), or the *emissions unit* completely takes the place of an existing *emissions unit*.
- b. The *emissions unit* is identical to, or functionally equivalent to, the replaced *emissions unit*.
- c. The replacement does not alter the basic design parameters of the process unit.
- d. The replaced *emissions unit* is permanently removed from the *major stationary source*, otherwise permanently disabled, or permanently barred from operation by a permit that is *enforceable* as a practical matter. If the replaced *emissions unit* is brought back into operation, it shall constitute a new *emissions unit*.

SHUTDOWN means the cessation of operation of any air pollution *control equipment* or process equipment for any purpose except routine phasing out of process equipment.

SIGNIFICANT means, in reference to a net *emission* increase or the potential of a *source* to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:

- a. Carbon monoxide:
 - (1) 100 tpy; or
 - (2) 50 tpy in an area designated nonattainment for CO and classified as "serious," and where *stationary sources significantly* contribute to ambient CO levels as determined under regulations issued by EPA pursuant to the *Act*.
- b. Nitrogen oxides: 40 tpy;
- c. Sulfur dioxide: 40 tpy;
- d. Ozone:
 - (1) 40 tpy of VOCs; or

(2) 40 tpy of nitrogen oxides, unless EPA has granted a waiver for nitrogen oxides emissions under SECTION 182(f) of the *Act* and the waiver continues to apply.

- e. PM10: 15 tpy;
- f. PM2.5: 10 tpy of direct PM2.5 emissions or 40 tpy of sulfur dioxide emissions or 40 tpy of nitrogen dioxide emissions or 40 tpy of VOC emissions or 10 tpy of ammonia emissions; and
- g. Lead: 0.6 tpy.

SIGNIFICANT EMISSIONS INCREASE means, for a *regulated NSR pollutant*, an increase in emissions that is *significant* for that pollutant.

STARTUP means the setting into operation of any air pollution *control equipment* or process equipment for any purpose except routine phasing in of process equipment.

SECTION C - STATEWIDE COMPLIANCE

Prior to issuance of a Permit to *Construct* for a new *major stationary source* or *major modification* subject to PART 030.300, the *Owner* or *Operator* shall either demonstrate that each existing *major stationary source* owned or operated by the applicant in the State of Nevada is in compliance with all applicable *emission* limitations and standards under the *Act* or is in compliance with an expeditious schedule which is *Federally enforceable* or contained in a court decree.

SECTION D - ANALYSIS OF ALTERNATIVES

In addition to the permit application submission requirements in SECTION 030.300.A, the *Owner* or *Operator* shall submit an analysis of alternative sites, sizes, production processes, and environmental control techniques for the proposed *construction* or *major modification* that demonstrates, to the satisfaction of the *Control Officer*, that the benefits of the proposed *construction* or *major modification* significantly outweigh the environmental and social costs imposed as a result of its location, *construction*, or *modification*.

SECTION E - LOWEST ACHIEVABLE EMISSION RATE

1. *Applicable requirements.* An *Owner* or *Operator* shall meet each applicable requirement.
2. *Permit Requirements to Achieve LAER.* A Permit to *Construct* for a new *major stationary source* or *major modification* shall contain terms and conditions sufficient to ensure that the *major stationary source* or *major modification* will achieve LAER in accordance with paragraphs 030.300.E.2.a and E.2.b:
 - a. A new *major stationary source* shall achieve LAER for each *regulated NSR pollutant* that it would have the *Potential to Emit* in *significant* amounts. Only the *regulated NSR pollutant(s)* for which a source is major are subject to these requirements.
 - b. A *major modification* shall achieve LAER for each *regulated NSR pollutant* for which it would result in a *significant net emissions increase* at the *stationary source*. This requirement applies to each proposed *emissions unit* included in the project at which a *net emissions increase* in the pollutant would occur as a result of a physical change, or change in the method of operation, in the *emissions unit*.

SECTION F - EMISSIONS OFFSET

1. Sufficiency of Reductions. Prior to issuance of a Permit to *Construct* for a new *major stationary source* or *major modification*, the *Control Officer* shall make a determination that, by the time the *source* is to Commence Operation, sufficient offsetting emissions reductions will be surrendered prior to commencing operation, such that *allowable emissions* from existing sources in the *Nonattainment area*, from new or modified sources which are not *major stationary sources*, and from the proposed *source* or *modification* will be sufficiently less than total emissions from existing sources prior to the application for the offset. At a minimum, this determination requires the *Owner* or *Operator* to satisfy the offset requirements in paragraph 030.300.F.2.
2. Offset Methods. Pollutant-specific emissions shall be offset with *Federally enforceable* ERCs or with internal *emission* reductions.
 - a. The emission increases of a nonattainment pollutant for which the new stationary source or modification is classified as major, shall be offset with federally enforceable ERCs or with internal emission reductions.
 - b. ERCs from one or more sources may be used, alone or in combination with internal emission reductions, in order to satisfy offset requirements.
 - c. Internal emission reductions used to satisfy offset requirements shall be governed by 030.300.F.3 through 030.300.F.8.
 - d. ERCs used to satisfy offset requirements shall be governed by Sections 030.300.F.3 through 030.300.F.6, 030.300.F.8.
3. Restrictions on Trading Pollutants
 - a. Pursuant to the Nevada Revised Statutes, SECTION 445B.508(2)(c), purchasing or selling credits of one type of pollutant is prohibited if such credits would be used subsequently to emit a different type of pollutant.
 - b. The Control Officer may approve interpollutant emission offsets for precursor pollutants on a case-by-case basis except for PM_{2.5}. In such cases, the Control Officer shall impose, based on an air quality analysis, emission offset ratios in addition to the requirements of Table 030.300-1. PM₁₀ emissions shall not be allowed to offset nitrogen oxide or volatile organic compound emissions in ozone nonattainment areas. In no case shall the compounds excluded from the definition of volatile organic compounds 40 CFR PART 51.100(s) be used as offsets for volatile organic compounds. No emission credit may be allowed for replacing one hydrocarbon compound with another of lesser reactivity, except that emissions credit may be allowed for the replacement with those compounds listed as having negligible photochemical reactivity in 40 CFR PART 51.100(s). Interpollutant emission offsets used at a *major stationary source* must receive written approval from the U.S. Environmental Protection Agency.
 - c. Interpollutant offsets between PM_{2.5} and PM_{2.5} precursors are not allowed unless modeling has been used to demonstrate that PM_{2.5} interpollutant offset ratios are appropriate as approved in a PM_{2.5} nonattainment plan.
 - d. No emissions credit may be allowed for replacing one hydrocarbon compound with another of lesser reactivity, except that emissions credit may be allowed for the replacement with those compounds listed as having negligible photochemical reactivity in 40 CFR 51.100(s).

4. Timing

- a. *Emission* reductions used to satisfy an offset requirement must be *Federally enforceable* at the time of issuance of the Permit to *Construct* containing the offset requirements.
- b. Except as provided by paragraph 030.300.F.4.c, the decrease in *actual emissions* used to generate *emission* reductions must occur by no later than the commencement of operation of the new or modified *major stationary source*.
- c. Where the new *emission unit(s)* is a replacement for a *emission unit(s)* that is being shut down in order to provide the necessary offsets, the *Control Officer* may allow up to one hundred eighty (180) calendar days for shake-down or commissioning of the new *emission unit(s)* before the existing facility is required to cease operation.

5. Quantity. The quantity of internal *emission* reductions required to satisfy off- set requirements shall be determined in accordance with the following:

- a. The unit of measure for offsets and internal *emission* reductions shall be tpy. All calculations and transactions shall use *emission* rate values rounded to the nearest one one-hundredth (0.01) tpy.
- b. The quantity of internal *emission* reductions required shall be calculated as the product of the amount of increased emissions, as determined in accordance with paragraph 030.300.F.5.c, and the offset ratio, as determined in accordance with paragraph 030.300.F.5.d.
- c. The amount of increased emissions shall be determined as follows:
 - (1) The amount of increased emissions includes *fugitive emissions* in the case of all *major stationary sources*.
 - (2) When the offset requirement is triggered by the *construction* of a new *major stationary source*, the amount of increased emissions shall be the sum of the PTE of all *emissions units* plus any *Secondary emissions* as specified in paragraph 030.300.A.8.
 - (3) When the offset requirement is triggered by a *major modification* of an existing *major stationary source*, the amount of increased emissions shall be the sum of the differences between the *allowable emissions* after the *modification* and the *actual emissions* before the *modification* for each *emissions unit* plus any *Secondary emissions* as specified in paragraph 030.300.A.8.
- d. The baseline for determining credit for emissions reductions is the *actual emissions* of the *source* from which the offset credit is obtained.

- e. The offset ratio is expressed as a ratio of emissions reductions to emissions increases.
 - (1) The following table contains offset ratios by designated area and pollutant.
 - (2) The ratios listed in Table 030.300-1 shall be applied based on the nonattainment area classifications contained in the table for a specific pollutant.

Table 030.300-1 Federal Offset Ratio Requirements by Area Designation and Pollutant

Area Designation	Pollutant	Offset Ratio
Marginal Ozone Nonattainment Area	NOx	1.1:1
	VOC	1.1:1
Moderate Ozone Nonattainment Area	NOx	1.15:1
	VOC	1.15:1
Serious Nonattainment Area	PM10	1:1

- 6. *Emission Reduction Requirements.* *Emission* reductions used to satisfy an offset requirement shall meet the following requirements:
 - a. *Emission* reductions used to satisfy offset requirements must be real, surplus, permanent, quantifiable, and *Federally enforceable*.
 - b. Permitted sources whose internal *emission* reductions are used to satisfy offset requirements must appropriately amend or cancel their Permit to *Construct* and/or PART 70 *Operating permit* to reflect their new reduced PTE, including Practicably *Enforceable* conditions to limit their PTE.
 - c. *Emission* reductions used to satisfy offset requirements must be surplus at the time of issuance of the Permit to *Construct* containing the offset requirements.

- 7. *Location of Internal Reductions.* Internal *emission* reductions used to satisfy offset requirements shall occur at the same *major stationary source* at which the increase in emissions occurs.
 - a. Emission reductions must be obtained from the same nonattainment area, however, the APCO may allow emission reductions from another nonattainment area if the following conditions are met:
 - (1) The other area has an equal or higher nonattainment classification than the area in which the source is located; and
 - (2) Emissions from such other area contribute to a violation of the national ambient air quality standard in the nonattainment area in which the source is located.

- 8. *Emission Reduction Credit (ERC) Requirements.* ERCs used to satisfy an offset requirement shall meet the following requirements:
 - a. The source owner or responsible official utilizing ERCs to satisfy offsets must demonstrate to the satisfaction of the Control Officer that such utilization will not significantly cause or contribute to a violation of a National Ambient Air Quality Standard or an exceedance of a PSD increment identified in PART 030.400.
 - b. The use of ERCs shall not provide:
 - (1) Authority for, or the recognition of, any pre-existing vested right to emit any regulated NSR pollutant;

- (2) An exemption to a stationary source for emission limitations established in accordance with New Source Performance Standards;
 - (3) Authority for, or the recognition of, any rights that would be contrary to applicable law; or
 - (4) An exemption to a stationary source from any other air pollution control requirements of federal, state, or county laws, rules, and regulations.
- c. For an existing fuel combustion source, credit shall be based on the allowable emissions under the applicable State Implementation Plan for the type of fuel being burned at the time the application to construct is filed. If the existing source commits to switch to a cleaner fuel at some future date, emissions offset credit based on the allowable (or actual) emissions for the fuels involved is not acceptable, unless the permit is conditioned to require the use of a specified alternative control measure which would achieve the same degree of emissions reduction should the source switch back to a dirtier fuel at some later date. AQMD will ensure that adequate long-term supplies of the new fuel are available before granting emissions offset credit for fuel switches.
- d. Credit for an emissions reduction can be claimed to the extent that AQMD has not relied on it in issuing any permit under regulations approved pursuant to 40 CFR PART 51 Subpart I or AQMD has not relied on it in demonstration attainment or reasonable further progress.

9. ERC Registry

- a. The ERC Registry and its use shall not interfere with the attainment or maintenance of any National Ambient Air Quality Standard.
- b. The ERC Registry and its use shall assure that the use of ERCs does not contravene applicable requirements of the Act and Nevada Revised Statutes (NRS) Chapter 445B.

SECTION G - SOURCE OBLIGATION

1. Enforcement

- a. An *Owner* or *Operator* of a *major stationary source* may be subject to enforcement action if:
 - (1) The *Owner* or *Operator* who constructs or operates a *major stationary source* or *major modification* not in accordance with the application submitted pursuant to PART 030.300 or 030.500 and any changes to the application as required by the *Control Officer*, or with the terms of its Permit to *Construct*; or any *Owner* or *Operator* of a *major stationary source* or *major modification* subject to PART 030.300 who begins actual *construction* or operates after the effective date of these regulations without applying for and receiving a Permit to *Construct*, shall be subject to enforcement action;
 - (2) The *Owner* or *Operator* improperly estimated emissions increases that would result from the *construction* or *project* and circumvented the requirements of paragraphs 030.300.A.2.b or 030.300.A.6 using these estimates;
 - (3) The *Control Officer* determines that post-change emissions from a *project* resulted in *construction* of a *major stationary source* or a *major modification* of an existing *major stationary source*, and the *Owner* or *Operator* did not obtain a Permit to *Construct* meeting the requirements of paragraph 030.300.A.3.
- b. Nothing in this section shall limit the *Control Officer's* authority to take enforcement action for other violations of PART 030.300.

2. Termination. Approval to *construct* shall terminate if *construction* is not commenced within eighteen (18) months after receipt of such approval, if *construction* is discontinued for a period of eighteen (18) months or more, or if *construction* is not completed within a reasonable time. The *Control Officer* may extend the 18-month period upon a satisfactory showing of good cause why an extension is justified. This provision does not apply to the time period between *construction* of the approved phases of a phased *construction project*; each phase must *commence construction* within eighteen (18) months of the projected and approved commencement date.

3. Compliance. Approval to *construct* shall not relieve any *Owner* or *Operator* of the responsibility to comply fully with applicable provisions of the SIP and any other requirements under local, State, or federal law.

4. Relaxation in *Enforceable* Limitations. If within the period of the *projected actual emissions* estimate under paragraph 030.300.A.4 (five (5) or ten (10) years as defined in the *projected actual emissions* definition in SECTION 030.300.B) a particular stationary *source* or *modification* becomes a *major stationary source* or *major modification* solely by virtue of a relaxation in any *enforceable* limitation which was established after August 7, 1980, on the capacity of the stationary *source* or *modification* otherwise to emit a pollutant, then the requirements of SECTIONS 030.300.C through G shall apply to the stationary *source* or *modification* as though *construction* had not yet Commenced on the stationary *source* or *modification*. Nothing in this paragraph shall limit the *Control Officer's* enforcement authority with respect to new *major stationary source* or *major modifications* subject to PART 030.300.

5. Permit Application and Permit to *Construct* Revisions

- a. An *Owner* or *Operator* remains under a continuing obligation to provide timely updates to its permit

application submitted in accordance with PART 030.300 or 030.500, until issuance of a *Permit to Construct*.

- b. No later than thirty (30) days before commencing operation, the *Owner* or *Operator* shall provide a written notice to the *Control Officer* if the *source* as constructed or modified differs from the *source* or *modification* authorized by the *Permit to Construct*.
- c. The *Owner* or *Operator* shall include in the notice required by paragraph 030.300.G.5.b, a *complete* list and description of the differences, and determine whether such differences alter the emissions increase calculations made under paragraph 030.300.A.4, or other applicability requirements in SECTIONS 030.300.C through H.
- d. All *permit revisions* shall follow the procedures in PART 030.510.
- e. Submission of the notice required by paragraph 030.300.G.5.b does not affect the *Control Officer's* ability to undertake an enforcement action.

SECTION H - PUBLIC PARTICIPATION

1. Issuance of a *Permit to Construct* pursuant to PART 030.300 and 030.500 shall be subject to the public participation requirements in SECTION 030.400.P.

SECTION I - PLANT-WIDE APPLICABILITY LIMITS (PALS)

1. Applicability

- a. The *Control Officer* may approve the use of an actuals PAL for any existing *major stationary source* if the PAL meets the requirements in paragraphs 030.300.I.1 through 030.300.I.15. The term "PAL" shall mean "actuals PAL" throughout SECTION 030.300.I.
- b. Any physical change in, or change in the method of operation of, a *major stationary source* that maintains its total *source-wide* emissions below the PAL level, meets the requirements of paragraphs 030.300.I.1 through 030.300.I.14, and complies with the PAL conditions in its PART 70 *Operating permit*:
 - (1) Is not a *major modification* for the PAL pollutant;
 - (2) Does not have to be approved through the plan's Nonattainment Major NSR Program; and
 - (3) Is not subject to the provisions in paragraph 030.300.G.4.
- c. Except as provided under paragraph 030.300.I.1.b.(3), a *major stationary source* shall continue to comply with all applicable federal or State requirements, *emission* limitations, and work practice requirements that were established prior to the effective date of the PAL.

2. PAL Definitions. Unless the context otherwise requires, the following terms shall have the meanings set forth below for the purposes of SECTION 030.300.I. When a term is not defined in these paragraphs, it shall have the meaning given in SECTION 030.300.B, PART 030.000, Nevada Revised Statutes (NRS) 445B; the Federal Clean Air Act, or common usage, in that order of priority.

- a. "Actuals PAL for a *major stationary source*" means a PAL based on the *baseline actual emissions* of all *emissions units* at the *source* that emit, or have the *Potential to Emit*, the PAL pollutant.
- b. "*Allowable emissions*" means *allowable emissions* as defined in SECTION 030.300.B, except as this definition is modified according to paragraphs b.(1) and b.(2) of this definition:
 - (1) The *allowable emissions* for any *emissions unit* shall be calculated considering any *emission* limitations that are *Enforceable* as a Practical Matter on the *emissions unit's* PTE.
 - (2) An *emissions unit's* PTE shall be determined using the definition in SECTION 030.300.B (definition of "*significant*"), except that the words "or *Enforceable* as a Practical Matter" should be added after "*Federally enforceable*."
- c. "*Major emissions unit*" means:
 - (1) Any *emissions unit* that emits, or has the *Potential to emit*, 100 tpy or more of the PAL pollutant in an attainment area; or
 - (2) Any *emissions unit* that emits, or has the *Potential to emit*, the PAL pollutant in an amount that is equal to or greater than the *major source* threshold for the PAL pollutant as defined by the *Act* for *Nonattainment areas*.
- d. "PAL" means an *emission* limitation, expressed in tpy, for a pollutant at a *major stationary source* that is *enforceable* as a practical matter and established *source-wide* in accordance with paragraphs 030.300.I.1 through 030.300.I.15.
- e. "PAL effective date" generally means the date of issuance of the PART 70 *Operating permit*

containing the PAL conditions, or the date on which a *significant permit revision* containing the PAL conditions becomes effective. However, the PAL effective date for an increased PAL is the date any *emissions unit* which is part of the PAL *major modification* becomes operational and begins to emit the PAL pollutant.

- f. "PAL effective period" means the period beginning with the PAL effective date and ending ten (10) years later.
 - g. "PAL *major modification*" means, notwithstanding the definitions for *major modification* and *net emissions increase*, any physical change in, or change in the method of operation of, the PAL *source* that causes it to emit the PAL pollutant at a level equal to or greater than the PAL.
 - h. "PAL pollutant" means the pollutant for which a PAL is established at a *major stationary source*.
 - i. "*Project*" means a physical change in, or change in the method of operation of, an existing stationary *source*.
 - j. "*Significant emissions unit*" means an *emissions unit* that emits, or has the *Potential to emit*, a PAL pollutant in an amount that is equal to or greater than the *significant* level as defined in SECTION 030.300.B or in the *Act*, whichever is lower, for that PAL pollutant, but less than the amount that would qualify the unit as a major *emissions unit*.
 - k. "*Small emissions unit*" means an *emissions unit* that emits, or has the *Potential to emit*, the PAL pollutant in an amount less than the *significant* level as defined in SECTION 030.300.B or in the *Act*, whichever is lower, for that PAL pollutant.
3. Permit Application Requirements. As part of an application for a PART 70 *Operating permit* requesting a PAL, the *Owner* or *Operator* of a *major stationary source* shall submit the following information to the *Control Officer* for approval:
- a. A list of all *emissions units* at the *source* designated as small, *significant*, or major based on their PTE. In addition, the *Owner* or *Operator* of the *source* shall indicate which, if any, federal, State or county *applicable requirements*, *emission* limitations, or work practices apply to each unit;
 - b. Calculations of the *baseline actual emissions* (with supporting documentation). *Baseline actual emissions* are to include emissions associated not only with operation of the unit, but also emissions associated with startup, Shutdown, and malfunction;
 - c. The calculation procedures that the *major stationary source Owner* or *Operator* proposes to use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total for each month, as required by paragraph 030.300.I.13.a.
4. General Requirements for Establishing PALs
- a. The *Control Officer* may establish a PAL at a *major stationary source*, provided that, at a minimum, the following requirements in paragraphs 030.300.I.4.a.(1) through I.4.a.(7) are met.
 - (1) The PAL shall impose an annual *emission* limitation, in tpy, that is *Enforceable* as a Practical Matter, for the entire *major stationary source*. For each month during the PAL effective period after the first twelve (12) months of establishing a PAL, the *major stationary source Owner* or *Operator* shall show that the sum of the monthly emissions from each *emissions unit* under the PAL for the previous twelve (12) consecutive months is less than the PAL (a 12-month total rolled monthly). For each month during the first eleven (11) months from the PAL effective date, the *major stationary source Owner* or *Operator* shall show that the sum of the preceding monthly emissions from the PAL effective date for each *emissions unit* under the PAL is less than the

PAL.

- (2) The PAL shall be established in a PART 70 *Operating permit* as a *significant permit revision*.
 - (3) The PART 70 *Operating permit* shall contain all the requirements of paragraph 030.300.I.7.
 - (4) The PAL shall include *fugitive emissions*, to the extent quantifiable, from all *emissions units* that emit or have the *Potential to emit* the PAL pollutant at the *major stationary source*.
 - (5) Each PAL shall regulate emissions of only one pollutant.
 - (6) Each PAL shall have a PAL effective period of ten (10) years.
 - (7) The *Owner* or *Operator* of the *major stationary source* with a PAL shall comply with the monitoring, recordkeeping, and reporting requirements provided in paragraphs 030.300.I.12 through I.14 for each *emissions unit* under the PAL through the PAL effective period.
- b. At no time (during or after the PAL effective period) are emissions reductions of a PAL pollutant, which occur during the PAL effective period, creditable as decreases for purposes of offsets under SECTION 030.300.F unless the level of the PAL is reduced by the amount of such emissions reductions and such reductions would be creditable in the absence of the PAL.
5. Public Participation Requirements for PALs. PALs for existing *major stationary sources* shall be established, renewed, or increased through the public participation procedures in PART 030.400.P.
6. Setting the 10-year Actuals PAL Level
- a. Except as provided in paragraph 030.300.I.6.b, the Actuals PAL level for a *major stationary source* shall be established as the sum of the *baseline actual emissions* of the PAL pollutant for each *emissions unit* at the *source*; plus an amount equal to the applicable *significant* level for the PAL pollutant under these AQRs or under the *Act*, whichever is lower. When establishing the actuals PAL level for a PAL pollutant, only one consecutive 24-month period must be used to determine the *baseline actual emissions* for all existing *emissions units*. However, a different consecutive 24-month period may be used for each different PAL pollutant. Emissions associated with units that were permanently shut down after this 24-month period must be subtracted from the PAL level. The *Control Officer* shall specify a reduced PAL level(s) (in tons/yr) in the PART 70 *Operating permit* to become effective on the future compliance date(s) of any applicable federal or State regulatory requirement(s) that the *Control Officer* is aware of prior to issuance of the permit.
 - b. For newly constructed units (which does not include modifications to existing units) on which actual *construction* began after the 24-month period, in lieu of adding the *baseline actual emissions* as specified in paragraph 030.300.I.6.a, the emissions must be added to the PAL level in an amount equal to the PTE of the units.
7. PART 70 *Operating permits* with PALs. Contents of a PART 70 *Operating permit* containing a PAL shall include the information in paragraphs 030.300.I.7.a through j:
- a. The PAL Pollutant and the applicable *source-wide emission* limitation in tpy;
 - b. The effective date and the expiration date of the PAL conditions (PAL effective period).
 - c. Specification in the permit that if a *major stationary source Owner* or *Operator* applies to renew the PAL conditions in accordance with paragraph 030.300.I.9 before the end of the PAL effective period, then the PAL conditions shall not expire at the end of the PAL effective period. It shall remain in effect until a revised PART 70 *Operating permit* is issued by the *Control Officer*.
 - d. A requirement that *emission* calculations for compliance purposes include emissions from startups,

- shutdowns, and malfunctions;
- e. A requirement that, once the PAL conditions expire, the *major stationary source* is subject to the requirements of paragraph 030.300.I.9;
- f. The calculation procedures that the *major stationary source Owner* or *Operator* shall use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total, as required by paragraph 030.300.I.13.a;
- g. A requirement that the *major stationary source Owner* or *Operator* monitor all *emissions units* in accordance with the provisions under paragraph 030.300.I.12;
- h. A requirement to retain the records required under paragraph 030.300.I.13 on-site. Such records may be retained in an electronic format;
- i. A requirement to submit the reports required under paragraph 030.300.I.14 by the required deadlines; and
- j. Any other requirements that the *Control Officer* deems necessary to implement and enforce the PAL conditions.

8. PAL Effective Period and Reopening of PAL Conditions

- a. PAL Effective Period. The *Control Officer* shall specify a PAL effective period of ten (10) years from the date of issuance.
- b. Reopening of the PAL conditions in a PART 70 *Operating permit*.

(1) During the PAL effective period, the *Control Officer* shall reopen the PAL conditions in a PART 70 *Operating permit* to:

- (a) Correct typographical/calculation errors made in setting the PAL, or reflect a more accurate determination of emissions used to establish the PAL;
- (b) Reduce the PAL if the *Owner* or *Operator* of the *major stationary source* creates creditable emissions reductions for use as offsets under SECTION 030.300.F; or
- (c) Revise the PAL to reflect an increase in the PAL as provided under paragraph 030.300.I.11.

(2) The *Control Officer* may reopen the PAL conditions in a PART 70 *Operating permit* for the following:

- (a) Reduce the PAL to reflect newly applicable federal requirements with compliance dates after the PAL effective date.
- (b) Reduce the PAL consistent with any other requirement that is *Enforceable* as a Practical Matter, and that the *Control Officer* may impose on the *major stationary source* under the Nevada SIP.
- (c) Reduce the PAL if the *Control Officer* determines that a reduction is necessary to avoid causing or contributing to a National Ambient Air Quality Standard or PSD increment violation, or to an adverse impact on an air quality related value that has been identified for a federal Class I area by a *Federal Land Manager* and for which information is available to the general public.

(3) Reopening of specific permit conditions during the PAL effective period does not affect or reopen any of other permit conditions.

(4) Except for the permit reopening in paragraph 030.300.I.8.b.(1)(a) for the correction of

typographical/calculation errors that do not increase the PAL level, all other reopenings shall be carried out as *significant permit revisions* to a PART 70 *Operating permit*.

9. Expiration of a PAL. Any PAL which is not renewed in accordance with the procedures in paragraph 030.300.I.10 shall expire at the end of the PAL effective period, and the requirements in paragraphs 030.300.I.9.a through e shall apply.
 - a. Each *emissions unit* (or each group of *emissions units*) that existed under the PAL shall comply with an allowable *emission* limitation under a revised PART 70 *Operating permit* established according to the procedures in paragraphs 030.300.I.9.a.(1) and a.(2).
 - (1) Within the time frame specified for PAL *Renewals* in paragraph 030.300.I.10.b, the *major stationary source* shall submit a proposed allowable *emission* limitation for each *emissions unit* (or each group of *emissions units*, if such a distribution is more appropriate as decided by the *Control Officer*) by distributing the PAL *allowable emissions* for the affected *major stationary source* among each of the *emissions units* that existed under the PAL. If the PAL had not yet been adjusted for an applicable requirement that became effective during the PAL effective period, as required under paragraph 030.300.I.10.e, such distribution shall be made as if the PAL had been adjusted.
 - (2) The *Control Officer* will decide whether and how the PAL *allowable emissions* will be distributed and issue a revised PART 70 *Operating permit* incorporating allowable limits for each *emissions unit*, or each group of *emissions units*, as the *Control Officer* determines is appropriate.
 - b. Each *emissions unit(s)* shall comply with the allowable *emission* limitation on a 12-month rolling basis. The *Control Officer* may approve the use of monitoring systems other than CEMS, CERMS, PEMS, or CPMS to demonstrate compliance with the allowable *emission* limitation.
 - c. Until the *Control Officer* issues the revised PART 70 *Operating permit* incorporating allowable limits for each *emissions unit*, or each group of *emissions units*, as required under paragraph 030.300.I.9.a.(2), the *source* shall continue to comply with a *source-wide*, multi-unit emissions cap equivalent to the level of the PAL *emission* limitation.
 - d. Any physical change or change in the method of operation at the *major stationary source* will be subject to the nonattainment major NSR requirements if such change meets the definition of *major modification*.
 - e. The *major stationary source Owner* or *Operator* shall continue to comply with any federal, State or county *applicable requirements* that may have applied either during the PAL effective period or prior to the PAL effective period except as provided in paragraph 030.300.I.1.b.(3).

10. *Renewal* of a PAL

- a. The *Control Officer* shall follow the procedures specified in paragraph 030.300.I.5 and PART 030.510 in approving any request to renew the PAL conditions in a PART 70 *Operating permit* for a *major stationary source*, and will provide both the proposed PAL level and a written rationale for the proposed PAL level to the public for review and comment. During such public review, any *Person* may propose a PAL level for the *source* for consideration by the *Control Officer*.
- b. Application deadline. A *major stationary source Owner* or *Operator* shall submit a timely application to the *Control Officer* to request *Renewal* of the PAL conditions in a PART 70 *Operating permit*. A timely application is one that is submitted at least six (6) months prior to, but not earlier than eighteen

(18) months prior to, the date of expiration of the PART 70 *Operating permit*. This deadline for application submittal is to ensure that the permit will not expire before the permit is renewed. If the *Owner* or *Operator* of a *major stationary source* submits a *Complete* application to renew the PAL conditions in a PART 70 *Operating permit* within this time period, then the PAL conditions shall continue to be effective until the revised permit with the renewed PAL conditions is issued.

- c. Application Requirements. The application to renew PAL conditions shall be incorporated in the application for *Renewal* of the affected PART 70 *Operating permit* and shall contain the information required in paragraphs 030.300.I.10.c.(1) through c.(4):

- (1) The information required in paragraph 030.300.I.3.a through c;
- (2) A proposed PAL level;
- (3) The sum of the PTE of all *emissions units* under the PAL (with supporting documentation); and
- (4) Any other information the *Owner* or *Operator* wishes the *Control Officer* to consider in determining the appropriate level for renewing the PAL conditions.

- d. PAL Adjustment. In determining whether and how to adjust the PAL, the *Control Officer* will consider the options outlined in paragraphs 030.300.I.10.d.(1) and d.(2). However, in no case may any such adjustment fail to comply with paragraph 030.300.I.10.d.(3).

- (1) If the emissions level calculated in accordance with paragraph 030.300.I.6 is equal to or greater than eighty (80) percent of the PAL level, the *Control Officer* may renew the PAL at the same level without considering the factors set forth in paragraph 030.300.I.10.d.(2); or
- (2) The *Control Officer* may set the PAL at a level that the *Control Officer* determines to be more representative of the *source's baseline actual emissions*, or to be appropriate considering air quality needs, advances in control technology, anticipated economic growth in the area, desire to reward or encourage the *source's* voluntary emissions reductions, or other factors as specifically identified by the *Control Officer* in a written rationale.
- (3) Notwithstanding paragraphs 030.300.I.10.d.(1) and d.(2):

- a. If the PTE of the *major stationary source* is less than the PAL, the *Control Officer* shall adjust the PAL to a level no greater than the PTE of the *source*; and
- b. The *Control Officer* shall not approve a renewed PAL level higher than the current PAL unless the *major stationary source* has complied with the provisions of paragraph 030.300.I.11.

- e. If the compliance date for a federal or State requirement that applies to the PAL *source* occurs during the PAL effective period, and if the *Control Officer* has not already adjusted for such requirement, the PAL shall be adjusted at the time the *major source's* PART 70 *Operating permit* is renewed.

11. Increasing a PAL during the PAL Effective Period

- a. The *Control Officer* may increase a PAL *emission* limitation only if the *major stationary source* complies with the provisions in paragraphs 030.300.I.11.a.(1) through a.(4).

- (1) The *Owner* or *Operator* of the *major stationary source* shall submit a *Complete* application to request an increase in the PAL limit as a *significant* revision to the affected PART 70 *Operating permit*. Such application shall identify the *emissions unit(s)* contributing to the increase in

- emissions so as to cause the *major stationary source's* emissions to equal or exceed its PAL.
- (2) As part of this application, the *major stationary source Owner or Operator* shall demonstrate that the sum of the *baseline actual emissions* of the small *emissions units*, plus the sum of the *baseline actual emissions* of the *significant* and *major emissions units*, assuming application of BACT equivalent controls, plus the sum of the *allowable emissions* of the new or modified *emissions unit(s)*, exceeds the PAL. The level of control that would result from BACT equivalent controls on each *significant* or *major emissions unit* shall be determined by conducting a new BACT analysis at the time the application is submitted, unless the *emissions unit* is currently required to comply with a BACT or LAER requirement that was established within the preceding ten (10) years. In such a case, the assumed control level for that *emissions unit* shall be equal to the level of BACT or LAER with which that *emissions unit* must currently comply.
 - (3) The *Owner or Operator* obtains a Permit to *Construct* pursuant to PART 030.500 for all *emissions unit(s)* identified in paragraph 030.300.I.11.a.(1), regardless of the magnitude of the emissions increase resulting from them. These *emissions unit(s)* shall comply with any emissions requirements resulting from the nonattainment Permit to *Construct* issuance process, even though they have also become subject to the PAL or continue to be subject to the PAL.
 - (4) The PAL conditions in a PART 70 *Operating permit* shall require that the increased PAL level shall be effective on the day any *emissions unit* that is part of the PAL *significant permit revision* becomes operational and begins to emit the PAL pollutant.
- b. The *Control Officer* shall calculate the new PAL as the sum of the *allowable emissions* for each modified or new *emissions unit*, plus the sum of the *baseline actual emissions* of the *significant* and *major emissions units* (assuming application of BACT-equivalent controls as determined in accordance with paragraph 030.300.I.11.a.(2)), plus the sum of the *baseline actual emissions* of the small *emissions units*.
 - c. The PAL conditions in a PART 70 *Operating permit* shall be revised to reflect the increased PAL level pursuant to the public notice requirements of paragraph 030.300.I.5.

12. Monitoring Requirements for PALs

- a. General requirements.
 - (1) The PAL conditions in a PART 70 *Operating permit* must include *enforceable* requirements for the monitoring system that accurately determines plant-wide emissions of the PAL pollutant in terms of mass per unit of time. Any monitoring system authorized for use in the PAL conditions must be based on sound science and meet generally acceptable scientific procedures for data quality and manipulation. Additionally, the information generated by such system must meet minimum legal requirements for admissibility in a judicial proceeding to enforce the PAL conditions.
 - (2) The PAL monitoring system must employ one or more of the four (4) general monitoring approaches meeting the minimum requirements set forth in paragraphs 030.300.I.12.b.(1) through b.(4) and must be approved by the *Control Officer*.
 - (3) Notwithstanding paragraph 030.300.I.12.a.(2), the PAL monitoring system may also employ an alternative monitoring approach that meets paragraph 030.300.I.12.a.(1) if approved by the *Control Officer*.
 - (4) Failure to use a monitoring system that meets the requirements of paragraph 030.300.I.12 renders the PAL invalid.

- b. Minimum performance requirements for approved monitoring approaches. The following are acceptable general monitoring approaches when conducted in accordance with the minimum requirements in paragraphs 030.300.I.12.c through i:
- (1) Mass balance calculations for activities using coatings or solvents;
 - (2) CEMS;
 - (3) CPMS or PEMS; and
 - (4) *Emission* factors.
- c. Mass Balance Calculations. An *Owner* or *Operator* using mass balance calculations to monitor PAL pollutant emissions from activities using coatings or solvents shall meet the following requirements:
- (1) Provide a demonstrated means of validating the published content of the PAL pollutant that is contained in or created by all materials used in or at the *emissions unit*;
 - (2) Assume that the *emissions unit* emits all of the PAL pollutant that is contained in or created by any raw material or fuel used in or at the *emissions unit*, if it cannot otherwise be accounted for in the process; and
 - (3) Where the vendor of a material or fuel which is used in or at the *emissions unit* publishes a range of pollutant content from such material, the *Owner* or *Operator* must use the highest value of the range to calculate the PAL pollutant emissions unless the *Control Officer* determines there is site-specific data or a site-specific monitoring program to support another content within the range.
- d. CEMS. An *Owner* or *Operator* using CEMS to monitor PAL pollutant emissions shall meet the following requirements:
- (1) The CEMS must comply with applicable performance specifications found in 40 CFR PART 60, Appendix B; and
 - (2) The CEMS must sample, analyze, and record data at least every fifteen (15) minutes while the *emissions unit* is operating.
- e. CPMS or PEMS. An *Owner* or *Operator* using CPMS or PEMS to monitor PAL pollutant emissions shall meet the following requirements:
- (1) The CPMS or PEMS must be based on current site-specific data demonstrating a correlation between the monitored parameter(s) and the PAL pollutant emissions across the range of operation of the *emissions unit*; and
 - (2) Each CPMS or PEMS must sample, analyze, and record data at least every fifteen (15) minutes, or at another, less frequent interval approved by the *Control Officer* while the *emissions unit* is operating.
- f. *Emission* Factors. An *Owner* or *Operator* using *emission* factors to monitor PAL pollutant emissions shall meet the following requirements:
- (1) All *emission* factors shall be adjusted, if appropriate, to account for the degree of uncertainty or limitations in the factors' development;

- (2) The *emissions unit* shall operate within the designated range of use for the *emission* factor, if applicable; and
 - (3) If technically practicable (as determined by the *Control Officer*), the *Owner* or *Operator* of a *significant emissions unit* that relies on an *emission* factor to calculate PAL pollutant emissions shall conduct validation testing to determine a site-specific *emission* factor within six (6) months of permit issuance unless the *Control Officer* determines that testing is not required.
- g. A *source Owner* or *Operator* must record and report maximum potential emissions without considering *enforceable emission* limitations or operational restrictions for an *emissions unit* during any period of time whenever there is no monitoring data unless another method for determining emissions during such periods is specified in the PART 70 *Operating permit* containing the PAL.
 - h. Notwithstanding the requirements in paragraphs 030.300.I.12.c through g, when an *Owner* or *Operator* of an *emissions unit* cannot demonstrate a correlation between the monitored parameter(s) and the PAL pollutant emissions rate at all operating points of the *emissions unit*, then the *Control Officer* shall, at the time of permit issuance:
 - (1) Establish default value(s) for determining compliance with the PAL based on the highest potential emissions reasonably estimated at such operating point(s); or
 - (2) Determine that operation of the *emissions unit* during operating conditions when there is no correlation between monitored parameter(s) and the PAL pollutant emissions is a violation of the PAL.
 - i. Revalidation. All data used to establish the PAL pollutant must be revalidated through performance testing or other scientifically valid means approved by the *Control Officer*. Such testing must occur at least once every five (5) years after issuance of the PART 70 *Operating permit* containing the PAL conditions.

13. Recordkeeping Requirements for PALs

- a. The PAL permit shall require an *Owner* or *Operator* to retain a copy of all records necessary to determine compliance with any requirement of SECTION 030.300.I and of the PAL, including a determination of each *emissions unit's* twelve (12) month rolling total emissions, for five (5) years from the date of such record.
- b. The PAL permit shall require an *Owner* or *Operator* to retain a copy of the following records for the duration of the PAL effective period plus five (5) years:
 - (1) A copy of the PAL provisions in the PART 70 *Operating permit* application and any applications for revisions to the PART 70 *Operating permit*; and
 - (2) Each annual certification of compliance pursuant to the conditions in the affected PART 70 *Operating permit* and the data relied on in certifying the compliance.

14. Reporting and Notification Requirements for PALs. The *Owner* or *Operator* shall submit semiannual monitoring reports and prompt deviation reports to the *Control Officer*, in accordance with the conditions in the affected PART 70 *Operating permit*. The reports shall meet the requirements in paragraphs 030.300.I.14.a through c.

- a. Semiannual Report. The semiannual report shall be submitted to the *Control Officer* within thirty (30)

calendar days of the end of each reporting period. This report shall contain the information required in paragraphs 030.300.I.14.a.(1) through a.(7):

- (1) The identification of *Owner* and *Operator* and the permit number;
- (2) Total annual emissions (in tpy) based on a twelve (12) month rolling total for each month in the reporting period.
- (3) All data relied upon, including, but not limited to, any quality assurance or quality control data, in calculating the monthly and annual PAL pollutant emissions;
- (4) A list of any *emissions units* modified or added to the *major stationary source* during the preceding six (6) month period;
- (5) The number, duration, and cause of any deviations or monitoring malfunctions (other than the time associated with zero and span calibration checks), and any corrective action taken;
- (6) A notification of a shutdown of any monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, whether the *emissions unit* monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by method included in the permit, as provided by paragraph 030.300.I.12.g; and
- (7) A signed statement by the *Responsible official* certifying the truth, accuracy, and completeness of the information provided in the report.

b. **Deviation Report.** The *major stationary source Owner* or *Operator* shall promptly submit reports of any deviations or exceedance of the PAL conditions, including periods where no monitoring is available. A report submitted pursuant to PART 030.000 shall satisfy this reporting requirement. The deviation reports shall be submitted within the time limits prescribed by the affected PART 70 *Operating permit*. The reports shall contain the following information:

- (1) The identification of *Owner* and *Operator* and the permit number;
- (2) The PAL requirement that experienced the deviation or that was exceeded;
- (3) Emissions resulting from the deviation or the exceedance; and
- (4) A signed statement by the *Responsible official* certifying the truth, accuracy, and completeness of the information provided in the report.

c. **Revalidation Results.** The *Owner* or *Operator* shall submit to the *Control Officer* the results of any revalidation test or method within three (3) months after completion of such test or method.

15. Transition Requirements for PALs

- a. The *Control Officer* may not issue a PAL that does not comply with the requirements in paragraphs 030.300.I.1 through 030.300.I.15 after the Administrator has approved regulations incorporating these requirements into the Nevada SIP.
- b. The *Control Officer* may supersede any PAL which was established prior to the date of approval of the Nevada SIP by the Administrator with a PAL that complies with the requirements of paragraphs 030.300.I.1 through 030.300.I.15.

SECTION J - POTENTIAL VISIBILITY IMPACTS

The *Control Officer* shall consult with the *Federal Land Manager* on a proposed *major stationary source* or *major modification* that may impact visibility in any Class I Area, in accordance with 40 CFR PART 51.307.

SECTION K - INVALIDATION

If any provision of PART 030.300, or the application of such provision to any *Person* or circumstance, is held invalid, the remainder of PART 030.300, or the application of such provision to *Persons* or circumstances other than those as to which it is held invalid, shall not be affected thereby.

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.400 - PREVENTION OF SIGNIFICANT DETERIORATION (PERMIT REQUIREMENTS FOR MAJOR SOURCES IN ATTAINMENT AREAS)

SECTION A - APPLICABILITY PROCEDURES

1. Preconstruction Review Requirements. The preconstruction review requirements of PART 030.400 shall apply to the construction of any new major stationary source, or any project at an existing major stationary source, within the limits set forth in paragraph 030.400.A.4, in an area designated as attainment or unclassifiable under SECTIONS 107(d)(1)(A)(ii) or (iii) of the Act.
2. Construction of Major Stationary Sources or Modifications. The requirements of SECTIONS 030.400.I through 030.400.Q apply to the construction of any new major stationary source, or the major modification of any existing major stationary source, except as PART 030.400 otherwise provides.
3. Permit to Construct (PTC) Requirement. No new major stationary source or major modification to which the requirements of SECTIONS 030.400.I through 030.400.Q apply shall begin actual construction without a Permit to Construct issued pursuant to PART 030.500 that states that the major stationary source or major modification will meet those requirements.
4. Projects. The requirements of PART 030.400 apply to projects at major stationary sources in accordance with the principles set out in paragraphs 030.400.A.4.(a) through (e):
 - a. Except as otherwise provided in paragraph 030.400.A.5, a project is a major modification for a regulated NSR pollutant if it causes two (2) types of emissions increases: a significant emissions increase, and a significant net emissions increase. The project is not a major modification if it does not cause a significant emissions increase. If the project causes a significant emissions increase, then the project is a major modification only if it also results in a significant net emissions increase.
 - b. The procedure for calculating (before beginning actual construction) whether a significant emissions increase will occur depends upon the type of emissions units being added or modified as part of the project, according to paragraphs 030.400.A.4.c through 030.400.A.4.e. The procedure for calculating (before beginning actual construction) whether a significant net emissions increase will occur at the major stationary source is contained in the definition of net emissions increase. Regardless of any such preconstruction projections, a major modification results if the project causes a significant emissions increase and a significant net emissions increase.
 - c. Actual-to-Projected-Actual Applicability Test for Projects that only involve Existing Emissions Units. A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference between the projected actual emissions and the baseline actual emissions for each existing emissions unit equals or exceeds the significant amount for that pollutant.
 - d. Actual-to-Potential Test for Projects that Only Involve Construction of a New Emissions Unit(s). A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference between the potential to emit from each new emissions unit following completion of the project and the baseline actual emissions of these units before the project equals or exceeds the significant amount for that pollutant.
 - e. Hybrid Test for Projects That Involve Multiple Types of Emissions Units. A significant emissions increase of a regulated NSR Pollutant is projected to occur if the sum of the emissions increases for each emissions unit, using the method specified in paragraphs 030.400.A.4.(c) or (d), as applicable with respect to each emissions unit, equals or exceeds the significant amount for that pollutant.

5. Major Sources with Plantwide Applicability Limitations. For any major stationary source for a Plantwide Applicability Limitation (PAL) for a regulated NSR pollutant, the major stationary source shall comply with the requirements under SECTION 030.400.S.
6. Existing Emission Unit Projects. The provisions of this paragraph apply when a project occurs at an existing emissions unit at a major stationary source, other than a source with a PAL, and the project is not a part of a major modification, and the owner or operator elects to use the method specified in the definition of projected actual emissions, found in SECTION 030.400.B.
 - a. Before beginning actual construction of the project, and as a condition of the source's Permit to Construct, the owner or operator shall document and maintain a record of the following information:
 - (1) A description of the project;
 - (2) Identification of the emissions unit(s) whose emissions of a regulated NSR pollutant could be affected by the project; and
 - (3) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including the baseline actual emissions, the projected actual emissions, the amount of emissions excluded under paragraph a.(3) of the definition of *projected actual emissions*, as found in SECTION 030.400.B and an explanation for why such amount was excluded, and any netting calculations if applicable.
 - b. If the emissions unit is an existing emissions unit, before beginning actual construction, the owner or operator shall provide a copy of the information set out in paragraph 030.400.A.6.a to the Control Officer. Nothing in this paragraph shall be construed to require the owner or operator of such a unit to obtain any determination from the Control Officer before beginning actual construction.
 - c. The owner or operator shall monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that are emitted by any emissions unit identified in paragraph 030.400.A.6.a.(2); and calculate and maintain a record of the annual emissions, in tpy, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or potential to emit that regulated NSR pollutant at any emissions unit.
 - d. If the emissions unit is an existing electric utility steam generating unit, the owner or operator shall submit a report to the Control Officer within sixty (60) calendar days after the end of each calendar year during which records must be generated under paragraph 030.400.A.6.c setting out the unit's annual emissions during the calendar year that preceded submission of the report.
 - e. If the emissions unit is an existing emissions unit other than an electric utility steam generating unit, the owner or operator shall submit a report to the Control Officer if the annual emissions, in tpy, from the project identified in paragraph 030.400.A.6.a exceed the baseline actual emissions (as documented and maintained pursuant to paragraph 030.400.A.6.a.(3)) by a significant amount for that regulated NSR pollutant, and if such emissions differ from the projected actual emissions (prior to exclusion of the amount of emissions under the definition of projected actual emissions) as documented and maintained pursuant to paragraph 030.400.A.6.a.(3). Such report shall be submitted to the Control Officer within sixty (60) calendar days after the end of such year. The report shall contain the following:
 - (1) The name, address, and telephone number of the major stationary source;
 - (2) The annual emissions, as calculated pursuant to paragraph 030.400.A.6.c; and
 - (3) Any other information that the owner or operator wishes to include in the report (e.g., an

explanation as to why the emissions differ from the preconstruction projection).

7. Availability of Information. The owner or operator of the source shall make the information required to be documented and maintained pursuant to paragraph 030.400.A.6 available for review upon a request for inspection by the Control Officer.
8. Secondary Emissions. Secondary emissions shall not be considered in determining whether a stationary source would qualify as a major stationary source. If a stationary source is subject to PART 030.400 on the basis of the direct emissions from the stationary source, the requirements of SECTION 030.400.J, but no other provisions of PART 030.400, must also be met for secondary emissions.

SECTION B - DEFINITIONS

Unless the context otherwise requires, the following terms shall have the meanings set forth below for the purposes of PART 030.400. When a term is not defined in these paragraphs, it shall have the meaning given in PART 030.000, PARTS 030.100 through 030.510; Nevada Revised Statutes (NRS) § 445B; the Federal Clean Air Act, or common usage, in that order of priority.

ACTUAL EMISSIONS means the actual rate of emissions of a regulated NSR pollutant from an emissions unit, as determined in accordance with this definition.

- a. In general, actual emissions as of a particular date shall equal the average rate, in tpy, at which the emissions unit actually emitted the regulated NSR pollutant during a consecutive twenty-four (24) month period which precedes the particular date, and which is representative of normal source operation. The Control Officer shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.
- b. The Control Officer may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the unit.
- c. For any emissions unit that has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.
- d. This definition shall not apply for calculating whether a significant emissions increase has occurred, or for establishing a PAL. Instead, projected actual emissions and baseline actual emissions shall apply for those purposes.

ALLOWABLE EMISSIONS means the emissions rate of a stationary source calculated using the maximum rated capacity of the source (unless the source is subject to practicably enforceable limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

- a. Any applicable standards set forth in CHAPTER 030 and 40 CFR PARTS 60, 61 or 63;
- b. Any applicable emission limitation in the Nevada SIP, including those with a future compliance date; or
- c. The emissions rate specified as a practicably enforceable permit condition, including those with a future compliance date.

BASELINE ACTUAL EMISSIONS means the rate of emissions, in tpy, of a regulated NSR pollutant, as determined in accordance with paragraphs (1) through (4) of this definition.

- a. For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tpy, at which the unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 5-year period immediately preceding when the owner or operator begins actual construction of the project. The Control Officer shall allow the use of a different time period upon a determination that it is more representative of normal source operation.
 - (1) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.
 - (2) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the source was operating above any emission limitation that was legally enforceable during the consecutive 24-month period.
 - (3) The average rate shall be adjusted downward to exclude any emissions that would have exceeded

an emission limitation with which the major stationary source must comply as of the particular date, had such major stationary source been required to comply with such limitations during the consecutive 24-month period. For the purposes of determining baseline actual emissions for contemporaneous changes pursuant to paragraph a.(2) of the definition of net emissions increase, the particular date is the date on which the particular change occurred. However, if an emission limitation is part of a Maximum Achievable Control Technology (MACT) standard that the Administrator proposed or promulgated under 40 CFR PART 63, the baseline actual emissions need only be adjusted if the state of Nevada has taken credit for such emissions reductions in an attainment demonstration or maintenance plan, consistent with the requirements of 40 CFR PART 51.165(a)(3)(ii)(G).

- (4) For a regulated NSR pollutant, when a project involves multiple emissions units, only one consecutive 24-month period must be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive twenty-four (24) month period can be used for each regulated NSR pollutant.
 - (5) The average rate shall not be based on any consecutive twenty-four (24) month period for which there is inadequate information for determining annual emissions, in tpy, and for adjusting this amount if required by paragraph a.(3) of this definition.
- b. For an existing emissions unit (other than an electric utility steam generating unit), baseline actual emissions means the average rate, in tpy, at which the emissions unit actually emitted the pollutant during any consecutive twenty-four (24) month period selected by the owner or operator within the ten (10) year period immediately preceding either the date the owner or operator begins actual construction of the project, or the date a complete permit application is received by the Control Officer for a permit required under these regulations, whichever is earlier, except that the ten (10) year period shall not include any period earlier than November 15, 1990.
- (1) The average rate shall include fugitive emissions to the extent quantifiable.
 - (2) The average rate shall include emissions associated with startups, shutdowns, and malfunctions.
 - (3) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive twenty-four (24) month period.
 - (4) The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must comply as of the particular date had such major stationary source been required to comply with such limitations during the consecutive twenty-four (24) month period. For the purposes of determining baseline actual emissions for contemporaneous changes pursuant to paragraph a.(2) of the definition of *net emissions increase*, the particular date is the date on which the particular change occurred. However, if an emission limitation is part of a MACT standard that the Administrator proposed or promulgated under 40 CFR PART 63, the baseline actual emissions need only be adjusted if the state of Nevada has taken credit for such emissions reductions in an attainment demonstration or maintenance plan, consistent with the requirements of 40 CFR PART 51.165(a)(3)(ii)(G).
 - (5) For a regulated NSR pollutant, when a project involves multiple emissions units, only one consecutive twenty-four (24) month period must be used to determine the baseline actual emissions for all the emissions units being changed. A different consecutive twenty-four (24) month period can be used for each regulated NSR pollutant.
 - (6) The average rate shall not be based on any consecutive twenty-four (24) month period for which there is inadequate information for determining annual emissions, in tpy, and for adjusting this amount if required by paragraphs b.(3) and (4) of this definition.

- c. For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's potential to emit.
- d. For a PAL for a stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units in accordance with the procedures contained in paragraph a. of this definition, for other existing emissions units in accordance with the procedures contained in paragraph b. of this definition, and for a new emissions unit in accordance with the procedures contained in paragraph c. of this definition.

BASELINE AREA means any intrastate area (and every part thereof) designated as attainment or unclassifiable under 40 CFR PART 81 and SECTION 107(d)(1)(A)(ii) or (iii) of the Act in which the major stationary source or major modification establishing the minor source baseline date would construct, or in which it would have an air quality impact for the pollutant for which the baseline date is established, as follows: equal to or greater than 1 µg/m³ (annual average) for SO₂, NO₂, or PM₁₀; or equal to or greater than 0.3 µg/m³ (annual average) for PM_{2.5}.

- a. Area redesignations under 40 CFR PART 81 and SECTION 107(d)(1)(A)(ii) or (iii) of the Act cannot intersect or be smaller than the area of impact of any major stationary source or major modification which:
 - (1) Establishes a minor source baseline date; or
 - (2) Is subject to CHAPTER 030.
- b. Any baseline area established originally for the Total Suspended Particulates (TSP) increments shall remain in effect and shall apply for purposes of determining the amount of available PM₁₀ increments, except that such baseline area shall not remain in effect if the Control Officer rescinds the corresponding minor source baseline date.

BASELINE CONCENTRATION means:

- a. That ambient concentration level that exists in the baseline area at the time of the applicable minor source baseline date. A baseline concentration is determined for each pollutant for which a minor source baseline date is established, and shall include:
 - (1) The actual emissions, representative of sources in existence on the applicable minor source baseline date, except as otherwise provided in paragraph b. of this definition; and
 - (2) The allowable emissions of major stationary sources that commenced construction before the major source baseline date, but were not in operation by the applicable minor source baseline date.
- b. The following will not be included in the baseline concentration and will affect the applicable maximum allowable increase(s):
 - (1) Actual emissions from any major stationary source on which construction commenced after the major source baseline date; and
 - (2) Actual emissions increases and decreases at any stationary source occurring after the minor source baseline date.

BASIC DESIGN PARAMETER means:

- a. Except as provided in paragraph c. of this definition, for a process unit at a steam electric generating facility, the owner or operator may select as its basic design parameters either maximum hourly heat input and maximum hourly fuel consumption rate, or maximum hourly electric output rate and maximum steam flow rate. When establishing fuel consumption specifications in terms of weight or volume, the minimum fuel quality based on British thermal units (Btu) content shall be used for determining the basic design parameter(s) for a coal-fired electric utility steam generating unit.
- b. Except as provided in paragraph c. of this definition, the basic design parameter(s) for any process unit that is not at a steam electric generating facility are maximum rate of fuel or heat input, maximum rate of material input, or maximum rate of product output. Combustion process units will typically use maximum rate of fuel input. For sources having multiple end products and raw materials, the owner or operator should consider the primary product or primary raw material when selecting a basic design parameter.
- c. If the owner or operator believes the basic design parameter(s) in paragraphs a. and b. of this definition is not appropriate for a specific industry or type of process unit, the owner or operator may propose to the Control Officer an alternative basic design parameter(s) for the source's process unit(s). If the Control Officer approves of the use of an alternative basic design parameter(s), the Control Officer shall issue a permit that is legally enforceable that records such basic design parameter(s) and requires the owner or operator to comply with such parameter(s).
- d. The owner or operator shall use credible information, such as results of historic maximum capability tests, design information from the manufacturer, or engineering calculations, in establishing the magnitude of the basic design parameter(s) specified in paragraphs a. and b. of this definition.
- e. If design information is not available for a process unit, then the owner or operator shall determine the process unit's basic design parameter(s) using the maximum value achieved by the process unit in the 5-year period immediately preceding the planned activity.
- f. Efficiency of a process unit is not a basic design parameter.
- g. The replacement activity shall not cause the process unit to exceed any emission limitation, or operational limitation that has the effect of constraining emissions, that applies to the process unit and that is legally enforceable.

BEGIN ACTUAL CONSTRUCTION means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. With respect to a change in method of operating, this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

BEST AVAILABLE CONTROL TECHNOLOGY (BACT) means an emission limitation (including a visible emissions standard) based on the maximum degree of reduction for each regulated NSR pollutant which would be emitted from any proposed major stationary source or major modification which the Control Officer, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of BACT result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR PART 60, 61, or 63. If the Control Officer determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard, or combination thereof, may be

prescribed instead to satisfy the requirement for the application of BACT. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice, or operation, and shall provide for compliance by means which achieve equivalent results.

BUILDING, STRUCTURE, FACILITY, OR INSTALLATION

- a. Means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same *Person* (or *Persons* under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same SIC or NAICS code) as described in either the Standard Industrial Classification (SIC) manual, 1972, as amended by the 1977 supplement or the North American Industry Classification System (NAICS) manual.
- b. Notwithstanding the provisions of paragraph a. of this definition, *building, structure, facility, or installation* means, for onshore activities under Standard Industrial Classification (SIC) Major Group 13: Oil and Gas Extraction, all of the pollutant-emitting activities included in Major Group 13 that are located on one or more contiguous or adjacent properties, and are under the control of the same *person* (or *persons* under common control). Pollutant emitting activities shall be considered adjacent if they are located on the same surface site; or if they are located on surface sites that are located within 1/4 mile of one another (measured from the center of the equipment on the surface site) and they share equipment. Shared equipment includes, but is not limited to, produced fluids storage tanks, phase separators, natural gas dehydrators or emissions control devices. Surface site, as used in this paragraph b. of this definition, has the same meaning as in 40 CFR PART 63.761.

CATEGORICAL STATIONARY SOURCE means any stationary source of air pollutants that belongs to one of the following categories:

- a. Coal cleaning plants (with thermal dryers);
- b. Kraft pulp mills;
- c. Portland cement plants;
- d. Primary zinc smelters;
- e. Iron and steel mills;
- f. Primary aluminum ore reduction plants;
- g. Primary copper smelters;
- h. Municipal incinerators capable of charging more than 50 tons of refuse per day;
- i. Hydrofluoric, sulfuric, or nitric acid plants;
- j. Petroleum refineries;
- k. Lime plants;
- l. Phosphate rock processing plants;
- m. Coke oven batteries;
- n. Sulfur recovery plants;
- o. Carbon black plants (furnace process);
- p. Primary lead smelters;
- q. Fuel conversion plants;
- r. Sintering plants;
- s. Secondary metal production plants;
- t. Chemical process plants - The term chemical processing plant shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140;

- u. Fossil-fuel boilers (or combination thereof) totaling more than 250 million Btus per hour heat input;
- v. Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
- w. Taconite ore processing plants;
- x. Glass fiber processing plants;
- y. Charcoal production plants;
- z. Fossil fuel-fired steam electric plants of more than 250 million Btus per hour heat input, and
- aa. Any other stationary source category which, as of August 7, 1980, is being regulated under SECTION 111 or 112 of the Act.

COMMENCE, as applied to construction of a major stationary source or major modification, means that the owner or operator has all necessary preconstruction approvals or permits, including a Permit to Construct, and either has:

- a. Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time; or
- b. Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

COMPLETE means, in reference to an application for a permit, that the application contains all of the information necessary for processing the application. Designating an application complete for purposes of permit processing does not preclude the Control Officer from requesting or accepting any additional information.

CONSTRUCTION means any physical change, or change in the method of operation, including fabrication, erection, installation, demolition, or modification of an emissions unit, that would result in a change in emissions.

CONTINUOUS EMISSIONS MONITORING SYSTEM (CEMS) means all of the equipment that may be required to meet the data acquisition and availability requirements of PART 030.400 to sample, condition (if applicable), analyze, and provide a record of emissions on a continuous basis.

CONTINUOUS EMISSIONS RATE MONITORING SYSTEM (CERMS) means the total equipment required for the determination and recording of the pollutant mass emissions rate (in terms of mass per unit of time).

CONTINUOUS PARAMETER MONITORING SYSTEM (CPMS) means all of the equipment necessary to meet the data acquisition and availability requirements of PART 030.400, to monitor process and control device operational parameters and other information, and to record average operational parameter value(s) on a continuous basis.

ELECTRIC UTILITY STEAM GENERATING UNIT means any steam electric generating unit that is constructed for the purpose of supplying more than one-third of its potential electric output capacity, and more than twenty-five (25) MW electrical output, to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

EMISSIONS UNIT means any part of a stationary source that emits, or would have the potential to emit, any regulated NSR pollutant and includes an electric utility steam generating unit. For purposes of PART 030.400, there are two types of emissions units, as described in paragraphs a. and b. of this definition:

- a. A "new emissions unit" is any emissions unit which is (or will be) newly constructed and which has existed for less than two (2) years from the date such emissions unit first operated. For the purposes of this definition, the date an emissions unit first operated shall not be extended by any shakedown period established pursuant to paragraph f. in the definition of *net emissions increase*.
- b. An "existing emissions unit" is any emissions unit that does not meet the requirements in paragraph a. and b. of this definition. A replacement unit is an existing emissions unit.

FEDERALLY ENFORCEABLE means all limitations and conditions which are enforceable by the Administrator.

FEDERAL LAND MANAGER means, with respect to any lands in the United States, the Secretary of the Department with authority over such lands.

FUGITIVE EMISSIONS means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

HIGH TERRAIN means any area having an elevation 900 feet or more above the base of the stack of a source.

INDIAN GOVERNING BODY means the governing body of any tribe, band, or group of Indians subject to the jurisdiction of the United States and recognized by the United States as possessing the power of self-government.

INDIAN RESERVATION means any federally recognized reservation established by treaty, agreement, executive order, or act of Congress.

INNOVATIVE CONTROL TECHNOLOGY means any system of air pollution control that has not been adequately demonstrated in practice, but would have a substantial likelihood of achieving greater continuous emissions reduction than any control system in current practice or of achieving at least comparable reductions at lower cost in terms of energy, economics, or non-air-quality environmental impacts.

LOWEST ACHIEVABLE EMISSION RATE (LAER) means, for any source, the more stringent rate of emissions based on the following:

- a. The most stringent emission limitation which is contained in the implementation plan of any state for such class or category of stationary source, unless the owner or operator of the proposed major stationary source demonstrates that such limitations are not achievable; or
- b. The most stringent emission limitation which is achieved in practice by such class or category of stationary sources. This limitation, when applied to a modification, means the LAER for the new or modified emissions units within the stationary source. In no event shall the application of the term permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under an applicable new source standard of performance.

For purposes of this definition only, the term "any state" means a state, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa, and includes the

Commonwealth of the Northern Mariana Islands.

LOW TERRAIN means any area other than high terrain.

MAJOR MODIFICATION means any physical change in, or change in the method of operation of, a *major stationary source* that would result in a *significant* emissions increase of a *regulated NSR pollutant* and a *significant net emissions increase* of that pollutant from the *major stationary source*.

- a. Any significant *emissions* increase or any *net emissions increase*, from any *emissions units*, at a *major stationary source* that is significant for volatile organic compounds or nitrogen oxides shall be considered *significant* for ozone.
- b. A physical change or change in the method of operation shall not include:
 - (1) Routine maintenance, repair, and replacement;
 - (2) Use of an alternative fuel or raw material by reason of an order under Sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation), or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;
 - (3) Use of an alternative fuel by reason of an order or rule under SECTION 125 of the Act;
 - (4) Use of an alternative fuel at a steam generating unit, to the extent that the fuel is generated from municipal solid waste;
 - (5) Use of an alternative fuel or raw material by a stationary *source* which:
 - (a) The *source* was capable of accommodating before December 21, 1976, unless such change would be prohibited under any *federally enforceable* permit condition which was established after December 21, 1976, pursuant to CHAPTER 030 or under regulations approved pursuant to 40 CFR PART 51, Subpart I.
 - (b) The *source* is approved to use under any permit issued under CHAPTER 030.
 - (6) An increase in the hours of operation or in the production rate, unless such change is prohibited under any *Federally enforceable* permit condition which was established after December 21, 1976;
 - (7) Any change in ownership at a stationary *source*;
- c. This definition shall not apply with respect to a particular *regulated NSR pollutant* when the *Major stationary source* is complying with the requirements under SECTION 030.400.S for a PAL for that *regulated NSR pollutant*. Instead, the definition of PAL *major modification* shall apply.
- d. The *fugitive emissions* of a *major stationary source* shall be included in determining, for any of the purposes of PART 030.300, whether a particular physical change or change in the method of operation is a *major modification*.

MAJOR SOURCE BASELINE DATE means:

- a. In the case of PM₁₀ and sulfur dioxide, January 6, 1975;
- b. In the case of nitrogen dioxide, February 8, 1988; and
- c. In the case of PM_{2.5}, October 20, 2010.

MAJOR STATIONARY SOURCE

- a. Means:

- (1) Any of the categorical stationary sources of air pollutants which emits, or has the potential to emit, 100 tpy or more of any regulated NSR pollutant;
 - (2) Notwithstanding the stationary source size otherwise specified in paragraph a.(1) of this definition, any noncategorical stationary source which emits, or has the potential to emit, 250 tpy or more of a regulated NSR pollutant; or
 - (3) Any stationary source specified in paragraphs a.(1) or (2) of this definition which emits, or has the potential to emit, greenhouse gases (GHGs) that are subject to regulation as defined in 40 CFR paragraph 52.21(b)(49) as of July 19, 2021; or
 - (4) Any physical change that would occur at a stationary source not qualifying under paragraphs a.(1) or (2) of this definition as a major stationary source, if the change would constitute a major stationary source by itself.
- b. A major stationary source that is major for volatile organic compounds or nitrogen oxides shall be considered major for ozone.

MINOR SOURCE BASELINE DATE means the earliest date after the trigger date on which a major stationary source or a major modification subject to CHAPTER 030 submits a complete application under the relevant regulations.

- a. The trigger date is:
 - (1) In the case of particulate matter and sulfur dioxide, August 7, 1977;
 - (2) In the case of nitrogen dioxide, February 8, 1988; and
 - (3) In the case of PM_{2.5}, October 20, 2011.
- b. The baseline date is established for each pollutant for which increments, or other equivalent measures, have been established if:
 - (1) The area in which the proposed source or modification would construct is designated as attainment or unclassifiable under 40 CFR PART 81 and SECTION 107(d)(1)(A)(ii) or (iii) of the Act for the pollutant on the date of its complete application under PART 030.400; and
 - (2) In the case of a major stationary source, the pollutant would be emitted in significant amounts, or, in the case of a major modification, there would be a significant net emissions increase of the pollutant.
- c. Any minor source baseline date established originally for the TSP increments shall remain in effect and shall apply for purposes of determining the amount of available PM₁₀ increments, except that the Control Officer shall rescind a minor source baseline date where it can be shown, to the satisfaction of the Control Officer, that the emissions increase from the major stationary source, or net emissions increase from the major modification, responsible for triggering that date did not result in a significant amount of PM₁₀ emissions.

NET EMISSIONS INCREASE means, with respect to any *regulated NSR pollutant* emitted by a *major stationary source*, the following:

- a. The amount by which the sum of the following exceeds zero:

- (1) The increase in emissions from a particular physical change, or change in the method of operation, at a stationary *source* as calculated pursuant to paragraph 030.400.A.4.a through e; and
 - (2) Any other increases and decreases in *actual emissions* at the *major stationary source* that are contemporaneous with the particular change and are otherwise creditable.
 - (3) For the purposes of calculating increases and decreases under paragraph a.(2) of this definition, *baseline actual emissions* prior to the contemporaneous *project* shall be determined as provided in the definition of *baseline actual emissions*, except that paragraphs a.(4) and b.(5) of that definition shall not apply.
- b. An increase or decrease in *actual emissions* is contemporaneous with the increase from the particular change only if it occurs between the date five (5) years before *construction* on the particular change commences and the date that the increase from the particular change occurs.
 - c. An increase or decrease in *actual emissions* is creditable only if the *Control Officer* has not relied on it in issuing a permit for the *source* under CHAPTER 030, or any other regulation approved by the Administrator pursuant to 40 CFR PART 51 or 40 CFR Part 52.21, which permit is in effect when the increase in *actual emissions* from the particular change occurs.
 - d. An increase in *actual emissions* is creditable only to the extent that the new level of *actual emissions* exceeds the old level.
 - e. A decrease in *actual emissions* is creditable only to the extent that:
 - (1) The old level of *actual emissions* or the old level of *allowable emissions*, whichever is lower, exceeds the new level of *actual emissions*;
 - (2) It is *enforceable* as a practical matter at and after the time that *actual construction* on the particular change begins;
 - (3) The *Control Officer* has not relied on it in issuing any permit under CHAPTER 030 or any other regulations approved pursuant to 40 CFR PART 51, SUBPART I, nor has the State of Nevada relied on it in demonstrating attainment or reasonable further progress; and
 - (4) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.
 - f. An increase that results from a physical change at a *source* occurs when the *emissions unit* on which *construction* becomes operational and begins to emit a particular pollutant. Any *replacement unit* that requires shakedown, or any new *emissions unit* that replaces an existing *emissions unit* and that requires shakedown, becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty (180) calendar days.

POTENTIAL TO EMIT means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the types or amounts of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is enforceable as a practical matter. Secondary emissions do not count in determining the potential to emit of a stationary source.

PREDICTIVE EMISSIONS MONITORING SYSTEM (PEMS) means all of the equipment necessary to monitor process and control device operational parameters and other information and calculate and record the mass emissions rate on a continuous basis.

PREVENTION OF SIGNIFICANT DETERIORATION (PSD) PERMIT means any permit that is issued under a major source preconstruction permit program that has been approved by the Administrator and incorporated into the Nevada SIP to implement the requirements of PART C, Subchapter I of the Act. Any permit issued under such a program is a major NSR permit.

PROJECT means a physical change in, or change in the method of operation of, an existing stationary source.

PROJECTED ACTUAL EMISSIONS means the maximum annual rate, in tpy, at which an existing emissions unit is projected to emit a regulated NSR pollutant in any one of the five (5) years (12-month period) following the date the unit resumes regular operation after the project, or in any one of the ten (10) years following that date if (1) the project involves increasing the design capacity or potential to emit of any emissions unit for that regulated NSR pollutant, and (2) full utilization of the unit would result in a significant emissions increase or a significant net emissions increase at the major stationary source.

- a. In determining the projected actual emissions (before beginning actual construction), the owner or operator of the major stationary source:
 - (1) Shall consider all relevant information, including, but not limited to historical operational data, the company's own representations, the company's expected business activity and highest projections of business activity, the company's filings with the county, state, or federal regulatory authorities, and compliance plans under these regulations;
 - (2) Shall include fugitive emissions to the extent quantifiable;
 - (3) Shall include emissions associated with startups, shutdowns, and malfunctions; and
 - (4) Shall exclude, only for calculating any increase in emissions that results from the particular project, that portion of the unit's emissions following the project that an existing unit could have accommodated during the consecutive twenty-four (24) month period used to establish the baseline actual emissions and that are also unrelated to the particular project, including any increased utilization due to product demand growth.
 - (5) In lieu of using the method set out in paragraphs a.(1) through (4) of this definition, the owner or operator of the major stationary source may elect to use the emissions unit's potential to emit, in tpy.

REGULATED NSR POLLUTANT, for purposes of PART 030.400, means the following:

- a. Any pollutant for which a NAAQS has been promulgated. This includes, but is not limited to, the following:
 - (1) PM_{2.5} emissions and PM₁₀ emissions shall include gaseous emissions from a source or activity which condense to form particulate matter at ambient temperatures. On or after January 1, 2011, such condensable particulate matter shall be accounted for in applicability determinations and in establishing emissions limitations for PM_{2.5} and PM₁₀ in PSD permits. Compliance with emissions limitations for PM_{2.5} and PM₁₀ issued prior to this date shall not be based on condensable particulate matter unless required by the terms and conditions of the permit or the applicable implementation plan. Applicability determinations made prior to this date without accounting for condensable particulate matter shall not be considered in violation of this section unless the applicable implementation plan required condensable particulate matter to be included;
 - (2) Any pollutant identified as a constituent or precursor to a pollutant for which a NAAQS has been

promulgated. The Administrator has identified the following precursors for the purposes of NSR:

- (a) Volatile organic compounds and nitrogen oxides are precursors to ozone in all attainment and unclassifiable areas.
 - (b) Sulfur dioxide is a precursor to PM_{2.5} in all attainment and unclassifiable areas.
 - (c) Nitrogen oxides are presumed to be precursors to PM_{2.5} in all attainment and unclassifiable areas unless the state or county demonstrates to the Administrator's satisfaction, or EPA demonstrates, that emissions of nitrogen oxides from sources in a specific area are not a significant contributor to that area's ambient PM_{2.5} concentrations.
 - (d) Volatile organic compounds are presumed not to be precursors to PM_{2.5} in any attainment or unclassifiable area unless the state or county demonstrates to the Administrator's satisfaction, or EPA demonstrates, that emissions of volatile organic compounds from sources in a specific area are a significant contributor to that area's ambient PM_{2.5} concentrations.
- a. Any pollutant that is subject to any standard promulgated under SECTION 111 of the Act;
 - b. Any Class I or II substance subject to a standard promulgated under or established by Title VI of the Act; or
 - c. Except as provided in paragraph d. of this definition, any pollutant that otherwise is subject to regulation under the Act as defined in 40 CFR PART 52.21(b)(49) as of July 19, 2021,
 - d. The term "Regulated NSR Pollutant" shall not include any or all hazardous air pollutants either listed in SECTION 112 of the Act, or added to the list pursuant to SECTION 112(b)(2) of the Act and not delisted pursuant to SECTION 112(b)(3) of the Act, unless the listed HAP is also regulated as a constituent or precursor of a general pollutant listed under Section 108 of the Act.

REPLACEMENT UNIT means an emissions unit for which all the criteria listed in paragraphs a. through d. of this definition are met. No creditable emission reductions shall be generated from shutting down the existing emissions unit that is replaced. The criteria are:

- a. The emissions unit is a reconstructed unit within the meaning of 40 CFR PART 60.15(b)(1), or the emissions unit completely takes the place of an existing emissions unit.
- b. The emissions unit is identical to, or functionally equivalent to, the replaced emissions unit.
- c. The replacement does not alter the basic design parameters of the process unit.
- d. The replaced emissions unit is permanently removed from the major stationary source, otherwise permanently disabled, or permanently barred from operation by a permit that is enforceable as a practical matter. If the replaced emissions unit is brought back into operation, it shall constitute a new emissions unit.

SECONDARY EMISSIONS means emissions which would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For the purpose of PART 030.400, secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification which causes the secondary emissions. Secondary emissions include emissions from any off-site support facility which would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

SHUTDOWN means the cessation of operation of any air pollution control equipment or process equipment for

any purpose, except routine phasing out of process equipment.

SIGNIFICANT means:

- a. In reference to a net emissions increase or a source's potential to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:
 - (1) Carbon monoxide: 100 tpy;
 - (2) NO_x: 40 tpy;
 - (3) Sulfur dioxide: 40 tpy;
 - (4) Particulate matter: 25 tpy;
 - (5) PM₁₀: 15 tpy;
 - (6) PM_{2.5}: 10 tpy of direct PM_{2.5} emissions or 40 tpy of sulfur dioxide emissions or 40 tpy of nitrogen oxide emissions;
 - (7) Ozone: 40 tpy of volatile organic compounds or nitrogen oxides;
 - (8) Lead: 0.6 tpy;
 - (9) Fluorides: 3 tpy;
 - (10) Sulfuric acid mist: 7 tpy;
 - (11) Hydrogen sulfide (H₂S): 10 tpy;
 - (12) Total reduced sulfur (including H₂S): 10 tpy;
 - (13) Reduced sulfur compounds (including H₂S): 10 tpy;
 - (14) Municipal waste combustor organics (measured as total tetra through octa-chlorinated dibenzo-p-dioxins and dibenzo-furans): 3.2 x 10⁻⁶ megagrams per year (3.5 x 10⁻⁶ tpy).
 - (15) Municipal waste combustor metals (measured as Particulate Matter): 14 megagrams per year (15 tpy);
 - (16) Municipal waste combustor acid gases (measured as sulfur dioxide and hydrogen chloride): 36 megagrams per year (40 tpy);
 - (17) Municipal solid waste landfills emissions (measured as nonmethane organic compounds): 45 megagrams per year (50 tpy); and
 - (18) Ozone-depleting substances: 100 tpy.
 - (19) GHG: The sum of the six well-mixed GHGs on a mass basis greater than 0 tpy and the sum of the six well-mixed GHGs equal to or greater than 75,000 tpy CO₂e as defined in 40 CFR PART 52.21(b)(49) as of July 19, 2011.
- b. "Significant" means, in reference to a net emissions increase or a source's potential to emit a regulated NSR pollutant that is not listed in this definition, any emissions rate.
- c. Notwithstanding the pollutant-specific significance levels specified in this definition "significant" means any emissions rate or any net emissions increase associated with a major stationary source or major modification which would construct within ten (10) kilometers of a Class I area and have an impact on such area equal to or greater than one (1) microgram per cubic meter (twenty-four (24) hour average).

SIGNIFICANT EMISSIONS INCREASE means, for a regulated NSR pollutant, an increase in emissions that is significant for that pollutant.

STARTUP means the setting into operation of any air pollution control equipment or process equipment for any purpose except the routine phasing in of process equipment.

STATIONARY SOURCE means any building, structure, facility, or installation which emits or may emit a regulated NSR pollutant.

SECTION C - AMBIENT AIR INCREMENTS

In areas designated as Class I, II or III, increases in pollutant concentration over the baseline concentration shall be limited to the following:

Table 030.400-1 Increment Limits

Pollutant		Maximum allowable increases (µg/m ³)
Class I		
Particulate Matter	PM _{2.5} , annual arithmetic mean	1
	PM _{2.5} , 24-hr maximum	2
	PM ₁₀ , annual arithmetic mean	4
	PM ₁₀ , 24-hr maximum	8
Sulfur Dioxide	Annual arithmetic mean	2
	24-hr maximum	5
	3-hr maximum	25
Nitrogen Dioxide	Annual arithmetic mean	2.5
Class II		
Particulate Matter	PM _{2.5} , annual arithmetic mean	4
	PM _{2.5} , 24-hr maximum	9
	PM ₁₀ , annual arithmetic mean	17
	PM ₁₀ , 24-hr maximum	30
Sulfur Dioxide	Annual arithmetic mean	20
	24-hr maximum	91
	3-hr maximum	512
Nitrogen Dioxide	Annual arithmetic mean	25
Class III		
Particulate Matter	PM _{2.5} , annual arithmetic mean	8
	PM _{2.5} , 24-hr maximum	18
	PM ₁₀ , annual arithmetic mean	34
	PM ₁₀ , 24-hr maximum	60
Sulfur Dioxide	Annual arithmetic mean	40
	24-hr maximum	182
	3-hr maximum	700
Nitrogen Dioxide	Annual arithmetic mean	50

For any period, other than an annual period, the applicable maximum allowable increase may be exceeded during one such period per year at any one location.

SECTION D - AMBIENT AIR CEILINGS

No concentration of a pollutant shall exceed the concentration permitted under either a primary or secondary NAAQS, whichever is lowest for the pollutant, for a period of exposure.

SECTION E - RESTRICTIONS ON AREA CLASSIFICATIONS

1. Class I Areas. All the following areas which were in existence on August 7, 1977, shall be Class I areas and may not be redesignated:
 - a. International parks,
 - b. National wilderness areas which exceed 5,000 acres in size,
 - c. National memorial parks which exceed 5,000 acres in size, and
 - d. National parks which exceed 6,000 acres in size.
2. Redesignation of Class I Areas. Areas which were redesignated as Class I under regulations promulgated before August 7, 1977, shall remain Class I, but may be redesignated as provided in 40 CFR PART 51.
3. Class II Areas. Any other area, unless otherwise specified in the legislation creating such an area, is initially designated Class II, but may be redesignated as provided in 40 CFR PART 51.
4. Redesignating Areas. The following areas may be redesignated only as Class I or II:
 - a. An area which as of August 7, 1977, exceeded 10,000 acres in size and was a national monument, a national primitive area, a national preserve, a national recreational area, a national wild and scenic river, a national wildlife refuge, a national lakeshore or seashore; and
 - b. A national park or national wilderness area established after August 7, 1977, which exceeds 10,000 acres in size.
5. Exclusions from Increment Consumption.
 - a. The following concentrations shall be excluded in determining compliance with a maximum allowable increase:
 - (1) Concentrations attributable to the increase in emissions from stationary sources which have converted from the use of petroleum products, natural gas, or both by reason of an order in effect under Section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) over the emissions from such sources before the effective date of such an order;
 - (2) Concentrations attributable to the increase in emissions from sources which have converted from using natural gas by reason of natural gas curtailment plan in effect pursuant to the Federal Power Act over the emissions from such sources before the effective date of such plan;
 - (3) Concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission related activities of new or modified sources;
 - (4) The increase in concentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration; and
 - (5) Concentrations attributable to the temporary increase in emissions of sulfur dioxide, particulate matter, or nitrogen oxides from stationary sources which are affected by plan revisions approved by the Administrator as meeting the criteria specified in paragraph 030.400.E.5.(a)(3).
 - b. If the plan provides that the concentrations to which paragraphs 030.400.E.5.a(1) or (a)(2) refers shall be excluded, it shall also provide that no exclusion of such concentrations shall apply more than five (5) years after the effective date of the order to which paragraph 030.400.E.5.a.(1) refers or the plan to which paragraph 030.400.E.5.a.(2), refers, whichever is applicable. If both such order and plan are applicable, no such exclusion shall apply more than five (5) years after the later of such effective

- dates.
- c. For purposes of excluding concentrations pursuant to paragraph 030.400.E.5.a.(5), the Administrator may approve a plan revision that:
 - (1) Specifies the time over which the temporary emissions increase of sulfur dioxide, particulate matter, or nitrogen oxides would occur. Such time is not to exceed two (2) years in duration unless a longer time is approved by the Administrator.
 - (2) Specifies that the time period for excluding certain contributions in accordance with paragraph 030.400.E.5.c.(1), is not renewable;
 - (3) Allows no emissions increase from a stationary source which would:
 - (a) Impact a Class I area or an area where an applicable increment is known to be violated; or
 - (b) Cause or contribute to the violation of a NAAQS.
 - d. Requires limitations to be in effect the end of the time period specified in accordance with paragraph 030.400.E.5.c.(1), which would ensure that the emissions levels from stationary sources affected by the plan revision would not exceed those levels occurring from such sources before the plan revision was approved.

SECTION F - REDESIGNATION

1. Washoe County, through the state of Nevada, may submit to the Administrator a proposal to redesignate areas of the County Class I or Class II provided that:
 - a. At least one public hearing has been held in accordance with the procedures established in SECTION 030.400.P;
 - b. Other states, *Indian Governing Bodies*, and *Federal Land Managers* whose lands may be affected by the proposed redesignation were notified at least thirty (30) calendar days prior to the public hearing;
 - c. A discussion of the reasons for the proposed redesignation, including a satisfactory description and analysis of the health, environmental, economic, social and energy effects of the proposed redesignation, was prepared and made available for public inspection at least thirty (30) calendar days prior to the hearing and the notice announcing the hearing contained appropriate notification of the availability of such discussion;
 - d. Prior to the issuance of notice respecting the redesignation of an area that includes any federal lands, the County, through the state of Nevada, has provided written notice to the appropriate *Federal Land Manager* and afforded adequate opportunity (not in excess of sixty (60) calendar days) to confer with the County respecting the redesignation and to submit written comments and recommendations. In redesignating any area with respect to which any *Federal Land Manager* had submitted written comments and recommendations, the County shall have published a list of any inconsistency between such redesignation and such comments and recommendations (together with the reasons for making such redesignation against the recommendation of the *Federal Land Manager*); and
 - e. The County, through the state of Nevada, has proposed the redesignation after consultation with the elected leadership of local and other substate general purpose governments in the area covered by the proposed redesignation.
2. Any area other than an area to which SECTION 030.400.E refers may be redesignated as Class III if:
 - a. The redesignation would meet the requirements of paragraph 030.400.F.2;
 - b. The redesignation, except any established by an Indian Governing Body, has been specifically approved by the County and the governor, after consultation with the appropriate committees of the legislature, if it is in session, or with the leadership of the legislature, if it is not in session (unless state law provides that the redesignation must be specifically approved by state legislation), and if general purpose units of local government representing a majority of the residents of the area to be redesignated enact legislation or pass resolutions concurring in the redesignation;
 - c. The redesignation would not cause or contribute to a concentration of any air pollutant which would exceed any maximum allowable increase permitted under the classification of any other area or any NAAQS; and
 - d. Any permit application for any major stationary source or major modification, subject to review under SECTION 030.400.K, which could receive a permit under PART 030.400 only if the area in question were redesignated as Class III, and any material submitted as part of that application, were available in so far as was practicable for public inspection prior to any public hearing on redesignation of the area as Class III.
3. Administrator Approval. The Administrator will disapprove, within ninety (90) calendar days of submission, a proposed redesignation of any area only if they find, after notice and opportunity for public hearing, that such redesignation does not meet the procedural requirements of SECTION 030.400.F or is inconsistent with SECTION 030.400.E. If any such disapproval occurs, the classification of the area shall be that which

was in effect prior to the redesignation which was disapproved.

4. Resubmitting Disapproved Proposal. If the Administrator disapproves any proposed redesignation, the County may resubmit the proposal after correcting the deficiencies noted by the Administrator.

SECTION G - STACK HEIGHTS

1. Emission Limitation. The degree of emission limitation required for control of any air pollutant under PART 030.400 shall not be affected in any manner by:
 - a. So much of the stack height of any source as exceeds good engineering practice; or
 - b. Any other dispersion technique.
2. Time Frame. Paragraph 030.400.G.1 shall not apply with respect to stack heights in existence before December 31, 1970, or to dispersion techniques implemented before then.
3. Stack Height Limitation
 - a. The limitations set forth herein shall not apply to stacks or dispersion techniques used by the owner or operator prior to December 31, 1970, for which the owner or operator had:
 - (1) Begun, or caused to begin, a continuous program of physical on-site construction of the stack;
 - (2) Entered into building agreements or contractual obligations, which could not be cancelled or modified without substantial loss to the owner or operator, to undertake a program of construction of the stack, to be completed in a reasonable time; or
 - (3) Coal-fired steam electric generating units, subject to the provisions of SECTION 118 of the Act, which commenced operation before July 1, 1975, with stacks constructed under a construction contract awarded before February 8, 1974.
 - b. Good engineering practice stack height is calculated as the greater of the four numbers in paragraphs 030.400.G.3.b.(1) through (b)(4):
 - (1) 213.25 feet (65 meters);
 - (2) For stacks in existence on January 12, 1979, and for which the owner or operator had obtained all applicable preconstruction permits or approvals required under 40 CFR PART 51 or 52, $H_g = 2.5H$;
 - (3) For all other stacks, $H_g = H + 1.5L$, where:
 - H_g = Good engineering practice stack height, measured from the ground-level elevation at the base of the stack;
 - H = Height of nearby structure, measured from the ground-level elevation at the base of the stack;
 - L = Lesser dimension (height or projected width) of nearby structure; provided that the EPA, the Control Officer, or a local control agency may require the use of a field study or fluid model to verify good engineering practice (GEP) stack height for the source; or
 - (4) The height demonstrated by a fluid model or a field study approved by the reviewing agency, which ensures that the emissions from a stack do not result in excessive concentrations of any air pollutant as a result of atmospheric downwash, wakes, or eddy effects created by the source itself, nearby structures, or nearby terrain obstacles.
 - (5) For a specific structure or terrain feature, "nearby" shall be:
 - (a) For purposes of applying the formulae in paragraphs 030.400.G.3.b.(2) and (b)(3), that distance up to five (5) times the lesser of the height or the width dimension of a structure, but not greater than 0.8 km (1/2 mile);
 - (b) For conducting demonstrations under paragraph 030.400.G.3.b.(4), not greater than 0.8 km (1/2 mile). An exception is that the portion of a terrain feature may be considered to be nearby

which falls within a distance of up to ten (10) times the maximum height (H+) of the feature, not to exceed two (2) miles if such feature achieved a height (H+) 0.8 km from the stack. The height shall be at least forty (40) percent of the GEP stack height as determined by the formula provided in paragraph 030.400.G.3.b.(3) or eighty five (85) feet (26 meters), whichever is greater, as measured from the ground-level elevation at the base of the stack.

(6) "Excessive concentrations" means, for the purpose of determining GEP stack height under paragraph 030.400.G.3.b.(4):

- (a) For sources seeking credit for stack height exceeding that established under paragraphs 030.400.G.3.b.(2) and b.(3), a maximum ground-level concentration due to emissions from a stack due in whole or in part to downwash, wakes, and eddy effects produced by nearby structures or nearby terrain features which individually is at least forty (40) percent in excess of the maximum concentration experienced in the absence of such downwash, wakes, or eddy effects, and which contributes to a total concentration due to emissions from all sources that is greater than a NAAQS. For sources subject to the requirements for permits or permit revisions under paragraph 030.400.G.3, an excessive concentration alternatively means a maximum ground-level concentration due to emissions from a stack due in whole or part to downwash, wakes, or eddy effects produced by nearby structures or nearby terrain features which individually is at least forty (40) percent in excess of the maximum concentration experienced in the absence of such downwash, wakes, or eddy effects, and greater than the applicable maximum allowable increase contained in SECTION 030.400.C. The allowable emissions rate to be used in making demonstrations under paragraph 030.400.G.3.b.(4) shall be prescribed by the new source performance standard which is applicable to the source category unless the owner or operator demonstrates that this emission rate is infeasible. Where such demonstrations are approved by the Control Officer, an alternative emission rate shall be established in consultation with the source owner or operator;
- (b) For sources seeking credit after October 11, 1983, for increases in existing stack heights up to the heights established under paragraphs 030.400.G.3.b.(2) and b.(3), either:
 - i. A maximum ground-level concentration due in whole or in part to downwash, wakes, or eddy effects as provided in paragraph 030.400.G.3.b.(4), except that the emission rate specified by any applicable SIP shall be used; or
 - ii. The actual presence of a local nuisance caused by the existing stack, as determined by the Control Officer.
- (c) For sources seeking credit after January 12, 1979, for a stack height determined under paragraphs 030.400.G.3.b.(2) and b.(3), where the Control Officer requires the use of a field study or fluid model to verify GEP stack height; for sources seeking stack height credit after November 9, 1984, based on the aerodynamic influence of cooling towers; and for sources seeking stack height credit after December 31, 1970, based on the aerodynamic influence of structures not adequately represented by the equations in paragraphs 030.400.G.3.b.(2) and b.(3), a maximum ground-level concentration due in whole or in part to downwash, wakes, or eddy effects that is at least forty (40) percent in excess of the maximum concentration experienced in the absence of such downwash, wakes, or eddy effects.

c. The degree of emission limitation required of any source after the respective date given in paragraph 030.400.G.3.a. for control of any pollutant shall not be affected by so much of any source's stack

- height that exceeds good engineering practice, or by any other dispersion technique.
- d. Before the Control Officer issues a Permit to Construct or permit revision under PART 030.400 to a source based on a good engineering practice stack height that exceeds the height allowed by paragraph 030.400.G.3.b, the Control Officer shall notify the public of the availability of the demonstration study and provide the opportunity for a public hearing in accordance with the requirements of SECTION 030.400.P.

SECTION H - EXEMPTIONS

1. The requirements of SECTIONS 030.400.I through Q shall not apply to a particular major stationary source or major modification if:
 - a. The major stationary source or major modification would be a nonprofit health or nonprofit educational institution, or the major modification would occur at such an institution; or
 - b. The source is a portable stationary source which has previously received a permit, and:
 - (1) The owner or operator proposes to relocate the major stationary source, and emissions of the major stationary source at the new location would be temporary;
 - (2) The emissions from the major stationary source would not exceed its allowable emissions;
 - (3) The emissions from the major stationary source would impact no Class I area and no area where an applicable increment is known to be violated; and
 - (4) Reasonable notice is given to the Control Officer prior to the relocation identifying the proposed new location and the probable duration of operation at the new location. Such notice shall be given to the Control Officer not less than ten (10) business days in advance of the proposed relocation unless a different time duration is previously approved by the Control Officer.
2. Nonattainment Areas. The requirements of SECTIONS 030.400.I through Q shall not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that, as to that pollutant, the major stationary source or major modification is located in an area designated as nonattainment under 40 CFR PART 81.329.
3. Class I Areas. The requirements of SECTIONS 030.400.J, L, and N shall not apply to a major stationary source or major modification with respect to a particular pollutant if the allowable emissions of that pollutant from the major stationary source or the net emissions increase of that pollutant from the major modification:
 - a. Would impact no Class I area and no area where an applicable increment is known to be violated; and
 - b. Would be temporary.
4. Class II Areas. The requirements of SECTIONS 030.400.J, L, and N as they relate to any maximum allowable increase for a Class II area shall not apply to a major modification at a stationary source that was in existence on March 1, 1978, if the net increase in allowable emissions of each regulated NSR pollutant from the modification after the application of BACT would be less than fifty (50) tpy.
5. Threshold Limits. The Control Officer may exempt a major stationary source or major modification from the requirements of SECTION 030.400.L, with respect to monitoring for a particular pollutant, if:
 - a. The emissions increase of the pollutant from the new source, or the net emissions increase of the pollutant from the modification, would cause, in any area, air quality impacts less than the following amounts.

Table 030.400-2 Air Quality Impact Limits

Pollutant	Emissions Increase ($\mu\text{g}/\text{m}^3$)
Carbon monoxide, 8-hour average	575
Nitrogen dioxide, annual average	14
PM _{2.5} ,	0 (in accordance with <i>Sierra Club vs EPA</i> , 706 F.3d 428 D.C. Circuit 2013, no exemption is available with regard to PM _{2.5})
PM ₁₀ , 24-hour average	10
Sulfur dioxide, 24-hour average	13
Ozone	No <i>de minimis</i> air quality level is provided for ozone. However, any net increase of 100 tpy or more of VOCs or NO _x subject to PSD would require an ambient impact analysis, including the gathering of ambient air quality data.
Lead, 3-month average	0.1
Fluorides, 24-hour average	0.25
Total reduced sulfur, 1-hour average	10
Hydrogen sulfide, 1-hour average	0.2
Reduced sulfur compounds, 1-hour average	10

- b. The concentrations of the pollutant in the area that the major stationary source or major modification would affect are less than the concentrations listed in paragraph 030.400.H.5.a; or
- c. The pollutant is not listed in paragraph 030.400.H.5.a.

SECTION I - CONTROL TECHNOLOGY REVIEW

1. A major stationary source or major modification shall meet each applicable requirement.
2. Major Stationary Sources. A new major stationary source shall apply BACT for each regulated NSR pollutant that it would have the potential to emit in significant amounts.
3. Major Modifications. A major modification shall apply BACT for each regulated NSR pollutant for which it would result in a significant net emissions increase at the stationary source. This requirement applies to each proposed emissions unit at which a net emissions increase in the pollutant would occur as a result of a physical change, or change in the method of operation, in the emissions unit.
4. Phased Construction Projects. For phased construction projects, the determination of BACT shall be reviewed and modified as appropriate at the latest reasonable time which occurs no later than eighteen (18) months prior to commencement of construction of each independent phase of the project. At such time, the owner or operator of the applicable stationary source may be required to demonstrate the adequacy of any previous determination of BACT for the source.

SECTION J - SOURCE IMPACT ANALYSIS

1. Demonstration of Impact. The owner or operator of the proposed major stationary source or major modification shall demonstrate that allowable emissions increases from the proposed source or modification, in conjunction with all other applicable emissions increases or reductions (including secondary emissions), would not cause or contribute to air pollution in violation of:
 - a. Any NAAQS in any air quality control region; or
 - b. Any applicable maximum allowable increase over the baseline concentration in any area.

2. Violation of Standard. A major stationary source or major modification will be considered to cause or contribute to a violation of a NAAQS when such source or modification would, at a minimum, exceed the significance levels listed in Table 030.400-3 at any locality that does not (or would not) meet the applicable national standard.

Table 030.400-3. Significance Levels

Pollutant	Annual	Significance Levels Averaging Time (hours)			
		24	8	3	1
SO ₂	1.0 µg/m ³	5 µg/m ³		25 µg/m ³	
PM ₁₀	1.0 µg/m ³	5 µg/m ³			
NO ₂	1.0 µg/m ³				
CO			0.5 mg/m ³		2 mg/m ³

SECTION K - AIR QUALITY MODELS

1. Model Applicability. All estimates of ambient concentrations required under PART 030.400 shall be based on applicable air quality models, databases, and other requirements specified in 40 CFR PART 51, Appendix W (“Guideline on Air Quality Models”).
2. Model Modifications and Substitutions. Where an air quality model specified in 40 CFR PART 51, Appendix W (“Guideline on Air Quality Models”) is inappropriate, the model may be modified or another model substituted. Such a modification or substitution of a model may be made on a case-by-case basis or, where appropriate, on a generic basis. Written approval of the Administrator must be obtained for any modification or substitution. In addition, use of a modified or substituted model must be subject to notice and opportunity for public comment under procedures developed in accordance with SECTION 030.400.P.

SECTION L - AIR QUALITY ANALYSIS

1. Preapplication Analysis.
 - a. Any application for a Permit to Construct under PART 030.400 shall contain an analysis of ambient air quality in the area that the major stationary source or major modification would affect for each of the following:
 - (1) For the source, each pollutant that it would have the potential to emit in a significant amount; or
 - (2) For the modification, each pollutant for which it would result in a significant net emissions increase.
 - b. With respect to any such pollutant for which no NAAQS exists, the analysis shall contain such air quality monitoring data as the Control Officer determines is necessary to assess ambient air quality for that pollutant in any area that the emissions of that pollutant would affect.
 - c. With respect to any such pollutant (other than nonmethane hydrocarbons) for which such a standard does exist, the analysis shall contain continuous air quality monitoring data gathered for purposes of determining whether emissions of that pollutant would cause or contribute to a violation of the standard or any maximum allowable increase.
 - d. In general, the continuous air quality monitoring data that is required shall have been gathered over a period of at least one (1) year and shall represent at least the year preceding receipt of the application; except that, if the Control Officer determines that a complete and adequate analysis can be accomplished with monitoring data gathered over a period shorter than one (1) year (but not to be less than four (4) months), the data that is required shall have been gathered over at least that shorter period.
 - e. The owner or operator of a proposed new stationary source or modification of an existing stationary source of volatile organic compounds who satisfies all conditions of 40 CFR PART 51, Appendix S, Section IV may provide post-approval monitoring data for ozone in lieu of providing preconstruction data as required under paragraph 030.400.L.1.
 - f. With respect to any requirements for air quality monitoring of PM₁₀, the owner or operator of the major stationary source or major modification shall use a monitoring method approved by the Administrator and shall estimate the ambient concentrations of PM₁₀ using the data collected by such approved monitoring method in accordance with estimating procedures approved by the Control Officer.
2. Post-Construction Monitoring. The owner or operator of a major stationary source or major modification shall, after construction of the major stationary source or major modification, conduct such ambient monitoring as the Control Officer determines is necessary to determine the effect emissions from the major stationary source or major modification may have, or are having, on air quality in any area.
3. Operations of Monitoring Stations. The owner or operator of a major stationary source or major modification shall meet the requirements of 40 CFR PART 58, Appendix B during the operation of monitoring stations for purposes of satisfying SECTION 030.400.L.

SECTION M - SOURCE INFORMATION

1. The owner or operator of a proposed major stationary source or major modification shall submit all information necessary to perform any analysis or make any determination required under SECTION 030.400.M.
 - a. Required Information. With respect to a major stationary source or major modification to which SECTIONS 030.400.I, K, M, and O apply, such information shall include:
 - (1) A description of the nature, location, design capacity, and typical operating schedule of the major stationary source or major modification, including specifications and drawings showing its design and plant layout;
 - (2) A detailed schedule for construction of the major stationary source or major modification;
 - (3) A detailed description as to what system of continuous emission reduction is planned for the major stationary source or major modification, emission estimates, and any other information necessary to determine that BACT would be applied.
 - b. Information on Air Quality Impacts. Upon request of the Control Officer, the owner or operator shall also provide information on:
 - (1) The air quality impact of the major stationary source or major modification, including meteorological and topographical data necessary to estimate such impact; and
 - (2) The air quality impacts, and the nature and extent of any or all general commercial, residential, industrial, and other growth which has occurred since the major source baseline date in the area the major stationary source or major modification would affect.

SECTION N - ADDITIONAL IMPACT ANALYSES

1. Visibility, Soils, and Vegetation. The owner or operator shall provide an analysis of the impairment to visibility, soils, and vegetation that would occur as a result of the proposed major stationary source or major modification, and general commercial, residential, industrial and other growth associated with the major stationary source or major modification. The owner or operator need not provide an analysis of the impact on vegetation having no significant commercial or recreational value.
2. Commercial, Residential, Industrial, and Other Growth. The owner or operator shall provide an analysis of the air quality impact projected for the area as a result of general commercial, residential, industrial, and other growth associated with the source or modification.

SECTION O - ADDITIONAL REQUIREMENTS FOR SOURCES IMPACTING CLASS I AREAS

1. Notice to EPA. The Control Officer shall transmit to the Administrator a copy of each permit application relating to a major stationary source or major modification and provide notice to the Administrator of every action related to the consideration of such permit.
2. Federal Land Manager. The Federal Land Manager and the federal official charged with direct responsibility for management of Class I lands have an affirmative responsibility to protect the air quality-related values (including visibility) of any such lands and to consider, in consultation with the Administrator, whether a proposed source or modification would have an adverse impact on such values. The Control Officer shall consult with the Federal Land Manager on a proposed major stationary source or major modification that may impact visibility in any Class I Area, in accordance with 40 CFR PART 51.307.
3. Impact of Denial on Air Quality-Related Values. A Federal Land Manager of any Class I lands may present to the County, after the Control Officer’s preliminary determination (required under procedures developed in accordance with SECTION 030.400.P), a demonstration that the emissions from the proposed source or modification would have an adverse impact on the air quality-related values (including visibility) of any federal mandatory Class I lands, notwithstanding that the change in air quality resulting from emissions from such source or modification would not cause or contribute to concentrations which would exceed the maximum allowable increases for a Class I area. If the County, through the state of Nevada, concurs with such demonstration, the Control Officer shall not issue the permit.
4. Class I Variances. The owner or operator of a proposed source or modification may demonstrate to the Federal Land Manager that the emissions from such source would have no adverse impact on the air quality-related values of such lands (including visibility), notwithstanding that the change in air quality resulting from emissions from such source or modification would cause or contribute to concentrations which would exceed the maximum allowable increases for a Class I area. If the Federal Land Manager concurs with such demonstration and so certifies to the state of Nevada, the Control Officer may, provided that applicable requirements are otherwise met, issue the permit with such emission limitations as may be necessary to assure that emissions of sulfur dioxide and particulate matter would not exceed the following maximum allowable increases over baseline concentration for such pollutants.

Table 030.400-4 Maximum Allowable Pollutant Increases

Pollutant	Maximum allowable Increase ($\mu\text{g}/\text{m}^3$)
Particulate Matter:	
PM _{2.5} , annual arithmetic mean	4
PM _{2.5} , 24-hr maximum	9
PM ₁₀ , annual arithmetic mean	17
PM ₁₀ , 24-hour maximum	30
Sulfur dioxide:	
Annual arithmetic mean	20
24-hour maximum	91
3-hr maximum	325
Nitrogen dioxide:	
Annual arithmetic mean	25

5. Sulfur Dioxide Variance by Governor with Federal Land Manager’s Concurrence
 - a. The owner or operator of a proposed source or modification which cannot be approved under

procedures developed pursuant to SECTION 030.400.P may demonstrate to the governor, through the Control Officer, that the source or modification cannot be constructed by reason of any maximum allowable increase for sulfur dioxide for periods of twenty-four (24) hours or less applicable to any Class I area and, in the case of federal mandatory Class I areas, that a variance under this clause would not adversely affect the air quality related values of the area (including visibility).

- b. The Control Officer, through the governor, after consideration of the Federal Land Manager's recommendation (if any) and subject to his concurrence, may grant, after notice and an opportunity for a public hearing, a variance from such maximum allowable increase.
- c. If such variance is granted, the Control Officer may issue a permit to such source or modification in accordance with provisions developed pursuant to SECTION 030.400.P, provided that the applicable requirements of the Nevada SIP are otherwise met.

6. Variance by the Governor with the President's Concurrence

- a. The recommendations of the Control Officer, through the governor, and the Federal Land Manager shall be transferred to the president in any case where the governor recommends a variance in which the Federal Land Manager does not concur.
- b. The president may approve the governor's recommendation if he finds that such variance is in the national interest.
- c. If such a variance is approved, the Control Officer may issue a permit in accordance with provisions developed pursuant to the requirements of SECTION 030.400.P, provided that the applicable requirements of the Nevada SIP are otherwise met.

7. Emission Limitations for Presidential or Gubernatorial Variance. In the case of a permit issued under procedures developed pursuant to SECTION 030.400.P, the source or modification shall comply with emission limitations as may be necessary to assure that emissions of sulfur dioxide from the source or modification would not (during any day on which the otherwise applicable maximum allowable increases are exceeded) cause or contribute to concentrations which would exceed the maximum allowable increases over the baseline concentration shown in Table 030.400-5, and to assure that such emissions would not cause or contribute to concentrations which exceed the otherwise applicable maximum allowable increases for periods of exposure of twenty-four (24) hours or less for more than eighteen (18) days, not necessarily consecutive, during any annual period.

Table 030.400-5. Maximum Allowable Increase ($\mu\text{g}/\text{m}^3$)

Period of exposure	Low Terrain	High Terrain
24-hr maximum	36	62
3-hr maximum	130	221

SECTION P - PUBLIC PARTICIPATION

1. Notice of Proposed Action

- a. An application shall be deemed to be complete unless, within sixty (60) calendar days of receipt, the Control Officer notifies the applicant by certified mail that the application is deficient and not complete. In the event of a deficiency, the date of receipt of the application shall be the date on which the Control Officer received all required information.
- b. Within one (1) year after receipt of a complete application, the Control Officer shall:
 - (1) Make a preliminary determination whether construction should be approved, approved with conditions, or disapproved; and
 - (2) Make available in at least one (1) location in each region in which the proposed source would be constructed a copy of all materials the applicant submitted, a copy of the preliminary determination, and a copy or summary of other materials, if any, considered in making the preliminary determination.
- c. After receipt of a complete application for a Permit to Construct under PARTS 030.300, 030.400, and 030.500, the Control Officer shall post a Notice of Proposed Action on the application to a website maintained by the agency and establish a list of persons interested in receiving air quality information and notifying those people, by email or other means. A Notice of Proposed Action on the application shall contain the following:
 - (1) The date of the department's receipt of the completed application;
 - (2) The location where documents relevant to the application will be available;
 - (3) For a Permit to Construct reviewed pursuant to PART 030.400, a summary of the following:
 - (a) The results of air quality modeling and any other air quality impact analyses;
 - (b) The results of the analysis of alternatives;
 - (c) The determination of BACT; and
 - (d) The level of PSD increments to be consumed by the source, as determined under SECTION 030.400.C.
 - (4) For a Permit to Construct reviewed pursuant to PART 030.300, a summary of the following:
 - (a) Statewide compliance demonstration;
 - (b) Air quality impact analysis;
 - (c) Determination of the LAER; and
 - (d) Description of the emissions offsets relied upon in the application.
 - (5) The department's preliminary determination of whether the application should be approved or disapproved;
 - (6) The proposed Permit to Construct conditions;
 - (7) A determination by the Control Officer that the approval of the construction will not cause or contribute to a violation of a NAAQS, a PSD increment identified in SECTION 030.400.C, or otherwise violate any provisions of the Nevada SIP;
 - (8) The total PTE of each regulated NSR pollutant, as applicable;
 - (9) An opportunity for any person to submit written comments on the application and any documents relevant to the application; and

- (10) An opportunity for any person to request a public hearing at which oral and written comments on the application will be received or notice of such a hearing if one has been scheduled.
- d. All written comments must be received by the Control Officer within thirty (30) calendar days from the publication date of the Notice of Proposed Action.
2. Distribution of Notice. The Control Officer shall send a copy of the Notice of Proposed Action to the applicant and to officials and agencies having jurisdiction over the location where the proposed construction would occur, including:
- a. Any other state or local air pollution control agencies;
 - b. The chief executives of the city and county where the source would be located;
 - c. Any comprehensive regional land use planning agency;
 - d. Any state, Federal Land Manager, and Indian governing body whose lands may be affected by emissions from the source or modification;
 - e. The Regional Administrator for EPA's Region 9; and
 - f. Any other person who requests such notice.
3. Public Hearings. During the Notice of Proposed Action public comment period specified in paragraph 030.400.P.1, any person may petition the Control Officer, in writing, for a public hearing. All such petitions shall contain the petitioner's name, address, daytime telephone number, and the reason for requesting a hearing.
4. Time Frame. If a proper petition is filed, and the Control Officer determines that there is a significant degree of public interest, the Control Officer shall hold a public hearing no sooner than thirty (30) calendar days after the date of the Notice of Proposed Action but no later than seventy (70) calendar days, after the date of the Notice of Proposed Action. In determining if a significant degree of public interest exists, the Control Officer shall consider all relevant factors, including, but not limited to, the number of petitioners, the nature of their concerns as stated in their petitions, the type and quantity of pollutants emitted by the source and the proximity of the source to sensitive areas like parks, schools, hospitals, residential areas, low income and disadvantaged communities (LIDACs), or Class 1 air sheds.

The petitioner and the applicant shall receive no less than seven (7) calendar days prior written notice of the date and location of the public hearing. Any notice of hearing shall also be posted on the department's website no less than seven (7) calendar days prior to the public hearing.

5. Comments and Approvals. The Control Officer shall also:
- a. Consider all written comments submitted within a time specified in the notice of public comment, and all comments received at any public hearing(s), in making a final decision on the approvability of the application. The Control Officer shall make all comments available for public inspection in the same locations where the Control Officer made available preconstruction information relating to the proposed source or modification;
 - b. Make a final determination whether construction should be approved, approved with conditions, or disapproved; and
 - c. Notify the applicant in writing of the final determination and make such notification available for public inspection at the same location where the Control Officer made available preconstruction information and public comments relating to the source.

6. Enhanced Public Participation Procedures. If the terms and conditions of a Permit to Construct are to be incorporated into a Part 70 Operating Permit, as provided in paragraph 030.510.B.14.a.(1)(e), in addition to the foregoing public participation procedures, the applicant shall comply with the requirements of paragraph 030.510.B.17.

SECTION Q - SOURCE OBLIGATION

1. **Enforcement.** Any owner or operator who constructs or operates a source or modification not in accordance with the application submitted pursuant to PART 030.400 and with any changes to the application as required by the Control Officer, or with the terms of its Permit to Construct, or any owner or operator of a source or modification subject to PART 030.400 who begins actual construction after the effective date of CHAPTER 030 without applying for and receiving a Permit to Construct, shall be subject to enforcement action.
2. **Termination.** A Permit to Construct shall terminate if construction is not commenced within eighteen (18) months after receipt of such permit if construction is discontinued for a period of eighteen (18) months or more, or if construction is not completed within a reasonable time. The Control Officer may extend the 18-month period upon written request and a satisfactory showing of good cause why an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within eighteen (18) months of the projected and approved commencement date.
3. **Compliance.** The issuance of a Permit to Construct shall not relieve any owner or operator of the responsibility to comply fully with applicable provisions of the Nevada SIP and any other requirements under local, state, or federal law.
4. **Relaxation in Enforceable Limitations.** At such time that a particular stationary source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the stationary source or modification otherwise to emit a pollutant, then the requirements of SECTIONS 030.400.I through 030.400.Q shall apply to the stationary source or modification as though construction had not yet commenced on the stationary source or modification.

SECTION R - INNOVATIVE CONTROL TECHNOLOGY

1. Request for Approval. An owner or operator of a proposed major stationary source or major modification may request the Control Officer to approve a system of innovative control technology.
2. Requirements for Approval. The Control Officer may, with the consent of the governor of the state of Nevada and the governors of other affected states, determine that the major stationary source or major modification may employ a system of innovative control technology if:
 - a. The proposed control system would not cause or contribute to an unreasonable risk to public health, welfare, or safety in its operation or function;
 - b. The owner or operator agrees to achieve a level of continuous emissions reduction equivalent to that which would have been required under paragraph 030.400.I.2 by a date specified by the Control Officer. Such date shall not be later than four (4) years from the time of startup or seven (7) years from permit issuance;
 - c. The major stationary source or major modification would meet the requirements of SECTIONS 030.400.I and 030.400.J, based on the emissions rate that the stationary source employing the system of innovative control technology would be required to meet on the date specified by the Control Officer;
 - d. The major stationary source or major modification would not, before the date specified by the Control Officer:
 - (1) Cause or contribute to a violation of an applicable NAAQS; or
 - (2) Impact any area where an applicable increment is known to be violated.
 - e. All other Applicable Requirements, including those for public participation, have been met; and
 - f. The provisions of SECTION 030.400.O (relating to Class I areas) have been satisfied with respect to all periods during the life of the major stationary source or major modification.
3. Withdrawal of Approval. The Control Officer shall withdraw any approval to employ a system of innovative control technology made under paragraph 030.400.R.2 if:
 - a. The proposed system fails by the specified date to achieve the required continuous emissions reduction rate;
 - b. The proposed system fails before the specified date so as to contribute to an unreasonable risk to public health, welfare, or safety; or
 - c. The Control Officer decides at any time that the proposed system is unlikely to achieve the required level of control or to protect the public health, welfare, or safety.
4. BACT Extension for Failure or Withdrawal. If a major stationary source or major modification fails to meet the required level of continuous emission reduction within the specified time period, or the approval is withdrawn in accordance with paragraph 030.400.R.3, the Control Officer may allow the major stationary source or major modification up to an additional three (3) years to meet the requirement for the application of BACT through use of a demonstrated system of control.

SECTION S - PLANTWIDE APPLICABILITY LIMITS

The provisions in paragraphs 030.400.S.1 through 030.400.S.15 govern actuals PALs.

1. Applicability

- a. The Control Officer may approve the use of an actuals Plantwide Applicability Limits (PAL) for any existing major stationary source if the PAL meets the requirements in paragraphs 030.400.S.1 through 030.400.S.15. The term "PAL" shall mean "actuals PAL" throughout SECTION 030.400.S.
- b. Any physical change in, or change in the method of operation of, a major stationary source that maintains its total source-wide emissions below the PAL level, meets the requirements of SECTION 030.400.S, and complies with the Permit to Construct:
 - (1) Is not a major modification for the PAL pollutant;
 - (2) Does not have to be approved through the PSD program; and
 - (3) Is not subject to the provisions in paragraph 030.400.Q.4.
- c. Except as provided under paragraph 030.400.S.1.b.(3), a major stationary source shall continue to comply with all applicable federal, state or county requirements, emission limitations, and work practice requirements that were established prior to the effective date of the PAL.

2. Definitions

- a. Unless the context otherwise requires, the following terms shall have the meanings set forth below for the purposes of SECTION 030.400.S. When a term is not defined in these paragraphs, it shall have the meaning given in SECTION 030.400.B, PART 030.000, PART 030.500, or the Act.

Actuals PAL for a major stationary source means a PAL based on the baseline actual emissions of all emissions units at the source that emit, or have the potential to emit, the PAL pollutant.

Allowable emissions means *allowable emissions* as defined in paragraph c. of the definition of *Actual Emissions* in SECTION 030.400.B, except as that definition is modified according to paragraph a. of this definition:

- a. The allowable emissions for any emissions unit shall be calculated considering any emission limitations that are enforceable as a practical matter on the emissions unit's potential to emit.

Major emissions unit means:

- a. Any emissions unit that emits, or has the potential to emit, 100 tpy or more of the PAL pollutant in an attainment area; or
- b. Any emissions unit that emits, or has the potential to emit, the PAL pollutant in an amount that is equal to or greater than the major source threshold for the PAL pollutant as defined by the Act for nonattainment areas.

PAL means an emission limitation, expressed in tpy, for a pollutant at a major stationary source that is enforceable as a practical matter and established source-wide in accordance with paragraphs 030.400.S.1 through 030.400.S.15.

PAL effective date generally means the date of issuance of the Permit to Construct. However, the PAL effective date for an increased PAL is the date any emissions unit which is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.

PAL effective period means the period beginning with the PAL effective date and ending ten (10) years later.

PAL major modification means, notwithstanding the definitions for major modification and net emissions increase, any physical change in, or change in the method of operation of, the PAL source that causes it to emit the PAL pollutant at a level equal to or greater than the PAL.

PAL pollutant means the pollutant for which a PAL is established at a major stationary source.

Significant emissions unit means an emissions unit that emits, or has the potential to emit, a PAL pollutant in an amount that is equal to or greater than the significant level as defined in CHAPTER 030 or the Act, whichever is lower, for that PAL pollutant, but less than the amount that would qualify the unit as a major emissions unit.

Small emissions unit means an emissions unit that emits, or has the potential to emit, the PAL pollutant in an amount less than the significant level for that PAL pollutant as defined in CHAPTER 030 or the Act, whichever is lower.

3. Permit Application Requirements. As part of an application for a Part 70 Operating Permit requesting a PAL, the owner or operator of a major stationary source shall submit the following information to the Control Officer for approval:

- a. A list of all emissions units at the source designated as small, significant, or major based on their potential to emit. In addition, the owner or operator of the source shall indicate which, if any, federal, state or county applicable requirements, emission limitations, or work practices apply to each unit;
- b. Calculations of the baseline actual emissions (with supporting documentation). Baseline actual emissions are to include emissions associated not only with operation of the unit, but also emissions associated with startup, shutdown, and malfunction; and
- c. The calculation procedures that the major stationary source owner or operator proposes to use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total for each month as required by paragraph 030.400.S.13.a.

4. General Requirements for Establishing PALs

- a. The Control Officer may establish a PAL at a major stationary source, provided that, at a minimum, the requirements in paragraphs 030.400.S.4.a.(1) through 030.400.S.4.a.(7) are met.

(1) The PAL shall impose an annual emission limitation, in tpy, that is enforceable as a practical matter for the entire major stationary source. For each month during the PAL effective period after the first twelve (12) months of establishing a PAL, the major stationary source owner or operator shall show that the sum of the monthly emissions from each emissions unit under the PAL for the previous twelve (12) consecutive months is less than the PAL (a 12-month average, rolled monthly). For each month during the first eleven (11) months from the PAL effective date, the major stationary source owner or operator shall show that the sum of the preceding monthly emissions from the PAL effective date for each emissions unit under the PAL is less than the PAL.

- (2) The PAL shall be established in a Permit to Construct that meets the public participation requirements in paragraph 030.400.S.5.
 - (3) The Permit to Construct shall contain all the requirements of paragraph 030.400.S.7.
 - (4) The PAL shall include fugitive emissions, to the extent quantifiable, from all emissions units that emit, or have the potential to emit, the PAL pollutant at the major stationary source.
 - (5) Each PAL shall regulate emissions of only one pollutant.
 - (6) Each PAL shall have a PAL effective period of ten (10) years.
 - (7) The owner or operator of the major stationary source with a PAL shall comply with the monitoring, recordkeeping, and reporting requirements provided in paragraphs 030.400.S.12 through 030.400.S.14 for each emissions unit under the PAL through the PAL effective period.
- b. At no time during or after the PAL effective period are emissions reductions of a PAL pollutant which occur during the PAL effective period creditable as decreases for purposes of offsets under SECTION 030.300.F unless the level of the PAL is reduced by the amount of such emissions reductions and such reductions would be creditable in the absence of the PAL.
5. Public Participation Requirements for PALs. PALs for existing major stationary sources shall be established, renewed, or increased through the public participation procedures in SECTION 030.400.P.
 6. Setting the 10-year Actuals PAL Level.
 - a. Except as provided in paragraph 030.400.S.6.b, the actuals PAL level for a major stationary source shall be established as the sum of the baseline actual emissions of the PAL pollutant for each emissions unit at the source plus an amount equal to the applicable significant level for the PAL pollutant under CHAPTER 030 or under the Act, whichever is lower. When establishing the actuals PAL level for a PAL pollutant, only one consecutive 24-month period must be used to determine the baseline actual emissions for all existing emissions units. However, a different consecutive 24-month period may be used for each different PAL pollutant. Emissions associated with units that were permanently shut down after this 24-month period must be subtracted from the PAL level. The Control Officer shall specify a reduced PAL level(s) (in tpy) in the Permit to Construct, to become effective on the future compliance date(s) of any applicable federal or state regulatory requirement(s) that the Control Officer is aware of prior to issuance of the permit.
 - b. For newly constructed units (this does not include modifications to existing units) on which actual construction began after the 24-month period, in lieu of adding the baseline actual emissions as specified in paragraph 030.400.S.6.a, the emissions must be added to the PAL level in an amount equal to the PTE of the units.
 7. Contents of a Part 70 Operating Permit Containing a PAL. The contents shall include the information in paragraphs 030.400.S.7.a through j as listed below:
 - a. The PAL pollutant and the applicable source-wide emission limitation in tpy.
 - b. The effective date and the expiration date of the PAL conditions (i.e., PAL effective period).
 - c. Specification in the permit that if a major stationary source owner or operator applies to renew the PAL conditions in accordance with paragraph 030.400.S.10 before the end of the PAL effective period, then the PAL conditions shall not expire at the end of the PAL effective period. It shall remain in effect until a revised Part 70 Operating Permit is issued by the Control Officer;
 - d. A requirement that emission calculations for compliance purposes include emissions from startups, shutdowns, and malfunctions;
 - e. A requirement that, once the PAL conditions expire, the major stationary source is subject to the

- requirements of paragraph 030.400.S.9;
- f. The calculation procedures that the major stationary source owner or operator shall use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total, as required by paragraph 030.400.S.13.a;
 - g. A requirement that the major stationary source owner or operator monitor all emissions units in accordance with the provisions under paragraph 030.400.S.12;
 - h. A requirement to retain the records required under paragraph 030.400.S.13 on-site. Such records may be retained in an electronic format;
 - i. A requirement to submit the reports required under paragraph 030.400.S.14 by the required deadlines; and
 - j. Any other requirements that the Control Officer deems necessary to implement and enforce the PAL conditions.
8. PAL Effective Period and Reopening of the PAL Conditions in a Part 70 Operating Permit. The conditions in a Part 70 Operating Permit that contain a PAL shall include the following information:
- a. PAL Effective Period. The Control Officer shall specify a PAL effective period of ten (10) years from the date of issuance.
 - b. Reopening of the PAL Conditions in a Part 70 Operating Permit
 - (1) During the PAL effective period, the permit shall require the Control Officer to reopen the PAL conditions in a Part 70 Operating Permit to:
 - (a) Correct typographical/calculation errors made in setting the PAL, or reflect a more accurate determination of emissions used to establish the PAL;
 - (b) Reduce the PAL if the owner or operator of the major stationary source creates creditable emissions reductions for use as offsets under CHAPTER 030.300; or
 - (c) Revise the PAL to reflect an increase in the PAL, as provided under paragraph 030.400.S.11.
 - (2) The Control Officer may reopen the conditions of a Part 70 Operating Permit authorizing a PAL for the following:
 - (a) Reduce the PAL to reflect newly applicable federal requirements with compliance dates after the PAL effective date.
 - (b) Reduce the PAL consistent with any other requirement that is enforceable as a practical matter, and that the Control Officer may impose on the major stationary source under the Nevada SIP.
 - (c) Reduce the PAL if the Control Officer determines that a reduction is necessary to avoid causing or contributing to a NAAQS or PSD increment violation, or to an adverse impact on an air quality-related value that has been identified for a federal Class I area by a Federal Land Manager and for which information is available to the general public.
 - (3) Except for the permit reopening in paragraph 030.400.S.8.b.(1)(a) for the correction of typographical/calculation errors that do not increase the PAL level, all other reopening's shall be carried out as significant permit revisions to a Part 70 Operating Permit.
9. Expiration of a PAL. Any PAL which is not renewed in accordance with the procedures in paragraph

030.400.S.10 shall expire at the end of the PAL effective period, and the requirements in paragraphs 030.400.S.9.a through 030.400.S.9.e shall apply.

- a. Each emissions unit (or each group of emissions units) that existed under the PAL shall comply with an allowable emission limitation under a revised Part 70 Operating Permit established according to the procedures in paragraphs 030.400.S.9.a.(1) and (2):
 - (1) Within the time frame specified for PAL renewals in paragraph 030.400.S.10.b, the major stationary source shall submit a proposed allowable emission limitation for each emissions unit (or each group of emissions units, if such a distribution is more appropriate as decided by the Control Officer) by distributing the PAL allowable emissions for the affected major stationary source among each of the emissions units that existed under the PAL. If the PAL had not yet been adjusted for an applicable requirement that became effective during the PAL effective period, as required under paragraph 030.400.S.10.e, such distribution shall be made as if the PAL had been adjusted.
 - (2) The Control Officer will decide whether and how the PAL allowable emissions will be distributed and issue a revised Part 70 Operating Permit incorporating allowable limits for each emissions unit, or each group of emissions units, as the Control Officer determines is appropriate.
- b. Each emissions unit(s) shall comply with the allowable emission limitation on a 12-month rolling basis. The Control Officer may approve the use of monitoring systems other than CEMS, CERMS, PEMS, or CPMS to demonstrate compliance with the allowable emission limitation.
- c. Until the Control Officer issues the revised Part 70 Operating Permit incorporating allowable limits for each emissions unit, or each group of emissions units, as required under paragraph 030.400.S.9.a.(2), the source shall continue to comply with a source-wide, multi-unit emissions cap equivalent to the level of the PAL emission limitation.
- d. Any physical change in, or change in the method of operation at, the major stationary source will be subject to major NSR requirements if such change meets the definition of major modification.
- e. The major stationary source owner or operator shall continue to comply with any federal, state or county applicable requirements that may have applied either during the PAL effective period or prior to the PAL effective period, except for those limitations that were eliminated by the PAL in accordance with the provisions of paragraph 030.400.S.1.b.(3).

10. Renewal of a PAL

- a. The Control Officer will follow the procedures specified in paragraph 030.400.S.5 and PART 030.500 in approving any request to renew the PAL conditions in a Part 70 Operating Permit and will provide both the proposed PAL level and a written rationale for the proposed PAL level to the public for review and comment. During such public review, any person may propose a PAL level for the source for consideration by the Control Officer.
- b. Application Deadline. A major stationary source owner or operator shall submit a timely application to the Control Officer to request renewal of the PAL conditions in a Part 70 Operating Permit. A timely application is one that is submitted at least six (6) months prior to, but not earlier than eighteen (18) months prior to, the date of expiration of the Part 70 Operating Permit containing the PAL. This deadline for application submittal is to ensure that the permit will not expire before the permit is renewed. If the owner or operator of a major stationary source submits a complete application to renew the PAL conditions in a Part 70 Operating Permit within this time period, then the PAL conditions shall continue to be effective until the revised permit with the renewed PAL conditions is

issued.

- c. Application Requirements. The application to renew PAL conditions shall be incorporated into the application for renewal of the affected Part 70 Operating Permit and shall contain the information required in paragraphs 030.400.S.10.c.(1) through 030.400.S.10.c.(4):
 - (1) The information required in paragraphs 030.400.S.3.a through 030.400.S.3.c;
 - (2) A proposed PAL level;
 - (3) The sum of the PTE of all emissions units under the PAL (with supporting documentation); and
 - (4) Any other information the owner or operator wishes the Control Officer to consider in determining the appropriate level for renewing the PAL conditions.

- d. PAL Adjustment. In determining whether and how to adjust the PAL, the Control Officer will consider the options outlined in paragraphs 030.400.S.10.d.(1) and 030.400.S.10.d.(2). However, in no case may any such adjustment fail to comply with paragraph 030.400.S.10.d.(3).
 - (1) If the emissions level calculated in accordance with paragraph 030.400.S.6 is equal to or greater than eighty (80) percent of the PAL level, the Control Officer may renew the PAL at the same level without considering the factors set forth in paragraph 030.400.S.10.d.(2); or
 - (2) The Control Officer may set the PAL at a level that he determines to be more representative of the source's baseline actual emissions, or that he or she determines to be appropriate considering air quality needs, advances in control technology, anticipated economic growth in the area, desire to reward or encourage the source's voluntary emissions reductions, or other factors as specifically identified by the Control Officer in his or her written rationale.
 - (3) Notwithstanding paragraphs 030.400.S.10.d.(1) and (2):
 - (a) If the PTE of the major stationary source is less than the PAL, the Control Officer shall adjust the PAL to a level no greater than the PTE of the source; and
 - (b) The Control Officer shall not approve a renewed PAL level higher than the current PAL, unless the major stationary source has complied with the provisions of paragraph 030.400.S.11.

- e. If the compliance date for a federal or state requirement that applies to the PAL source occurs during the PAL effective period, and if the Control Officer has not already adjusted for such requirement, the PAL shall be adjusted at the time of the PAL permit renewal or Part 70 Operating Permit renewal, whichever occurs first.

11. Increasing a PAL during the PAL Effective Period

- a. The Control Officer may increase a PAL emission limitation only if the major stationary source complies with the provisions in paragraph 030.400.S.11.a.(1) through 030.400.S.11.a.(4):
 - (1) The owner or operator of the major stationary source shall submit a complete application to request an increase in the PAL limit as a significant revision to the affected Part 70 Operating Permit. Such application shall identify the emissions unit(s) contributing to the increase in emissions so as to cause the major stationary source's emissions to equal or exceed its PAL.
 - (2) As part of this application, the major stationary source owner or operator shall demonstrate that the sum of the baseline actual emissions of the small emissions units, plus the sum of the baseline actual emissions of the significant and major emissions units (assuming application of BACT-equivalent controls), plus the sum of the allowable emissions of the new or modified emissions

unit(s), exceeds the PAL. The level of control that would result from BACT-equivalent controls on each significant or major emissions unit shall be determined by conducting a new BACT analysis at the time the application is submitted, unless the emissions unit is currently required to comply with a BACT or LAER requirement that was established within the preceding ten (10) years. In such a case, the assumed control level for that emissions unit shall be equal to the level of BACT or LAER with which that emissions unit must currently comply.

- (3) The owner or operator obtains a Permit to Construct pursuant to PART 030.500 for all emissions unit(s) identified in paragraph 030.400.S.11.a.(1), regardless of the magnitude of the emissions increase resulting from them. The emissions unit(s) shall comply with any emissions requirements resulting from the Permit to Construct issuance process, even though it has also become subject to the PAL or continues to be subject to the PAL.
 - (4) The PAL conditions in a Part 70 Operating Permit shall require that the increased PAL level be effective on the day any emissions unit that is part of the significant permit revision becomes operational and begins to emit the PAL pollutant.
- b. The Control Officer shall calculate the new PAL as the sum of the allowable emissions for each modified or new emissions unit, plus the sum of the baseline actual emissions of the significant and major emissions units (assuming application of BACT-equivalent controls as determined in accordance with paragraph 030.400.S.11.a.(2)), plus the sum of the baseline actual emissions of the small emissions units.
 - c. The PAL conditions in a Part 70 Operating Permit shall be revised to reflect the increased PAL level pursuant to the public notice requirements of paragraph 030.400.S.5.

12. Monitoring Requirements for PALs

a. General Requirements

- (1) The PAL conditions in a Part 70 Operating Permit must include enforceable requirements for the monitoring system that accurately determines plantwide emissions of the PAL pollutant in terms of mass per unit of time. Any monitoring system authorized for use in the PAL conditions must be based on sound science and meet generally acceptable scientific procedures for data quality and manipulation. Additionally, the information generated by such system must meet minimum legal requirements for admissibility in a judicial proceeding to enforce the PAL conditions.
 - (2) The PAL monitoring system must employ one (1) or more of the four (4) general monitoring approaches meeting the minimum requirements set forth in paragraphs 030.400.S.12.b.(1) through 030.400.S.12.b.(4) and must be approved by the Control Officer.
 - (3) Notwithstanding paragraph 030.400.S.12.a.(2), the PAL monitoring system may also employ an alternative monitoring approach that meets paragraph 030.400.S.12.a.(1) if approved by the Control Officer.
 - (4) Failure to use a monitoring system that meets the requirements of SECTION 030.400.S renders the PAL invalid.
- b. Minimum Performance Requirements for Approved Monitoring Approaches. The following are acceptable general monitoring approaches when conducted in accordance with the minimum requirements in paragraphs 030.400.S.12.c through 030.400.S.12.i:
 - (1) Mass balance calculations for activities using coatings or solvents;
 - (2) CEMS;

- (3) CPMS or PEMS; and
 - (4) Emission factors.
- c. Mass Balance Calculations. An owner or operator using mass balance calculations to monitor PAL pollutant emissions from activities using coatings or solvents shall meet the following requirements:
- (1) Provide a demonstrated means of validating the published content of the PAL pollutant that is contained in, or created by all materials used in or at, the emissions unit;
 - (2) Assume that the emissions unit emits all of the PAL pollutant that is contained in or created by any raw material or fuel used in or at the emissions unit, if it cannot otherwise be accounted for in the process; and
 - (3) Where the vendor of a material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material, the owner or operator must use the highest value of the range to calculate the PAL pollutant emissions unless the Control Officer determines there is site-specific data or a site-specific monitoring program to support another content within the range.
- d. CEMS. An owner or operator using CEMS to monitor PAL pollutant emissions shall meet the following requirements:
- (1) The CEMS must comply with applicable performance specifications found in 40 CFR PART60, Appendix B; and
 - (2) The CEMS must sample, analyze, and record data at least every fifteen (15) minutes while the emissions unit is operating.
- e. CPMS or PEMS. An owner or operator using a CPMS or PEMS to monitor PAL pollutant emissions shall meet the following requirements:
- (1) The CPMS or PEMS must be based on current site-specific data demonstrating a correlation between the monitored parameter(s) and the PAL pollutant emissions across the range of operation of the emissions unit; and
 - (2) Each CPMS or PEMS must sample, analyze, and record data at least every fifteen (15) minutes, or at another, less frequent interval approved by the Control Officer, while the emissions unit is operating.
- f. Emission Factors. An owner or operator using emission factors to monitor PAL pollutant emissions shall meet the following requirements:
- (1) All emission factors shall be adjusted, if appropriate, to account for the degree of uncertainty or limitations in the factors' development;
 - (2) The emissions unit shall operate within the designated range of use for the emission factor, if applicable; and
 - (3) If technically practicable, the owner or operator of a significant emissions unit that relies on an emission factor to calculate PAL pollutant emissions shall conduct validation testing to determine a site-specific emission factor within six (6) months of permit issuance unless the Control Officer determines that testing is not required.
- g. A source owner or operator must record and report maximum potential emissions without considering enforceable emission limitations or operational restrictions for an emissions unit during any period of

time that there is no monitoring data, unless another method for determining emissions during such periods is specified in the Permit to Construct.

- h. Notwithstanding the requirements in paragraphs 030.400.S.12.c through 030.400.S.12.g, where an owner or operator of an emissions unit cannot demonstrate a correlation between the monitored parameter(s) and the PAL pollutant emissions rate at all operating points of the emissions unit, the Control Officer shall, at the time of permit issuance:
 - (1) Establish default value(s) for determining compliance with the PAL based on the highest potential emissions reasonably estimated at such operating point(s); or
 - (2) Determine that operation of the emissions unit during operating conditions when there is no correlation between monitored parameter(s) and the PAL pollutant emissions is a violation of the PAL.
- i. Revalidation. All data used to establish the PAL pollutant must be revalidated through performance testing or other scientifically valid means approved by the Control Officer. Such testing must occur at least once every five (5) years after issuance of the Part 70 Operating Permit containing the PAL conditions.

13. Recordkeeping Requirements

- a. The PAL conditions in a Part 70 Operating Permit shall require an owner or operator to retain a copy of all records necessary to determine compliance with any requirement of SECTION 030.400.S and of the PAL, including a determination of each emissions unit's 12-month rolling total emissions, for five (5) years from the date of such record.
- b. The PAL conditions in a Part 70 Operating Permit shall require an owner or operator to retain a copy of the following records for the duration of the PAL effective period plus five (5) years:
 - (1) A copy of the PAL provisions in a permit application for a Part 70 Operating Permit and any applications for revisions to the affected Part 70 Operating Permit relevant to the PAL; and
 - (2) Each annual certification of compliance pursuant to the conditions in the affected Part 70 Operating Permit and the data relied on in certifying the compliance.

14. Reporting and Notification Requirements. The owner or operator shall submit semiannual monitoring reports and prompt deviation reports to the Control Officer, in accordance with the conditions in the affected Part 70 Operating Permit. The reports shall meet the requirements in paragraphs 030.400.S.14.a through 030.400.S.14.c.

- a. Semiannual Report. The semiannual report shall be submitted to the Control Officer within thirty (30) calendar days of the end of each reporting period. This report shall contain the information required in paragraphs 030.400.S.14.a.(1) through 030.400.S.14.a.(7):
 - (1) The identification of the owner and operator and the permit number;
 - (2) Total annual emissions (in tpy), based on a 12-month rolling total for each month in the reporting period recorded pursuant to paragraph 030.400.S.14.a;
 - (3) All data relied upon, including, but not limited to, any quality assurance or quality control data, in calculating the monthly and annual PAL pollutant emissions;
 - (4) A list of any emissions units modified or added to the major stationary source during the preceding 6-month period;

- (5) The number, duration, and cause of any deviations or monitoring malfunctions (other than the time associated with zero and span calibration checks), and any corrective action taken;
- (6) A notification of a shutdown of any monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, whether the emissions unit monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by method included in the permit, as provided by paragraph 030.400.S.12.g; and
- (7) A signed statement by the responsible official certifying the truth, accuracy, and completeness of the information provided in the report.

b. Deviation Report. The major stationary source owner or operator shall promptly submit reports of any deviations or exceedance of the PAL conditions, including periods where no monitoring was available. A report submitted pursuant to 40 CFR 70.6(a)(3)(iii)(B) shall satisfy this reporting requirement. The deviation reports shall be submitted within the time limits prescribed by the affected Part 70 Operating Permit. The reports shall contain the following information:

- (1) The identification of owner and operator and the permit number;
- (2) The PAL requirement that experienced the deviation or that was exceeded;
- (3) Emissions resulting from the deviation or the exceedance; and
- (4) A signed statement by the responsible official certifying the truth, accuracy, and completeness of the information provided in the report.

c. Revalidation Results. The owner or operator shall submit to the Control Officer the results of any revalidation test or method within three (3) months after completion of such test or method.

15. Transition Requirements.

- a. The Control Officer may not issue a PAL that does not comply with the requirements in paragraphs 030.400.S.1 through 030.400.S.15 after the Administrator has approved regulations incorporating these requirements into the Nevada SIP.
- b. The Control Officer may supersede any PAL which was established prior to the date of approval of the Nevada SIP by the Administrator with a PAL that complies with the requirements of paragraphs 030.400.S.1 through 030.400.S.15.

SECTION T - INVALIDATION

1. If any provision of SECTION 030.400.S, or the application of such provision to any person or circumstance, is held invalid, the remainder of SECTION 030.400.S, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.500 – PART 70 PERMIT TO CONSTRUCT REQUIREMENTS

SECTION A - PERMIT TO CONSTRUCT REQUIRED; DURATION

1. Commencement of Construction: Timing Requirement and Preconstruction Review Applicability Criteria

- a. Except as provided in paragraph 030.500.C.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 Permit to Construct from the Control Officer before beginning actual construction or continuing to operate any of the following:
 - (1) A new PART 70 source;
 - (2) A “Major Modification” as defined in PARTS 030.300 or 030.400;
 - (3) A modification that increases the PART 70 source’s PTE by an amount equal to or greater than the minor NSR significant level in SECTION 030.500.B;
 - (4) Construction, modification, or reconstruction of an affected facility that becomes newly subject to a standard, limitation, or other requirement under 40 CFR PART 60;
 - (5) Construction or reconstruction of a new source or of 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
 - (6) A modification to a solid waste incinerator unit as defined by an applicable standard under 40 CFR PART 60.
- b. Unless the Control Officer receives and grants a written request to extend the eighteen (18) month period referenced in paragraphs 030.500.A.1.b.(1) or b.(2) at least thirty (30) calendar days before the deadline, a Permit to Construct issued under PART 030.500 or a Permit to Construct authorization issued under PART 030.510 shall remain in effect only if:
 - (1) The owner or operator commences the construction, modification, or reconstruction of the PART 70 source within eighteen (18) months of the issuance date of a Permit to Construct or authorization to construct;
 - (2) Such activity is not discontinued for a period greater than eighteen (18) months; and
 - (3) The Control Officer does not revoke and reissue, or terminate, the Permit to Construct for cause.
- c. Notwithstanding the provisions of paragraphs 030.500.A.1.a or 030.500.A.1.b, if an existing PART 70 Operating Permit would prohibit such construction, modification, or reconstruction, the owner or operator of the PART 70 source must obtain a PART 70 Operating Permit revision pursuant to paragraphs 030.510.B.13 or 030.510.B.14, as appropriate, before commencing operation.

SECTION B - DEFINITIONS

Use of Terms. The following definitions apply to terms used in PART 030.500. Unless the context requires otherwise, the following terms shall have the meanings set forth for the purposes of PART 030.500. When a term is not defined, it shall have the meaning provided in PART 030.000, 40 CFR PART 70.2, the Act, or common usage, in that order of priority.

AFFECTED EMISSIONS UNIT means any PART or activity of a stationary source that increases emissions due to construction, modification, or reconstruction at the PART 70 source and emits, or has the potential to emit, any regulated air pollutant, but is not constructed, modified, or reconstructed.

CONSTRUCTED EMISSIONS UNIT means any PART or activity of a stationary source that is newly constructed, modified, or reconstructed and emits, or has the potential to emit, any regulated air pollutant.

EXISTING PART 70 SOURCE means a PART 70 source that either has a valid PART 70 Operating Permit issued prior to the effective date of PART 030.500 or has an application for a PART 70 Operating Permit deemed complete prior to the effective date of PART 030.500.

MINOR NSR SIGNIFICANT LEVELS means an increase in the potential to emit that equals or exceeds the following rates for the pollutants listed:

POLLUTANT	PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO ₂	40
LEAD	0.6
H ₂ S	5
TOTAL REDUCED SULFUR (TRS), including H ₂ S	5

MODIFICATION OR MODIFY means a project which meets any of the *preconstruction* review applicability criteria in the definition of *preconstruction* or that requires a minor or significant permit revision pursuant to paragraph 030.510.B.14.

NEW PART 70 SOURCE means a PART 70 source that is not an existing PART 70 source.

PRECONSTRUCTION REVIEW APPLICABILITY CRITERIA means any of the following:

- a. At an existing major stationary source, a project that will result in a “major modification” as defined in PARTS 030.300 or 030.400;
- b. A new PART 70 source or a modification to an existing PART 70 source that is subject to paragraph 030.500.C.2;
- c. Any project that is subject to a standard, limitation, or other requirement under 40 CFR PART 60;

- d. Any project that is subject to a standard under 40 CFR PART 63, including, but not limited to, construction or reconstruction that requires preconstruction review under 40 CFR PART 63.5; or
- e. For a solid waste incineration unit, a project that will result in a modification for purposes of SECTION 129(g)(3) of the Act.

PROJECT means a physical change in, or change in the method of operation of, a PART 70 source. For purposes of this definition, a physical change or change in the method of operation shall not include:

- a. Routine maintenance, repair, and replacement.
- b. Use of an alternative fuel or raw material by reason of any order under SECTION 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act.
- c. Use of an alternative fuel by reason of an order or rule under SECTION 125 of the Act.
- d. Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.
- e. Use of an alternative fuel or raw material by a stationary source which:
 - (1) The source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51 Subpart I; or
 - (2) The source is approved to use under any permit issued under 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51, Subpart I.
- f. An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51, Subpart I or 40 CFR PART 51.166.
- g. Any change in ownership at a stationary source.

RESPONSIBLE OFFICIAL means one of the following:

- a. For a corporation: a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
 - (1) The operating facilities employ more than two hundred and fifty (250) persons or have gross annual sales or expenditures exceeding \$25 million in second quarter 1980 dollars; or
 - (2) The delegation of authority to such representative is approved in advance by the Control Officer.
- b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
- c. For a municipality, state, federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this definition, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a

principal geographic unit of the agency; or
d. For Title IV affected sources:

- (1) The designated representative, as defined in 40 CFR PART 72.2, in so far as actions, standards, requirements, or prohibitions under Title IV of the Act, "Acid Deposition Control," or the regulations promulgated there under are concerned; or
- (2) The responsible official as defined above for any other purposes under PART 030.500.

SECTION C - PERMIT TO CONSTRUCT FOR PART 70 SOURCES

1. Application Submission Requirements

- a. Application Requirements. The owner or operator of the PART 70 source shall submit an application for a Permit to Construct on a form provided by the Control Officer. The application shall contain the following information related to the construction, modification, or reconstruction:
- (1) A description of all emissions of regulated air pollutants from all affected emissions units and a projected operating schedule for each emissions unit;
 - (2) An identification and a description of all points of emissions and a process description of all activities, including design capacity, which may generate emissions of the regulated air pollutants described pursuant to paragraph 030.500.C.1.a.(1) in sufficient detail to establish the basis for the applicability of standards and fees;
 - (3) The emission rates of all regulated air pollutants, including fugitive emission rates. The emission rates must be described in tons per year (tpy) and for such shorter-term averages as are necessary to establish compliance using the applicable standard reference test method or other methodology specified in paragraph 030.500.C.1.a.(7);
 - (4) A description of any new or modified air pollution control equipment to be operated at the stationary source;
 - (5) The calculations on which the information described in paragraph 030.500.C.1 are based, including a fuel description and specifications;
 - (6) Citations to and a description of all applicable requirements;
 - (7) The applicable test method or other methodology used for determining compliance with each applicable requirement;
 - (8) A control technology demonstration for Best System of Control (BSC) shall be submitted for a modification to an existing PART 70 source that requires a Permit to Construct because:
 - (a) The modification will increase the source's potential to emit by an amount that is equal to or greater than the minor NSR significant level found in the definition of minor NSR significant level in SECTION 030.500.B;
 - (b) A control technology demonstration is not otherwise required by PARTS 030.300 or 030.400; or
 - (c) The modification will be major for one pollutant and will increase the source's potential to emit by an amount equal to or greater than the minor NSR significant level for one or more pollutants that are not PART of or precursors to the pollutant associated with the major modification. The BSC control technology demonstration shall only apply to the pollutant(s) exceeding the minor NSR significant level. The application shall describe how BSC was determined and how compliance with BSC is to be measured, including, if applicable, material usage limits, performance testing, and continuous emissions monitoring.
 - (9) If applicable, a description of how performance testing will be conducted, including test methods and a general description of testing protocols;
 - (10) If applicable, the information necessary to establish a basic design parameter;
 - (11) If applicable, a description of how the permittee proposes to comply with the compliance assurance monitoring requirements in 40 CFR PART 64, including a plan describing how the applicant will comply with the monitoring design criteria in 40 CFR PART 64.3;
 - (12) If any information or data in the application is proposed to be treated as confidential, a

- demonstration of compliance with SECTION 020.000.D;
- (13) If the applicant wishes to be subject to the enhanced public participation procedures in paragraph 030.400.P.6, a declaration to that effect; and
 - (14) For construction, modification, or reconstruction that increases the PART 70 source's PTE by an amount equal to or greater than the minor NSR significant level defined in SECTION 030.500.B for a regulated air pollutant, but less than the major source or major modification threshold in PARTS 030.300 or 030.400, a demonstration that the construction will not cause an exceedance of the National Ambient Air Quality Standards (NAAQS) or an exceedance of the ambient air increments specified in SECTION 030.400.C.
- b. Additional Application Requirements for Sources Subject to PART 030.400 (Major Source PSD). If the new or modified PART 70 source is subject to the Prevention of Significant Deterioration preconstruction review provisions of PART 030.400, the application shall also contain the following:
- (1) The control technology review required by SECTION 030.400.I;
 - (2) The source impact analysis required by SECTION 030.400.J;
 - (3) The air quality analysis required by SECTION 030.400.L;
 - (4) The source information required by SECTION 030.400.M;
 - (5) The additional impact analyses required by SECTION 030.400.N; and
 - (6) Any other information that the Control Officer determines is necessary to process the application in accordance with PARTS 030.300 and 030.400.
- c. Additional Application Requirements for Sources Subject to PART 030.300 (Major Source Nonattainment NSR). If the new or modified PART 70 source is subject to the nonattainment area preconstruction review provisions of PART 030.300, the application shall also contain the following:
- (1) The statewide compliance demonstration required by SECTION 030.300.C;
 - (2) The alternatives analysis required by SECTION 030.300.D;
 - (3) The LAER demonstration and draft permit conditions required to ensure compliance with LAER required by paragraph 030.300.E.2;
 - (4) An air impact analysis, including dispersion modeling;
 - (5) The information necessary to demonstrate that the applicant has satisfied or will satisfy the emissions offset requirements in SECTION 030.300.F; and
 - (6) Any other information that the Control Officer determines is necessary to process the application in accordance with PARTS 030.300 and 030.400.
- d. Additional Requirements for Construction, or Requirements for Construction or Reconstruction of a PART 70 Source Subject to a Standard under Sections 112(d), (f), or (h) of the Act (MACT Source).
- (1) In addition to any other application requirements in PART 030.500, if the construction of a new PART 70 source, or the construction or reconstruction of an existing PART 70 source, creates a "new affected source" or "reconstructed affected source" that is a major source under 40 CFR PART 63, the owner or operator shall comply with the application requirements under 40 CFR PART 63.5 and paragraph 030.500.C.1.a. The Permit to Construct for such a source shall comply with the requirements in 40 CFR PART 63.5(e).

2. Application Processing Procedures.

- a. For construction or modifications subject to PARTS 030.300 or 030.400, the Control Officer shall follow the procedures in either SECTION 030.400.P or paragraph 030.500.C.2.d to process the application and to provide for public participation.
- b. When an owner or operator of a PART 70 source must revise the PART 70 Operating Permit before construction, modification, or reconstruction (as specified in paragraph 030.500.A.1.c), the Control Officer shall follow the procedures in paragraphs 030.510.B.13 or 030.510.B.14, as applicable, to process the application for a Permit to Construct and revise the PART 70 Operating Permit.
- c. For construction, modification, and reconstruction not subject to paragraphs 030.500.C.2.a or 030.500.C.2.b, and except as provided in paragraphs 030.500.C.2.e or 030.500.C.2.d, the Control Officer shall determine whether the application is complete and issue the Permit to Construct in accordance with the following procedures:
 - (1) Within one hundred (100) calendar days of receiving an application for a Permit to Construct, the Control Officer shall determine if the application is complete. If substantial additional information is required, the Control Officer shall determine the application is incomplete and return it to the applicant. If substantial additional information is not required, the Control Officer shall determine the application is complete. If the Control Officer does not make a determination on application completeness within one hundred (100) calendar days, the application is automatically deemed complete on the one hundred first (101st) calendar day after the date of receipt.
 - (2) If the Control Officer discovers, after the date the application is determined to be complete, that additional information is required to act on it, the Control Officer may request the additional information needed to determine whether the proposed project will comply with all applicable requirements. The applicant must provide in writing any additional information requested within the time specified in the Control Officer's written request. A delay in submitting the requested information may result in a corresponding delay in Control Officer action on the application, or the Control Officer may withdraw the previous completeness determination and declare the application incomplete.
 - (3) When paragraph 030.500.A.1.a.(3) requires a Permit to Construct, the Control Officer shall follow the public participation procedures in paragraph 030.500.C.3 before issuing the permit.
 - (4) When paragraphs 030.500.A.1.a.(4) or 030.500.A.1.a.(6) require a Permit to Construct, the owner or operator of the PART 70 source shall follow the notification requirements in 40 CFR PART 60, Subpart A, and the Control Officer shall follow the applicable procedures in 40 CFR PART 60, Subpart A before issuing the Permit to Construct.
 - (5) When paragraph 030.500.A.1.a.(5) requires a Permit to Construct, the owner or operator of the PART 70 source shall follow the notification requirements in 40 CFR PART 63, Subpart A; the Control Officer shall determine that the construction or reconstruction will not cause emissions in violation of the relevant standard(s) and any other federally enforceable requirements and, if applicable, will provide for participation procedures in accordance with 40 CFR PART 63, Subpart B when making a case-by-case Maximum Achievable Control Technology determination before issuing the Permit to Construct.
 - (6) The Control Officer shall not issue a Permit to Construct unless, after the date an application is determined to be complete, the Control Officer determines that the new or modified source will meet all applicable requirements.

- d. **PART 70 Operating Permit Significant Permit Revision.** For construction, modification, or reconstruction that meets the criteria for a significant permit revision under paragraph 030.510.B.14.c.(1), the owner or operator may submit an application for a Permit to Construct that fulfills both the requirements of paragraph 030.500.C.1.a and the requirements for an application for a significant revision to an existing PART 70 Operating Permit in paragraph 030.510.B.14.c.(2); the owner or operator and Control Officer may then follow the procedures for significant permit revisions in paragraph 030.510.B.14.c to obtain authorization to construct and operate under a revised PART 70 Operating Permit and/or an Permit to Construct.
 - e. **PART 70 Operating Permit Minor Permit Revision.** For modifications that increase the PART 70 source's PTE by an amount less than the minor NSR significance level defined in SECTION 030.500.B and meet the criteria for a minor permit revision under paragraph 030.510.B.14.a.(1):
 - (1) The owner or operator may submit an application for a Permit to Construct that fulfills both the requirements of paragraph 030.500.C.1.(a) and the requirements for an application for a minor permit revision in paragraph 030.510.B.14.a.(3); the Control Officer may follow the procedures for minor permit revision in paragraph 030.510.B.14 to issue an authorization to construct and operate under a revised PART 70 Operating Permit and/or a Permit to Construct.
 - f. When an owner or operator and the Control Officer follow the PART 70 Operating Permit procedures in paragraphs 030.500.C.2.b, d, or e, then in accordance with paragraph 030.500.E.2.b, the revised PART 70 Operating Permit serves as both the PART 70 Operating Permit and the Permit to Construct for the affected and constructed emissions units at the PART 70 source when the Control Officer does not issue a separate Permit to Construct.
3. **Public Participation.** The Control Officer shall provide for public notice, public comment, and opportunity for a hearing in accordance with this section before issuing a Permit to Construct for a PART 70 source requiring one under paragraph 030.500.A.1.a.(3) or before approving a portable source relocation request.
- a. **Notice of Proposed Action on Permit to Construct Application.** Within one (1) year from when the Control Officer determines an application is complete, the Control Officer shall post a Notice of Proposed Action on the department website that meets the requirements of paragraph 030.500.C.3.c for any of the following:
 - (1) A request to establish or revise a voluntarily accepted emission limitation.
 - (2) An application subject to the BSC control technology demonstration requirement in paragraph 030.500.C.1.a.(8).
 - (3) An application subject to paragraph 030.500.C.1.a.(14) requirements to demonstrate that the construction will not cause an exceedance of the NAAQS or an exceedance of the ambient air increments specified in SECTION 030.400.C.
 - (4) Any action for which the Control Officer determines that public participation would better inform a decision on the application.
 - b. The Notice of Proposed Action required by paragraph 030.500.C.3.a shall be published on the department website at least thirty (30) calendar days before the Control Officer issues a final decision on the Permit to Construct application or on the relocation of a portable source.

- (1) The Notice of Proposed Action shall contain all of the following:
 - (a) The name and address of the owner or operator and, if different, of the PART 70 source.
 - (b) If the Notice of Proposed Action involves relocation of a portable source, the current address of the portable source and the address to which the portable source proposes to relocate;
 - (c) The date the Control Officer received the complete application for a Permit to Construct or the notice of proposed relocation;
 - (d) The nature of the construction, reconstruction, or modification proposed in a Permit to Construct application;
 - (e) The pollutants to be emitted by the PART 70 source and their projected quantities;
 - (f) The name, address, and telephone number of the department representative interested persons may contact for instructions on how to obtain additional information;
 - (g) The location of the administrative record, the times at which the record will be open for public inspection, and a statement that all information in the administrative record for the action (except confidential information, in accordance with NRS 445B.570 and SECTION 020.000.D) is available for public inspection;
 - (h) The Control Officer's preliminary determination whether the application for a Permit to Construct Permit or the relocation of a portable source should be approved or disapproved;
 - (i) Directions on how any person may submit written comments on the Notice of Proposed Action and documents in the administrative record, including the date by which the Control Officer must receive comments; and
 - (j) Directions on how any person may request a public hearing on the Notice of Proposed Action, including the date by which the Control Officer must receive the request; or, if the Control Officer has already scheduled a public hearing, the date and location of the hearing and directions for requesting to speak at the hearing.
- (2) The Control Officer shall send a copy of the Notice of Proposed Action and Final Action to the applicant, EPA (if requested), and any other person who requests such notice.

c. Public Hearing on Notice of Proposed Action.

- (1) During the thirty (30) calendar day public comment period, any person may petition the Control Officer in writing for a public hearing. All such petitions shall contain the petitioner's name, address, daytime telephone number, email address, and reason for requesting a hearing.
- (2) The Control Officer shall notify petitioners whether the request will be granted or denied within thirty (30) calendar days of receipt.
- (3) The hearing request shall be granted if the Control Officer determines there is a significant degree of public interest in the Notice of Proposed Action after considering all relevant factors, including, but not limited to, the number of petitioners, the nature of the concerns stated in the petitions, and the type and quantity of emissions emitted by the PART 70 source.
- (4) If the request is granted, the Control Officer shall publish the hearing date, time, and location on the department website for at least thirty (30) calendar days prior and provide directions in the notice for requesting to speak at the hearing.

d. Final Action on Permit to Construct Application or Proposed Relocation.

- (1) The Control Officer shall consider all relevant written and oral comments, and all other documents in the administrative record, before taking final action on a Permit to Construct application.
- (2) The Control Officer shall send a written notice to the owner or operator of the PART 70 Source approving or disapproving the relocation of a portable source after considering public comments received on the Notice of Proposed Action.
 - (a) The Control Officer may disapprove the relocation based on information received during the public comment period.
 - (b) The Control Officer may disapprove the relocation upon finding that operations in the new location would cause or contribute to a new violation of a NAAQS or cause an unreasonable risk to public health, welfare, or the safety of any person.
 - (c) Before approving operations in the new location, the Control Officer may issue a order to limit emissions or operations at the new location as necessary to prevent the source from causing or contributing to a new violation of a NAAQS or causing an unreasonable risk to public health, welfare, or the safety of any person at the new location, or to establish enforceable restrictions agreed to by the source owner or operator.

4. Permit Content.

- a. A Permit to Construct issued pursuant to PART 030.500 shall contain each of the following conditions:
 - (1) The permittee shall retain records of all required monitoring and performance demonstration data and supporting information for five (5) 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).
 - (2) Each of the conditions and requirements of the permit is severable and, if any are held invalid, the remaining conditions and requirements continue in effect;
 - (3) The permittee shall comply with all conditions contained in the permit. Any noncompliance constitutes a violation and is grounds for:
 - (a) An action for noncompliance;
 - (b) Revocation and reissuance or the termination of the permit by the Control Officer; or
 - (c) The reopening or revising of the permit by the permittee as directed by the Control Officer.
 - (4) The need to halt or reduce activity to maintain compliance with the conditions of the permit is not a defense to noncompliance with any condition of the permit;
 - (5) The Control Officer may revise, revoke and reissue, reopen and revise, or terminate the permit for cause;
 - (6) The permit does not convey any property rights or any exclusive privilege;
 - (7) The permittee shall provide the Control Officer, within a reasonable time, with any information that the Control Officer requests in writing 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 required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality;
- (8) The permittee shall allow the Control Officer, or any authorized representative of the Control Officer, upon presentation of credentials, to enter the permittee's premises where the source is located or emissions related activity is conducted and to:
- (a) Have access to and copy, during normal business hours, any records that are kept pursuant to the conditions of the permit;
 - (b) Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
 - (c) Sample or monitor substances or parameters to determine compliance with the conditions of the permit or applicable requirements; and
 - (d) Document alleged violations using devices such as cameras or video equipment.
- (9) A responsible official of the source shall certify that, based on information and belief formed after a reasonable inquiry, the statements made in any document required to be submitted by any condition of the permit are true, accurate, and complete;
- (10) The permit must contain:
- (a) All applicable requirements, emission limits, and standards, provided, however, that applicable requirements that are not required by the Act or implementing federal regulations, and that are not in the Nevada State Implementation Plan (SIP), may be included in the permit but shall be specifically designated as being not federally enforceable and not enforceable by a citizen's suit pursuant to the Act, and shall be designated as "county only requirements." Terms and conditions so designated are not subject to the requirements that apply to permit review by EPA and affected states;
 - (b) Monitoring, recordkeeping, and reporting requirements sufficient to meet the requirements of 40 CFR PART 64 or paragraph 030.510.B.6.d, as deemed necessary by the Control Officer;
 - (c) Such other conditions as necessary to demonstrate compliance with the requirements in PARTS 030.300 and 030.400 for construction, subject to those sections.
 - (d) A condition that states that the approval of a Permit to Construct or Permit to Operate shall not affect the responsibility of the permittee to comply with the applicable requirements of the Nevada State Implementation Plan or any other applicable requirements.
 - (e) A statement, consistent with paragraph 030.500.E.2.(a), that where the terms and conditions of the Permit to Construct conflict with applicable requirement(s) in a subsequently issued or revised PART 70 Operating Permit, such terms and conditions are superseded by or appended to the PART 030.500 applicable requirement in the PART 70 Operating Permit.
- (11) The permittee shall maintain documentation of the records required by paragraph 030.400.A.6.a or paragraph 030.300.A.6.a, if applicable.
- (12) The permittee shall report start of construction, construction interruptions exceeding nine (9) months, and completion of construction. The report shall be given to the Control Officer not

- later than fifteen (15) calendar days after occurrence of the event;
- (13) The permittee shall provide written notification of the actual date of commencing operation, received by the Control Officer, within fifteen (15) calendar days after such date;
 - (14) The permittee shall provide separate written notification for commencing operation for each unit of phased construction, which may involve a series of units commencing operation at different times;
 - (15) A source that is a new PART 70 source or a major modification to an existing PART 70 source shall, within sixty (60) calendar days after achieving the maximum rate of production of the new source or modification, but not later than one hundred eighty (180) calendar days after commencing operation, conduct performance tests and furnish the Control Officer a written report of the results of the tests. The Control Officer may require such testing to occur sooner than the one hundred eighty (180) calendar day limit if there are adequate grounds to do so. The performance tests required by a Permit to Construct shall be conducted in accordance with the applicable test method; and
 - (16) The permittee shall post the permit in a location which is clearly visible and accessible to the facility's employees and representatives of the department.
 - (17) The permittee shall pay all fees assessed pursuant to PART 020.200.
 - (18) If the permittee owns or operates a portable source, the permittee shall:
 - (a) Provide the Control Officer with advance notice of the proposed relocation on a form specified by the Control Officer, and give notice to the Control Officer with enough time to allow for public Participation before relocation.
 - i. At a minimum, the notice shall identify the proposed new location, the proposed relocation date, the probable duration of operation at the new location, and the potential to emit each air pollutant at that location; and
 - ii. If the portable source would relocate to within one thousand (1,000) feet of the outer boundary of a school, hospital, or residential area, the permittee shall notify the Control Officer at least sixty (60) calendar days before the proposed relocation date.
 - iii. For all other relocation requests, the permittee shall submit advance notice to the Control Officer at least thirty (30) calendar days before the proposed relocation date.
 - (b) Not relocate to a proposed location until the Control Officer notifies the permittee that operations in the new location are approved;
 - (c) Not relocate to the proposed location if the Control Officer disapproves the relocation; and
 - (d) Comply with any order issued under the authority of CHAPTER 020 and paragraph 030.500.C.3.d.(2).(c) that restricts operations or emissions at a specific location.

5. Application, Submission, and Processing Requirements for PART 70 Sources Not Subject to PART 030.300, PART 030.400, or paragraph 030.500.C.3

- a. In order to obtain a Permit to Construct, the owner or operator of a proposed new PART 70 source that is not subject to PARTS 030.300 and 030.400, or the owner or operator of an existing PART 70 source proposing a modification that increases the source's potential to emit by an amount equal to or greater than the minor NSR significant level, but that is not a major modification under PARTS 030.300 and 030.400, shall submit an application on a form prescribed by the Control Officer.

- (1) The application shall contain the information specified in paragraph 030.500.C.1.a and a "Control Technology Review" that meets the requirements of SECTION 030.400.I, except that BSC shall be the technology standard instead of Best Available Control Technology. The BSC Technology Review shall be submitted for any pollutant for which the source's potential to emit increases by an amount equal to or greater than the minor NSR significant level, but less than the major source or major modification thresholds. The applicant shall also include a demonstration that the new PART 70 source or modification does not cause an exceedance of the ambient air quality standards as defined in 40 CFR PART 50 or an exceedance of the ambient air increments specified in SECTION 030.400.C.
 - (2) The determination of completeness and the procedures for processing the application shall be those in paragraph 030.500.C.2.(c).
 - (3) The public Participation procedures specified in paragraph 030.200.E.3 shall apply to a permit revision processed under paragraph 030.500.C.2.a.
 - (4) The contents of the Permit to Construct issued pursuant to paragraph 030.500.C.2.a shall be those in paragraph 030.500.C.4.
- b. In order to obtain a Permit to Construct, the owner or operator of an existing PART 70 source that is proposing a modification that increases the source's potential to emit by an amount less than the minor NSR significance level shall comply with the minor revision process listed in paragraph 030.510.B.14, including the application procedures listed in paragraph 030.510.B.14.a.(3).

SECTION D - PERMIT TO CONSTRUCT REVISIONS

1. Permit Revision Procedures

- a. The Control Officer may revise a Permit to Construct only through:
 - (1) An administrative or significant permit revision, as specified in paragraph (b) and (c) of this section;
 - (2) The PART 70 Operating Permit procedures specified in SECTION 030.510.B.14; or
 - (3) A revision of PART 030.500 applicable requirements in a PART 70 Operating Permit using the procedures in paragraphs 030.510.B.13 or 030.510.B.14. Revising applicable requirements of, or adding terms and conditions to, the PART 70 Operating Permit may supersede or append certain terms and conditions to the Permit to Construct, as specified in paragraph 030.500.E.2.a.

- b. **Administrative Permit Revisions.**
 - (1) An administrative permit revision is a revision that:
 - (a) Corrects typographical errors;
 - (b) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change;
 - (c) Requires more frequent monitoring or reporting by the permittee;
 - (d) Allows for a change in ownership or operational control of a source when the Control Officer determines that no other change in the permit is necessary, 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 are complied with;
 - (e) Incorporates PART 030.500 terms and conditions governing construction or operation of an emissions unit at the PART 70 source that are first recorded as terms and conditions in a PART 70 Operating Permit and that supersede, or are omitted from, the terms and conditions of the Permit to Construct, as provided in paragraph 030.500.E.2.a;
 - (f) Revises an existing Permit to Construct before the construction, modification, or reconstruction becomes operational (following a reasonable shakedown period, if necessary, not to exceed 180 days) if such a revision would not result in an increase in the amount or type of emissions authorized under the permit, relocate stack emissions closer to a property boundary, change any control technology requirement, change the applicability of PARTS 030.300 and 030.400, or reduce the amount of record-keeping, reporting, or monitoring of emissions at an emissions unit; or
 - (g) Incorporates any other type of change the Administrator has determined are similar to those in paragraphs 030.500.D.1.b.(1)(a) through (f) of this section.

 - (2) An administrative permit revision may be made by the Control Officer consistent with the following:
 - (a) The Control Officer shall take no more than 30 days from receiving an administrative permit revision request to take final action. The Control Officer may incorporate the revision without providing notice to the public or affected states, provided the revised

permit designates all revisions as having been made pursuant to this section.

(b) The Control Officer shall provide a copy of the revised permit to the Administrator.

(c) The source may implement the changes in the request immediately upon submittal. However, if the Control Officer determines the change does not qualify as an administrative revision, the source may be subject to enforcement proceedings for violation of existing permit terms and conditions.

c. **Significant Permit Revision.** A significant permit revision to a Permit to Construct is any revision that is not an administrative permit revision. A significant permit revision shall be subject to the same application, determination of completeness, processing procedures, public Participation, notification, and timetables as the original Permit to Construct, except that the scope of procedures shall be limited to the revision and issues relevant to that revision; the procedures specified in paragraphs 030.510.B.18.c and 030.510.B.18.d do not apply.

2. **Administrative Permit Revisions for Title IV Acid Rain Sources.** Administrative revisions to permit conditions governed by the federal Clean Air Act Title IV Acid Rain Program shall comply with 40 CFR PART 72.

SECTION E - PART 030.500 APPLICABLE REQUIREMENTS IN PART 70 OPERATING PERMITS

The provisions of this section apply to all PART 030.500 applicable requirements and associated periodic monitoring requirements in PART 70 Operating Permits and to all Permits to Construct.

1. Permit to Construct and Issuance or Revision of the PART 70 Operating Permit

- a. Except as provided in paragraph 030.500.E.2.b, the Permit to Construct serves as the Permit to Construct and operate the affected and constructed emissions units during the period before a PART 70 Operating Permit is granted or denied, or until the Permit to Construct is incorporated into a PART 70 Operating Permit through a permit revision.
 - (1) After the Control Officer issues or revises the PART 70 Operating Permit, the owner or operator may not operate the affected or constructed emissions units without both a valid PART 70 (or, alternatively, PART 71) Operating Permit and valid Permit to Construct, except as provided in paragraph 030.500.C.2.f.
 - (2) If the Control Officer denies issuance of the PART 70 Operating Permit, or subsequently revokes the PART 70 Operating Permit without reissuing it (or, alternatively, without EPA issuing a PART 70 Operating Permit), the owner or operator may no longer operate any element of the PART 70 source under the Permit to Construct.
- b. The Control Officer shall list PART 030.500 as an authority citation in the PART 70 Operating Permit when incorporating applicable requirements of a Permit to Construct in a PART 70 Operating Permit, or when recording an authorization to construct and operate under PART 030.500 directly in a PART 70 Operating Permit.

2. Reconciling PART 030.500 Requirements in the PART 70 Operating Permit with a Permit to Construct

- a. The PART 70 Operating Permit shall govern the construction and/or operations of the affected and constructed emissions units at the PART 70 source; it shall supersede and/or append to the applicable requirements of a previously issued Permit to Construct, but only with respect to any conflicting or omitted terms and conditions in the Permit to Construct, when:
 - (1) The PART 030.500 applicable requirements, as written in the PART 70 Operating Permit, differ from a previously issued Permit to Construct;
 - (2) The Control Officer revises the terms of an issued Permit to Construct only by revising the PART 70 Operating Permit, as authorized under paragraph 030.500.D.1.a.(3); or
 - (3) The PART 70 Operating Permit contains additional terms and conditions, such as paragraphs 030.510.B.6.d.(1)(a)-(b) or 030.510.B.8.a.monitoring requirements, that are related to construction or operation of the affected or constructed emissions units.
- b. When the Control Officer records or revises an Permit to Construct and operate under PART 030.500 directly in the PART 70 Operating Permit without issuing a separate Permit to Construct, as authorized under paragraphs 030.500.C.2.f and 030.500.D.1.a.(3), then the PART 70 Operating Permit serves as both the PART 70 Operating Permit and the Permit to Construct for the affected and constructed emissions units at the PART 70 source.

3. Survival of PART 030.500 Requirements Following Expiration or Termination of the PART 70 Operating Permit

- a. When a PART 70 Operating Permit includes terms and conditions that supersede and/or append to the Permit to Construct under paragraph 030.500.E.2.a, or when a PART 70 Operating Permit includes terms and conditions that serve as the Permit to Construct as provided under paragraph 030.500.E.2.b, and the PART 70 Operating Permit subsequently expires or terminates, any such terms or conditions in the permit shall survive expiration or termination if:
 - (1) The PART 70 Operating Permit expires only because the owner or operator failed to submit a timely renewal application under paragraph 030.510.B.1; or
 - (2) The PART 70 Operating Permit terminates because the stationary source no longer qualifies as a PART 70 source but it will continue to operate as a minor source, as defined in PART 030.200.
- b. If the terms and conditions survive termination in accordance with paragraph (a)(1) of this section, they remain applicable requirements; the owner or operator may not operate the PART 70 source until the applicable requirements are incorporated into a new or reissued PART 70 Operating Permit or, alternatively, PART 71 Operating Permit.
- c. If terms and conditions survive termination in accordance with paragraph (a)(2) of this section, the Control Officer shall issue a new Minor Source Permit (as defined in PART 030.200) that includes the terms and conditions surviving termination by following the procedures in paragraph 030.510.B.1. The Control Officer need not follow the public participation procedures in paragraph 030.200.E.3 to incorporate the terms and conditions surviving termination of the PART 70 Operating Permit into a Minor Source Permit. The minor source may continue to operate the affected and constructed emissions units under the authority of paragraph (a) of this section until the new permit authorizes continued operation, or until the Control Officer denies issuance of a Minor Source Permit.

PART 030.510 - PART 70 OPERATING PERMIT REQUIREMENTS

SECTION A - DEFINITIONS

The following definitions apply to defined terms used in PART 030.510. Unless the context requires otherwise, the following terms shall have the meanings set forth for the purposes of PART 030.510. When a term is not defined, it shall have the meaning provided in CHAPTER 030, PART 030.500, 40 CFR PART 70.2, the Act, or common usage, in that order of priority.

DEVIATION means a variation from any permit terms, including terms that establish emission limitations, operating conditions, or work practice standards, and those terms intended to show compliance with those limitations, conditions, or standards, including monitoring, recordkeeping, and reporting requirements. A deviation is not necessarily a violation.

EXEMPT SOURCE means that the following source categories are exempted from the obligation to obtain a PART 70 Operating Permit:

- a. Any source that has obtained a voluntarily accepted emission limit, pursuant to SECTION 030.200.G, to avoid having to obtain a PART 70 Operating Permit, unless a PART 70 Operating Permit is required by some other provision or requirement of the Act;
- b. Any source that would be required to obtain a permit solely because it is subject to “Standards of Performance for New Residential Wood Heaters” (40 CFR 60.530, Subpart AAA); or
- c. Any source that would be required to obtain a permit solely because it is subject to “Emission Standard for Asbestos” (40 CFR 61.145, Subpart M).

EXISTING PART 70 SOURCE means a PART 70 source that either has a valid PART 70 Operating Permit issued prior to the effective date of PART 030.510 or has an application for a PART 70 Operating Permit deemed complete prior to the effective date of PART 030.510.

MINOR NSR SIGNIFICANT LEVELS means an increase in the potential to emit that would equal or exceed the following rates for the pollutants listed:

POLLUTANT	PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO ₂	40
LEAD	0.6
H ₂ S	5
TOTAL REDUCED SULFUR (TRS), including H ₂ S	5

MODIFICATION OR MODIFY means a project which meets any of the preconstruction review applicability criteria reflected in the definition of preconstruction review applicability criteria in SECTION 030.510.A or that requires a minor or significant permit revision pursuant to paragraph 030.510.B.14.

NEW PART 70 SOURCE means a PART 70 source that is not an existing PART 70 source.

PRECONSTRUCTION REVIEW APPLICABILITY CRITERIA means any of the following:

- a. At an existing major stationary source, a project that will result in a major modification as defined in PART 030.300 or 030.400;
- b. A new PART 70 source or a modification to an existing PART 70 source that is subject to paragraph 030.500.C.2;
- c. Any project that is subject to a standard, limitation, or other requirement under 40 CFR PART 60;
- d. Any project that is subject to a standard under 40 CFR PART 63, including, but not limited to, construction or reconstruction that requires preconstruction review under 40 CFR PART 63.5; or
- e. For a solid waste incineration unit, a project that will result in a modification for purposes of SECTION 129(g)(3) of the Act.

PROJECT means a physical change in, or change in the method of operation of, a major stationary source. For purposes of this definition, a physical change or change in the method of operation shall not include:

- a. Routine maintenance, repair and replacement.
- b. Use of an alternative fuel or raw material by reason of any order under SECTION 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act.
- c. Use of an alternative fuel by reason of an order or rule under SECTION 125 of the Act.
- d. Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.
- e. Use of an alternative fuel or raw material by a stationary source which:
 - (1) The source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51 Subpart I; or
 - (2) The source is approved to use under any permit issued under 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51 Subpart I.
- f. An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51, Subpart I.
- g. Any change in ownership at a stationary source.

RESPONSIBLE OFFICIAL means one of the following:

- a. For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
 - (1) The operating facilities employ more than 250 persons or have gross annual sales or expenditures

- exceeding \$25 million in second quarter 1980 dollars; or
- (2) The delegation of authority to such representative is approved in advance by the Control Officer.
- b. For a Partnership or sole proprietorship: a general Partner or the proprietor, respectively;
 - c. For a municipality, state, federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this definition, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency; or
 - d. For affected sources:
 - (1) The designated representative in so far as actions, standards, requirements, or prohibitions under title IV of the Act or the regulations promulgated thereunder are concerned; and
 - (2) The designated representative for any other purposes under PART 70.

SECTION B - PART 70 OPERATING PERMIT REQUIREMENTS

1. Permit Applications: Timely and Complete Applications. For each PART 70 source, the owner or operator shall submit a timely and complete permit application. A pre-application conference may be held at the request of the owner or operator of the PART 70 source to assist a source in submitting a complete permit application.

a. Timely application.

- (1) A timely application for a source applying for a PART 70 Operating Permit for the first time is one that is submitted within twelve (12) months after the source becomes subject to the permit program. If a source submits a timely application under this provision, it may continue operating under its Permit to Construct until final action is taken on its application for a new PART 70 Operating Permit.
- (2) For purposes of permit renewal, a timely application is a complete application that is submitted at least twelve (12) months and not greater than eighteen (18) months prior to the date of permit expiration. If a source submits a timely application under this provision, it may continue operating under its current PART 70 Operating Permit until final action is taken on its application for a renewed PART 70 Operating Permit.
- (3) A timely application for an existing PART 70 source that has obtained a Permit to Construct is one that is submitted within twelve (12) months after commencing operation of the modification or reconstruction authorized by the permit, or on or before such 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 paragraph 030.510.B.14 before commencing operation.
- (4) In order to be deemed a timely application, the application must also meet the complete application provisions listed in paragraph 030.510.B.1.b.

b. Complete application.

- (1) To be deemed complete, an application must provide all information necessary to evaluate the subject source and its application and to determine all applicable requirements, including the emission rates information required by paragraph 030.500.C.1.a.(3). Applications for permit revisions need supply only such information as is related to the proposed change. A responsible official shall certify the submitted information consistent with paragraph 030.510.B.4.
- (2) Unless the Control Officer notifies the source in writing within one hundred (100) calendar days of receipt of the application that an application is not complete, such application shall be deemed to be complete.
- (3) If, while processing an application that has been determined or deemed to be complete, the Control Officer determines that additional information is necessary to evaluate or take final action on that application, the Control Officer may request such information in writing and set a reasonable deadline for a response. The applicant must provide in writing any additional information that the Control Officer requests within the time specified in the written request of the Control Officer. Any delay in the submittal of the requested information may result in a corresponding delay in the action of the Control Officer on the application or a determination of incompleteness.
- (4) The submittal of a complete application shall not affect the requirement that any source shall have a Permit to Construct issued pursuant to SECTION 030.500.C prior to construction.

c. Area source-specific requirements.

- (1) If a regulation promulgated by the administrator under SECTION 111 or 112 of the Act (42 U.S.C. 7411 or 7412) requires area sources to submit an application for a PART 70 Operating Permit, each area source covered by the requirement must submit an application in accordance with that regulation.
- (2) Confidential Information. Claims of confidentiality as to information submitted to EPA shall be made pursuant to applicable federal requirements in 40 CFR PART 2. Claims of confidentiality as to information submitted to the department shall be made pursuant to SECTION 020.000.D. In the case where a source has submitted information to the Control Officer under a claim of confidentiality that also must be submitted to EPA, the Control Officer shall either submit the information to EPA or require the source to submit a copy of such information directly to EPA.
- (3) Late applications. An application submitted after the deadlines established for timeliness shall be accepted for processing, but shall not be considered a timely application. Submitting an application shall not relieve a source of any enforcement actions resulting from submitting a late application.

2. Permit Applications: Duty to Supplement or Correct Application. Any applicant who fails to submit any relevant facts, or who has submitted incorrect information in a permit application, shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed a complete application but prior to release of a draft permit. A responsible official shall certify the additional information consistent with the requirements of paragraph 030.510.B.4.

3. Permit Applications: Standard Requirements. Information as described below for each emissions unit at a PART 70 source shall be included in the application. The application shall be submitted on a form provided by the Control Officer.

- a. Identifying information, including company name, company address, plant name and address if different from company name and address, owner's name and agent, and telephone number and name of the responsible official, plant site manager, or contact;
- b. A description of the source's processes and products by Standard Industrial Classification Code (SIC) or the North American Industry Classification System (NAICS), including any associated with each alternate scenario identified by the source;
- c. The following emissions-related information:
 - (1) The potential to emit of all air pollutants for which the source is major, and the potential to emit of all regulated air pollutants, including HAPs, from any emissions unit;
 - (2) Identification and description of all points of emissions described in paragraph 030.510.B.3.c.(1) in sufficient detail to establish the basis for an air impact analysis and applicability of applicable requirements;
 - (3) Emissions rates in tons per year, including fugitive emission rates, and in such terms as are necessary to establish compliance with applicable requirements, consistent with the results of performance tests conducted pursuant to the source's PART 70 Operating Permit or the source's Permit to Construct, whichever is more current;
 - (4) The following information to the extent it is needed to determine or regulate emissions: fuels, fuel use, raw materials, production rates, and operating schedules;
 - (5) Identification and description of air pollution control equipment and compliance monitoring devices

- or activities; and
 - (6) Limitations on source operation affecting emissions or any work practice standards, where applicable, for all regulated air pollutants and HAPs at the PART 70 source.
- d. Other information required by any applicable requirement, including:
- (1) Information related to stack height limitations developed pursuant to paragraph 030.400.G.3; and
 - (2) The calculations on which the information in paragraphs 030.510.B.3.c.(1) through 030.510.B.3.c.(6) is based.
- e. The following air pollution control requirements:
- (1) Citation and description of all applicable requirements, and
 - (2) Description of or reference to any applicable test method for determining compliance with each applicable requirement.
- f. Other specific information that may be necessary to implement and enforce applicable requirements or to determine the applicability of such requirements;
- g. An explanation of any proposed exemptions from otherwise applicable requirements;
- h. If alternative operating scenarios are to be identified in the permit pursuant to paragraph 030.510.B.6.j, such information as is necessary for the Control Officer to define those scenarios and determine the applicable requirements for each proposed scenario;
- i. If emissions trading is proposed, the legal authority for the trading and a description of the proposed conditions for determining compliance with the trading requirements, including replicable procedures that ensure that the emissions trades are quantifiable and enforceable.
- j. A compliance plan that contains all of the following:
- (1) A description of the compliance status of the source with respect to all applicable requirements;
 - (2) A compliance statement and compliance schedule, as follows:
 - (a) For applicable requirements with which the source is in compliance, a statement that the source will continue to comply with such requirements;
 - (b) For applicable requirements that will become effective during the permit term, a statement that the source will meet such requirements on a timely basis. A statement that the source will meet, in a timely manner, applicable requirements that become effective during the permit term shall satisfy this provision, unless a more detailed schedule is expressly required by the applicable requirement; and
 - (c) A schedule of compliance for any emissions unit at the source that will not be in compliance with any applicable requirement at the time of permit issuance. Such a schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with the applicable requirements. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.

- (3) A schedule for submission of certified progress reports no less than every six (6) months for sources required to have a schedule of compliance to remedy a violation.
 - (4) The compliance plan content requirements specified in paragraphs 030.510.B.3.j.(1) through 030.510.B.3.j.(3) shall apply and be included in the “acid rain” portion of a compliance plan for a Title IV affected source, except as specifically superseded by regulations promulgated under Title IV of the Act, “Acid Deposition Control,” with regard to the schedule and methods the source will use to achieve compliance with the acid rain emission limitations.
- k. Requirements for compliance certification, including all of the following:
- (1) A certification of compliance with all applicable requirements by a responsible official consistent with paragraph 030.510.B.4 and SECTION 114(a)(3) of the Act, “Enhanced Monitoring and Compliance Certification”;
 - (2) A statement of methods used for determining compliance, including a description of monitoring, recordkeeping, and reporting requirements and test method; and
 - (3) A statement indicating the source’s compliance status with any applicable enhanced monitoring and compliance certification requirements of the Act.
- l. For acid rain portions of permit applications and compliance plans, submit a current EPA Acid Rain Permit Application or New Unit Exemption form, as applicable.
- m. If a PAL is requested, the information required by SECTION 030.400.S for establishing a PAL.
- 4. Permit Applications: Certification.** Any application form, report, or compliance certification submitted pursuant to PART 030.510 shall contain certification by a responsible official of truth, accuracy, and completeness. This certification, and any other certification required under PART 030.510, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- 5. Permit Applications: Insignificant Activities and Emissions.** An application may not omit information needed to determine the applicability of, or to impose, any applicable requirement.
- a. The following types of activities and emissions units may be presumptively omitted from a permit application for a PART 70 Operating Permit. Certain of these listed activities include qualifying statements intended to exclude many similar activities:
- (1) Combustion emissions from propulsion of mobile sources;
 - (2) Air-conditioning units used for human comfort that do not have applicable requirements under Title VI of the Act;
 - (3) Ventilating units used for human comfort that do not exhaust air pollutants into the ambient air from any manufacturing/industrial or commercial process;
 - (4) Noncommercial food preparation;
 - (5) Consumer use of office equipment and products, not including printing establishments or businesses primarily involved in photographic reproduction;
 - (6) Janitorial services and consumer use of janitorial products;
 - (7) Internal combustion engines used for landscaping purposes;
 - (8) Laundry activities, except for dry-cleaning and steam boilers;
 - (9) Bathroom/toilet vent emissions;
 - (10) Emergency (backup) electrical generators at residential locations;
 - (11) Tobacco smoking rooms and areas;

- (12) Blacksmith forges;
- (13) Plant maintenance and upkeep activities (e.g., groundskeeping, general repairs, cleaning, painting, welding, plumbing, re-tarring roofs, installing insulation, and paving parking lots), provided these activities are not conducted as PART of a manufacturing process, are not related to the source's primary business activity, and not otherwise triggering a permit revision. Cleaning and painting activities qualify as insignificant activities if they are not subject to VOC or HAP control requirements. Asphalt batch plant owners/operators must still get a permit if otherwise required.
- (14) Repair or maintenance shop activities not related to the source's primary business activity, not including emissions from surface coating or degreasing (solvent metal cleaning) activities, and not otherwise triggering a permit revision;
- (15) Portable electrical generators that can be moved by hand from one location to another;
- (16) Hand-held equipment for buffing, polishing, cutting, drilling, sawing, grinding, turning, or machining wood, metal, or plastic;
- (17) Brazing, soldering, and welding equipment, and cutting torches related to manufacturing and construction activities that do not result in emission of HAP metals;
- (18) Air compressors and pneumatically operated equipment, including hand tools;
- (19) Batteries and battery charging stations, except at battery manufacturing plants;
- (20) Storage tanks, vessels, and containers holding or storing liquid substances that will not emit any VOCs or HAPs;
- (21) Storage tanks, reservoirs, and pumping and handling equipment of any size containing soaps, vegetable oil, grease, animal fat, and nonvolatile aqueous salt solutions, provided appropriate lids and covers are utilized;
- (22) Equipment used to mix and package soaps, vegetable oil, grease, animal fat, and nonvolatile aqueous salt solutions, provided appropriate lids and covers are utilized;
- (23) Drop hammers or hydraulic presses for forging or metalworking;
- (24) Equipment used exclusively to slaughter animals, but not including other equipment at slaughterhouses, such as rendering cookers, boilers, heating plants, incinerators, and electrical power generating equipment;
- (25) Vents from continuous emissions monitors and other analyzers;
- (26) Natural gas pressure regulator vents, excluding venting at oil and gas production facilities;
- (27) Hand-held applicator equipment for hot melt adhesives with no VOCs in the adhesive formulation;
- (28) Equipment used for surface coating, painting, dipping, or spraying operations, except those that will emit VOCs or HAPs;
- (29) CO₂ lasers, used only on metals and other materials which do not emit HAPs in the process;
- (30) Consumer use of paper trimmers/binders;
- (31) Electric or steam-heated drying ovens and autoclaves, but not the emissions from the articles or substances being processed in the ovens or autoclaves or the boilers delivering the steam;
- (32) Salt baths using nonvolatile salts that do not result in emissions of any regulated air pollutants;
- (33) Laser trimmers using dust collection to prevent fugitive emissions;
- (34) Bench-scale laboratory equipment used for physical or chemical analysis, but not lab fume hoods or vents;
- (35) Routine calibration and maintenance of laboratory equipment or other analytical instruments;
- (36) Equipment used for quality control/assurance or inspection purposes, including sampling equipment used to withdraw materials for analysis;
- (37) Hydraulic and hydrostatic testing equipment;
- (38) Environmental chambers not using HAP gases;
- (39) Shock chambers;

- (40) Humidity chambers;
- (41) Solar simulators;
- (42) Fugitive emissions related to movement of passenger vehicles, provided the emissions are not counted for applicability purposes and any required fugitive dust control plan or its equivalent is submitted;
- (43) Process water filtration systems and demineralizers;
- (44) Demineralized water tanks and demineralizer vents;
- (45) Boiler water treatment operations, not including cooling towers;
- (46) Oxygen scavenging (deaeration) of water;
- (47) Ozone generators;
- (48) Fire suppression systems;
- (49) Emergency road flares;
- (50) Steam vents and safety relief valves;
- (51) Steam leaks;
- (52) Steam cleaning operations; and
- (53) Steam sterilizers.

b. Any person may petition the Control Officer for a rule to be adopted to add an activity or emission unit to this list of insignificant activities and emissions which may be excluded from a PART 70 Operating Permit application. The petition shall include the following information:

- (1) A complete description of the activity or emission to be added to the list;
- (2) A complete description of all air contaminants that may be emitted by the activity or emission, including emission rate, air pollution control equipment, and calculations used to determine emissions; and
- (3) An explanation of why the activity or emission should be exempted from the application requirements for an operating permit.

c. The Control Officer shall review, on a case-by-case basis, insignificant activities for an individual PART 70 source that are listed in the application but do not require a detailed description. No activity with the potential to emit greater than two (2) tpy of any criteria pollutant, five (5) tpy of a combination of criteria pollutants, five hundred (500) pounds per year of any HAP, or one (1) tpy of a combination of HAPs shall be eligible to be determined an insignificant activity under paragraph 030.510.B.5.

6. Permit Content: Standard Requirements. Each PART 70 Operating Permit shall include the following elements:

a. Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of permit issuance or that become effective within the term of the permit:

- (1) The permit shall specify, and reference the origin of and authority for, each term or condition, and identify any difference in form as compared to the applicable requirement upon which the term or condition is based.
- (2) Where an applicable requirement is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, "Acid Deposition Control," both provisions shall be incorporated into the permit.
- (3) If the Nevada SIP allows a determination of an alternative emissions limit at a PART 70 source,

equivalent to that contained in the SIP, to be made during the permit issuance, renewal, or significant revision process, and the Control Officer elects to use such process, any permit containing such equivalency determination shall contain provisions to ensure that any resulting emissions limit has been demonstrated to be quantifiable, accountable, enforceable, and based on replicable procedures.

- b. All terms and conditions of any Permit to Construct, to the extent that such terms and conditions apply to operations. The permit shall identify those terms and conditions and the authority upon which they are based, and shall contain a statement that any changes to any such terms and conditions must be processed in accordance with the applicable permit revision procedures in PART 030.500, paragraph 030.510.B.13 or paragraph 030.510.B.14, and applicable SIP requirements;
- c. Permit duration.
 - (1) The Control Officer shall issue permits for a fixed term of five (5) years in the case of “acid rain” sources, and for a term not to exceed five (5) years in the case of all other sources.
 - (2) Notwithstanding paragraph 030.510.B.6.c.(1), the Control Officer shall issue permits for solid waste incineration units combusting municipal waste and subject to a standard under SECTION 129(e) of the Act shall be issued for a period not to exceed twelve (12) years and shall review such permits at least every five (5) years.
 - (3) A condition or requirement in a PART 70 Operating Permit that incorporates conditions from a Permit to Construct derived from PARTS 030.300 and 030.400 requirements shall remain in effect and enforceable after expiration or termination of the PART 70 Operating Permit in which they are contained;
- d. Monitoring and related recordkeeping and reporting requirements.
 - (1) Each permit shall contain the following requirements with respect to monitoring:
 - (a) All monitoring and analysis procedures or test methods required under applicable monitoring and testing requirements, including 40 CFR PART 64, and any other procedures and methods that may be promulgated pursuant to SECTIONS 114(a)(3) or 504(b) of the Act. If more than one monitoring or testing requirement applies, the permit may specify a streamlined set of monitoring or testing provisions provided the specified monitoring or testing is adequate to assure compliance at least to the same extent as the monitoring or testing applicable requirements that are not included in the permit as a result of such streamlining;
 - (b) Where the applicable requirement does not require periodic testing or instrumental or non-instrumental monitoring, compliance monitoring may consist of recordkeeping designed to serve as monitoring or periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source’s compliance with the permit. Such monitoring requirements shall assure use of terms, test methods, units, averaging periods, and other statistical conventions consistent with the applicable requirement. Recordkeeping provisions may be sufficient to meet the requirements of this paragraph; and
 - (c) As necessary, requirements concerning the use, maintenance, and, where appropriate, installation of monitoring equipment or methods.
 - (2) With respect to recordkeeping, the permit shall incorporate all applicable recordkeeping requirements and require, where applicable, the following:

- (a) Records of required monitoring information that include the following:
 - i. The date, place as defined in the permit, and time of sampling or measurements;
 - ii. The dates analyses were performed;
 - iii. The company or entity that performed the analyses;
 - iv. The analytical techniques or methods used;
 - v. The results of such analyses; and
 - vi. The operating conditions as existing at the time of sampling or measurement.

- (b) Retention of records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

- (3) For sources that contain emissions units subject to 40 CFR PART 64 (Compliance Assurance Monitoring, or CAM), the following general terms and conditions shall become terms and conditions of the permit:
 - (a) The permittee shall install, calibrate, maintain, and operate a monitoring system according to the manufacturer's specifications or other written procedures that provide adequate assurance that the system would reasonably be expected to function in accordance with the requirements in 40 CFR PART 64.7.
 - (b) At all times, the permittee shall properly maintain the monitoring system, including, but not limited to, maintaining PARTs if necessary for routine repairs of the monitoring system.
 - (c) The permittee shall collect data at all required intervals during emissions unit operation, except for, as applicable, monitoring malfunctions, repairs associated with monitoring malfunctions, and required quality assurance or control activities, as follows:
 - i. Data recorded during monitoring malfunctions, repairs associated with malfunctions, and required quality assurance or control activities shall not be used for purposes of CAM.
 - ii. The permittee shall maintain records of the beginning date and time, ending date and time, and cause (including unknown cause, if applicable) for monitoring downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable).
 - iii. The permittee shall use all data collected during all periods other than those identified in paragraph 030.510.B.6.d.(3)(c)i in assessing the operation of the control device and associated control system.
 - iv. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures caused in PART by poor maintenance or careless operation are not malfunctions and shall be considered deviations.

 - (d) All incidents of monitoring downtime recorded under paragraph 030.510.B.6.d.(3)(c)i shall be reported pursuant to paragraph 030.510.B.6.d.(4).
 - (e) The permittee shall comply with the requirements of an approved CAM quality improvement plan, if required by the Control Officer.

- (4) With respect to reporting, the permit shall incorporate all applicable reporting requirements, including those in 40 CFR PART 64.9(a), if applicable, and require all of the following:
- (a) Submittal of reports of any required monitoring every six (6) months, or more frequently if specified by an applicable requirement or by the Control Officer. All instances of deviations from permit requirements, including monitoring downtime, must be clearly identified in such reports. All required monitoring reports submitted must be certified by a responsible official pursuant to paragraph 030.510.B.4;
 - (b) Reporting of deviations from permit requirements, including those attributable to malfunction, startup, or shutdown. Deviations shall be reported promptly. All reports of deviations shall identify the probable cause of the deviations and any corrective actions or preventative measures taken. "Promptly," for purposes of reporting, shall mean as follows:
 - i. A deviation caused by excess emissions shall be reported according to the requirements of SECTION 030.040.A
 - ii. The owner or operator of any source shall report to the Control Officer emissions that are in excess of an applicable requirement or emission limit that pose a potential imminent and substantial danger to public health, safety or the environment as soon as possible, but in no case later than twelve (12) hours after the deviation is discovered, with a written report submitted within two (2) business days of the occurrence.; and
 - iii. All other deviations shall be reported within six (6) months of the date the permittee first learns of the deviation.
 - (c) Written Report of Deviations. A written report must be submitted at the time specified in paragraph 030.510.B.6.d.(4)(b). This form does not provide an exemption from reporting all malfunctions or emergencies, which shall be reported according to PART 030.040. All deviation reports submitted must be certified by a responsible official.
- (5) Claims of confidentiality shall be governed by SECTION 020.000.D
- e. Acid Rain Allowances. For Title IV affected sources, a permit condition prohibiting emissions exceeding any allowances that the source lawfully holds under Title IV of the Act or the regulations promulgated thereunder:
- (1) No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program, provided that such increases do not require a permit revision under any other applicable requirement.
 - (2) No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.
 - (3) Any such allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Act.
- f. A severability clause to ensure the continued validity of the various permit requirements in the event of a challenge to any portions of the permit;
- g. Standard provisions stating the following:
- (1) The permittee must comply with all conditions of the PART 70 Operating Permit. Any permit

noncompliance may constitute a violation of CHAPTER 030, Nevada law, and the Act, and is grounds for any of the following: enforcement action; permit termination; revocation and re-issuance; revision; or denial of a permit renewal application.

- (2) The need to halt or reduce activity is not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
 - (3) The permit may be revised, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
 - (4) The permit does not convey any property rights of any sort, or any exclusive privilege.
 - (5) The permittee shall 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 revising, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Control Officer copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.
 - (6) On a timely basis, the permittee shall meet all applicable requirements that become effective during the permit term.
- h. Emission Fee. A provision to ensure that the source pays fees consistent with PART 020.200.
- i. Emissions Programs. A provision stating that no permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes, for changes that are provided for in the permit;
- j. Alternative Operating Scenarios. Terms and conditions for reasonably anticipated operating scenarios identified by the source in its application as approved by the Control Officer. Such terms and conditions:
- (1) Shall require the source, contemporaneously with making a change from one operating scenario to another, to record in a log at the permitted facility a record of the scenario under which it is operating;
 - (2) Shall extend the permit shield to all terms and conditions under each such operating scenario; and
 - (3) Must ensure that the terms and conditions of each such alternative scenario meet all applicable requirements and the requirements of PART 030.510.
- k. Emissions Trading. Terms and conditions, if the permit applicant requests them, for the trading of emissions increases and decreases in the permitted facility, to the extent that the applicable requirements and the Nevada SIP provide for trading such increases and decreases without a case-by-case approval by the Control Officer and the trading is necessary solely for the purpose of complying with a federally enforceable emissions cap that is established in the permit independent of any otherwise applicable requirements. Such terms and conditions:
- (1) Shall include all terms required to determine compliance, including replicable procedures and permit terms that ensure that emissions trades are quantifiable and enforceable;
 - (2) Shall extend the permit shield to all terms and conditions that allow such increases and decreases in emissions; and
 - (3) Shall ensure that the terms and conditions meet all applicable requirements and that the permitting of affected sources occurs in accordance with the deadlines in Title IV of the Act and the regulations promulgated thereunder.

- l. Any application form, report, or compliance certification submitted pursuant to CHAPTER 030 shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this PART shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete; and
- m. The permit shall specify that any person who has been issued a permit under PART 030.510 shall post such permit in a location which is clearly visible and accessible to the facility's employees and representatives of the department.

7. Permit Content: Federally Enforceable Requirements

- a. Except as provided in paragraph 030.510.B.7.b, all terms and conditions in a PART 70 Operating Permit, including any provisions designed to limit a source's PTE, are enforceable by EPA and by citizens pursuant to a citizen's suit filed under the Act.
- b. Notwithstanding paragraph 030.510.B.7.a, applicable requirements that are not required by the Act or implementing federal regulations shall be included in the permit, but shall be specifically designated as being not federally enforceable and not enforceable by a citizen's suit pursuant to the Act and shall be designated as "county-only requirements." Terms and conditions so designated are not subject to the requirements that apply to permit review by EPA and affected states.
- c. The Control Officer shall determine which conditions are "county-only requirements" in each PART 70 Operating Permit.

8. Permit Content: Compliance Requirements. All PART 70 Operating Permits shall contain all of the following elements with respect to compliance:

- a. Compliance certification, testing, monitoring, reporting, and recordkeeping requirements sufficient to assure compliance with the terms and conditions of the permit. Any document, including any report, required to be submitted pursuant to SECTION 030.510.B shall contain a certification by a responsible official that meets the requirements of paragraph 030.510.B.4;
- b. Inspection and entry requirements that require that, upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Control Officer or an authorized representative to enter the permittee's premises where a PART 70 source is located or emissions related activity is conducted and to:
 - (1) Have access to and copy any records that must be kept under the conditions of the permit;
 - (2) Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
 - (3) Sample or monitor substances or parameters for the purpose of assuring compliance with the permit or applicable requirements; and
 - (4) Document alleged violations using devices such as cameras or video equipment.
- c. A schedule of compliance consistent with paragraph 030.510.B.3.j and 40 CFR PART 70.5(c)(8);
- d. Progress reports consistent with an applicable schedule of compliance to be submitted semiannually, or at a more frequent period if specified in the applicable requirement or by the Control Officer. Such progress reports shall contain all of the following:

- (1) Dates for achieving the activities, milestones, or compliance required in the schedule of

- compliance, and dates when such activities, milestones, or compliance were achieved; and
- (2) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.
- e. Requirements for compliance certification with terms and conditions contained in the permit, including emission limitations, standards, or work practices. Permits shall include all of the following:
- (1) Annual submission of compliance certification, or more frequently if specified in the applicable requirement or by the Control Officer;
 - (2) In accordance with paragraph 030.510.B.6.d, a means for monitoring the compliance of the source with its emission limitations, standards, and work practices;
 - (3) A requirement that the compliance certification include all of the following (provided that the identification of applicable information may reference the permit or previous reports, as applicable):
 - (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 owner or operator for determining the compliance status with each term and condition during the certification period. The methods and means shall include, at a minimum, the monitoring and related recordkeeping and reporting requirements described in 40 CFR PART 70.6(a)(3). If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with SECTION 113(c)(2) of the Act, which prohibits knowingly making a false certification or omitting material information;
 - (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 method or means designated in paragraph 030.510.B.8.e.(3)(b). The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify, as possible exceptions to compliance, any periods during which compliance is required and in which an excursion or exceedance (as defined under 40 CFR PART 64) occurred; and
 - (d) Such other facts as the Control Officer may require to determine the compliance status of the source.
 - (4) A requirement that all compliance certifications be submitted to EPA as well as to the Control Officer.
- f. Such additional requirements as may be specified pursuant to SECTION 114(a)(3) of the Act, "Enhanced Monitoring and Compliance Certification," and SECTION 504(b) of the Act, "Monitoring and Analysis."

9. Permit Content: Permit Shield

- a. Except as otherwise provided in paragraph 030.510.B.9, the Control Officer may include in each PART 70 Operating Permit a permit shield provision stating that compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:
- (1) Such applicable requirements are included and are specifically identified in the permit; or

- (2) The Control Officer, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.
- b. A PART 70 Operating Permit that does not expressly state that a permit shield exists shall be presumed not to provide such a shield.
- c. Nothing in this paragraph or in any operating permit shall alter or affect any of the following:
 - (1) The provisions of SECTION 303 of the Act, "Emergency Orders," including the authority of the Administrator under that section;
 - (2) The applicable requirements of the Acid Rain Program, consistent with SECTION 408(a) of the Act;
 - (3) The ability of the Control Officer to obtain information from a source, and the ability of EPA to obtain information from a source, under SECTION 114 of the Act, "Inspection, Monitoring, and Entry"; and
 - (4) The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance.

10. Permit Issuance: Action on Application

- a. A permit, permit revision, or permit renewal may be approved only if all of the following conditions have been met:
 - (1) The Control Officer has received a complete application for a permit, permit revision, or permit renewal, except that a complete application need not be received before a PART 70 general permit is issued pursuant to paragraph 030.510.B.20;
 - (2) Except for revisions qualifying as administrative, the Control Officer has complied with the applicable requirements for public Participation in paragraph 030.510.B.17;
 - (3) The Control Officer has complied with the requirements for notifying and responding to EPA and affected states under paragraph 030.510.B.18.b;
 - (4) The conditions of the permit provide for compliance with all applicable requirements and the requirements of PART 030.510; and
 - (5) EPA has received a copy of the proposed permit or permit revision and any notices required under paragraphs 030.510.B.18.a and 030.510.B.18.b, and has not objected to issuance of the permit under paragraph 030.510.B.18.c within the time period specified therein.
- b. Except as provided under regulations promulgated under Title IV of the Act for the permitting of Title IV affected sources under the Acid Rain Program, the Control Officer shall take final action on each permit application, including a request for permit revision or renewal, within eighteen (18) months after the date the application is determined to be complete.
- c. The Control Officer shall provide a statement that sets forth the legal and factual basis for the draft permit conditions, including references to the applicable statutory or regulatory provisions or conditions in an applicable Permit to Construct. The Control Officer shall send this statement to EPA along with each proposed PART 70 Operating Permit and to any other person who requests it.
- d. Upon issuance of a PART 70 Operating Permit or revision to that permit, any Permit to Construct issued for an emissions unit subject to that permit or revision is terminated for that emissions unit. However, the terms and conditions of the Permit to Construct remain in effect, in accordance with paragraph 030.510.B.6.

- e. The submittal of a complete application shall not affect the requirement that any source have a preconstruction permit under Title I of the Act.

11. Permit Renewal and Expiration

- a. Permits being renewed are subject to the same procedural requirements, including those for public Participation and affected state and EPA review, that apply to initial permit issuance.
- b. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted.
- c. If a timely and complete renewal application is submitted and the Control Officer fails to issue or deny the renewal permit before the end of the term of the current permit, then all of the terms and conditions of the current permit, including the permit shield, shall remain in effect until renewal or denial.
- d. Except as provided in paragraph 030.510.B.12.b and paragraphs 030.510.B.14.a and 030.510.B.14.b, no PART 70 source may operate after the time that it is required to submit a timely and complete application under SECTION 030.510.B except in compliance with a permit issued thereunder. If a PART 70 source submits a timely and complete application for permit issuance (including for renewal), the source's failure to have a PART 70 Operating Permit is not a violation of PART 030.510 until the Control Officer takes final action on the permit application. This protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit, by the deadline specified in writing by the Control Officer, any additional information identified as being needed to process the application.

12. Permit Revision: Changes that Do Not Require a Permit Revision

- a. A PART 70 source may make changes that are not addressed or prohibited by the permit without a permit revision, unless such changes are subject to any requirements under Title IV of the Act or are modifications under any provisions of Title I of the Act.
 - (1) Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition.
 - (2) Sources must provide at least seven (7) days written notice to the Control Officer and EPA of each such change, except for changes that qualify as insignificant under paragraph 030.510.B.5. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change.
 - (3) The change shall not qualify for a permit shield.
 - (4) The permittee shall keep a record describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.
- b. A PART 70 source may make changes without requiring a permit revision if the changes are defined as SECTION 502(b)(10) changes under the Act, are not modifications under any provisions of Title I of the Act, and do not exceed the emissions allowable under the permit (whether expressed in the permit as a rate of emissions or in terms of total emissions). For each such change, the written notification required by paragraph 030.510.B.12.a.(2) shall apply. The change shall not qualify for a permit shield.

13. Permit Revision: Administrative Permit Revision

- a. An administrative permit revision is a permit revision that:

- (1) Corrects typographical errors;
 - (2) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source;
 - (3) Requires more frequent monitoring or reporting by the permittee;
 - (4) Allows for a change in ownership or operational control of a source if the Control Officer determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Control Officer;
- b. Administrative permit revisions for purposes of the “acid rain” portion of the permit shall be governed by regulations promulgated under Title IV of the Act.
 - c. Administrative Permit Revisions Procedures. An administrative permit revision may be made by the Control Officer consistent with the following:
 - (1) The Control Officer shall take no more than thirty (30) calendar days from receipt of a request for an administrative permit revision to take final action on such request, and may incorporate such changes without providing notice to the public or affected states, provided that the Control Officer designates any such permit revisions as having been made pursuant to an administrative permit revision.
 - (2) The Control Officer shall submit a copy of the revised permit to EPA.
 - d. The source may implement the changes addressed in the request for an administrative revision immediately upon submittal of the request.
 - e. The Control Officer shall, upon taking final action for an administrative permit revision, allow coverage by the permit shield for administrative permit revisions which meet the relevant requirements of paragraph 030.510.B.13.c and paragraph 030.510.B.14.c for significant permit revisions.

14. Permit Revisions: Minor and Significant. A significant permit revision is any revision to a PART 70 Operating Permit that cannot be accomplished under paragraph 030.510.B.14 for minor or administrative permit revisions. Any permit revision for purposes of the “acid rain” portion of the permit shall be governed by regulations promulgated by the Administrator under Title IV of the Act and shall require a significant permit revision.

a. Minor Permit Revision Procedures.

- (1) **Criteria.** Minor permit revision procedures may be used only for those permit revisions that:
 - (a) Do not violate any applicable requirement, including any provision of the Nevada SIP (including specific control strategies);
 - (b) Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;
 - (c) Do not require or change a case-by-case determination of an emission limitation or other standard, or a source specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
 - (d) Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement, and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such term or

condition would include a federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I of the Act, or an alternative emissions limit approved pursuant to regulations promulgated under SECTION 112(i)(5) of the Act, "Early Reduction";

- (e) Incorporates into the permit the terms and conditions of a Permit to Construct for a modification if the terms and conditions were subject to the procedures prescribed by paragraph 030.400.P.6; or
 - (f) Incorporates into the permit the terms and conditions in a Permit to Construct issued pursuant to paragraphs 030.500.C.3 or 030.500.C.4 if the terms and conditions were adopted under the procedures prescribed by 030.400.P.6.
 - (g) Are not modifications under any provision of Title I of the Act; and
 - (h) Are not modifications subject to paragraph 030.500.C.1.a.(8).
- (2) Emissions Trading. Minor permit revision procedures may be used for permit revisions involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor PART 70 Operating Permit revision procedures are explicitly provided for in the Nevada SIP or an applicable requirement.
- (3) Application. A permittee shall submit a standard application form provided by the department requesting a minor permit revision. The form shall include all of the following:
- (a) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
 - (b) The source's suggested draft minor permit revision language;
 - (c) Certification by a responsible official that the proposed revision meets the criteria for a minor permit revision; and
 - (d) The information the Control Officer needs in order to notify EPA and affected states.
- (4) EPA and Affected State Notification. Within five (5) working days of receipt of a complete minor permit revision application, the Control Officer shall notify EPA and affected states of the requested permit revision.
- (5) Timetable for Approval. The Control Officer may not issue a final permit revision approval until after EPA's 45-day review period or until EPA has notified the Control Officer that EPA will not object to issuance of the permit revision, whichever is first. Within ninety (90) calendar days after the date the application is determined to be complete or fifteen (15) calendar days after the end of EPA's 45-day review period under this paragraph, whichever is later, the Control Officer shall:
- (a) Issue the permit revision as proposed;
 - (b) Deny the permit revision;
 - (c) Determine that the requested revision does not meet the minor permit revision criteria and should be reviewed under the significant revision procedures; or
 - (d) Revise the draft minor permit revision and transmit to EPA the new proposed revision. Transmittal to EPA initiates the approval process described in paragraph 030.510.B.18.a.
- (6) Permit Shield. A permit shield shall not extend to minor permit revisions.
- b. Group Processing of Minor Permit Revisions. Consistent with this paragraph, the Control Officer may modify the procedure outlined in paragraph 030.510.B.14.a to process groups of a source's applications for certain modifications eligible for minor permit revision processing.

(1) Criteria. Group processing of modifications may be used only for those permit revisions:

- (a) That are minor permit revisions; and
- (b) That collectively are below the following threshold levels: ten (10) percent of the emissions allowed by the permit for the emissions unit for which the change is requested, twenty (20) percent of the applicable definition of major stationary source in PART 030.300, PART 030.400, and PART 030.510, five (5) tpy, whichever is less.

(2) Application. An application requesting the use of group processing procedures shall include the following:

- (a) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
- (b) The source's suggested draft permit revision language;
- (c) Certification by a responsible official that the proposed revision meets the criteria for use of group processing procedures, and a request that such procedures be used;
- (d) A list of the source's other pending applications awaiting group processing, and a determination of whether the requested revision, aggregated with these other applications, equals or exceeds the threshold set under paragraph 030.510.B.14.b.(1)(b);
- (e) Certification that the source has notified EPA of the proposed revision. Such notification need only contain a brief description of the requested revision; and
- (f) Completed forms for the Control Officer to use to notify EPA and affected states of the revisions for which group processing is sought.

(3) EPA and Affected State Notification. On a quarterly basis or within five (5) business days of receipt of an application demonstrating that the aggregate of a source's pending applications equals or exceeds the threshold level set under paragraph 030.510.B.14.b.(1)(b), whichever is earlier, the Control Officer shall notify EPA and affected states of the requested permit revisions.

(4) Timetable for Issuance. The provisions of paragraph 030.510.B.14.a.(5) shall apply to modifications eligible for group processing, except that the Control Officer shall take one of the specified actions within one hundred eighty (180) days of receipt of the application or fifteen (15) days after the end of EPA's 45-day review period under paragraph 030.510.18.c.

(5) Permit Shield. Revisions eligible for group processing shall not be entitled to the permit shield.

c. Significant Permit Revision Procedures.

(1) Criteria. Significant permit revision procedures shall be used for applications requesting permit modifications that do not qualify as minor permit revisions or as administrative permit revisions, including the creation of a PAL pursuant to SECTION 030.400.S. At a minimum, every significant change in existing monitoring permit terms or conditions, and every relaxation of reporting or recordkeeping permit terms or conditions, shall be considered significant. Nothing herein shall be construed to preclude the permittee from making changes consistent with this PART that would render existing permit compliance terms and conditions irrelevant.

(2) Significant permit revisions shall meet all requirements for issuance and renewal of a PART 70 Operating Permit under paragraph 030.510.B.10 and paragraph 030.510.B.11, including those for applications, public Participation, review by affected states, and review by EPA, as they apply to

permit issuance and permit renewal. The Control Officer shall complete review of significant permit revisions within twelve (12) months after the date the application is determined to be complete.

15. Permit Revision: Reopening for Cause

- a. Each PART 70 Operating Permit shall include provisions specifying the conditions under which the permit will be reopened prior to the expiration of the permit. A permit shall be reopened and revised under any of the following circumstances:
 - (1) New applicable requirements become applicable to a PART 70 source that is a major stationary source under PART 030.300, PART 030.400, or 40 CFR PART 70.3(a)(1) with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire unless the original permit or its terms and conditions has been extended pursuant to paragraph 030.510.B.11.c;
 - (2) Additional requirements (including excess emissions requirements) become applicable to an affected source under the Acid Rain Program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;
 - (3) The Control Officer or EPA 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; or
 - (4) The Administrator or the Control Officer determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- b. PAL conditions are to be revised under paragraph 030.300.I.8 or paragraph 030.400.S.8.b.
- c. Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance, and shall affect only those PARTs of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.
- d. Reopenings under paragraph 030.510.B.15.a.(1) shall not be initiated before a notice of such intent is provided to the source by the Control Officer at least thirty (30) days in advance of the date that the permit is to be reopened, except that the Control Officer may provide a shorter time period in the case of an emergency.

16. Permit Revision: Reopenings for Cause by EPA

- a. The Control Officer shall, within ninety (90) days after receipt of notification that EPA finds that cause exists to terminate, revise, or revoke and reissue a permit, forward to EPA a proposed determination of termination, revision, or revocation and reissuance, as appropriate. The Control Officer may request a 90-day extension if a new or revised permit application is necessary or if the Control Officer determines that the permittee must submit additional information.
- b. The Administrator will review the proposed determination from the permitting authority within ninety (90) days of receipt.
- c. The Control Officer shall have ninety (90) days from receipt of an EPA objection to resolve the objection and to terminate, revise, or revoke and reissue the permit in accordance with the Administrator's objection.
- d. If the Control Officer fails to submit a proposed determination pursuant to paragraph 030.510.B.16.a,

or fails to resolve the Administrator's objection pursuant to paragraph 030.510.B.16.b, the Administrator will terminate, modify, or revoke and reissue the permit after taking the following actions:

- (1) Providing at least thirty (30) days notice to the permittee in writing of the reasons for any such action. This notice may be given during the procedures in paragraph 030.510.B.16.a through paragraph 030.510.B.16.c; and
- (2) Providing the permittee an opportunity for comment on the Administrator's proposed action and an opportunity for a hearing.

17. Public Participation. The Control Officer shall provide for public notice, comment, and an opportunity for a hearing on initial permit issuance, significant revisions, reopenings for cause, and renewals in accordance with the following procedures.

- a. Notice shall be given by one of the following methods: By publishing the notice in a newspaper of general circulation in the area where the source is located (or in a State publication designed to give general public notice) or by posting the notice, for the duration of the public comment period, on a public Web site identified by the permitting authority, if the permitting authority has selected Web site noticing as its "consistent noticing method."
- b. The notice shall identify the PART 70 source; the name and address of the permittee; the activity or activities involved in the permit action; the emissions change involved in any permit revision; the name, address, and telephone number of a person from whom interested persons may obtain additional information, including copies of the permit draft, the application, all relevant supporting materials (including any compliance plan or compliance and monitoring certifications), and all other materials available to the Control Officer that are relevant to the permit decision; a brief description of the comment procedures; and the time and place of any hearing that may be held, including a statement of procedures to request a hearing, unless a hearing has already been scheduled.
- c. The Control Officer shall provide such notice and opportunity for Participation by affected states as provided for by paragraph 030.510.B.18.
- d. Timing. The Control Officer shall provide at least thirty (30) days for public comment and shall give notice of any public hearing at least thirty (30) days in advance of the hearing.
- e. The Control Officer shall keep a record of the commenters and also of the issues raised during the public Participation process, and such records shall be available to the public and to EPA.

18. Permit Review by EPA and Affected States

- a. Transmission of Information to EPA.
 - (1) The Control Officer shall provide to EPA a copy of each permit application, including any application for permit revision, each proposed permit, and each final operating permit, unless the Administrator has waived this requirement for a category of sources, including any class, type, or size within such category. The applicant may be required by the Control Officer to provide a copy of the permit application, including the compliance plan, directly to EPA. Upon agreement with EPA, the Control Officer may submit to EPA a permit application summary form and any relevant portion of the permit application and compliance plan, in place of the complete permit application and compliance plan. To the extent practicable, the preceding information shall be provided in a computer-readable format compatible with EPA's national database management system.
 - (2) The Control Officer shall keep for five (5) years such records and submit to EPA such information as EPA may reasonably require to ascertain whether the Operating Permit Program complies with

the requirements of the Act or of 40 CFR PART 70.

b. Review by Affected States

- (1) The Control Officer shall give notice of each draft permit to any affected state on or before the time that the Control Officer provides this notice to the public under paragraph 030.510.B.17.a, except to the extent that paragraphs 030.510.B.14.a or 030.510.B.14.b requires the timing of the notice to be different.
- (2) The Control Officer, as PART of the submittal of the proposed permit to EPA, or as soon as possible after the submittal for minor permit revision application, shall notify EPA and any affected state in writing of any refusal by the Control Officer to accept all recommendations for the proposed permit that the affected state submitted during the public or affected state review period. The notice shall include the Control Officer's reasons for not accepting any such recommendation. The Control Officer is not required to accept recommendations that are not based on applicable requirements or the provisions of SECTION 030.510.B.

c. EPA Objection

- (1) If EPA objects to the issuance of a permit in writing within forty-five (45) days of receipt of the proposed permit and all necessary supporting information, then the Control Officer shall not issue the permit.
- (2) Failure of the Control Officer to do any of the following shall constitute grounds for an objection by EPA:
 - (a) Comply with paragraphs 030.510.B.18.a or 030.510.B.18.b;
 - (b) Submit any information necessary to adequately review the proposed permit; or
 - (c) Process the permit under the procedures in paragraph 030.510.B.17.
- (3) If the Control Officer fails, within ninety (90) days after the date of an objection by EPA, to revise and submit a proposed permit in response to the objection, EPA may issue or deny the permit in accordance with the requirements of the federal program promulgated under 40 CFR PART 71.

- d. Public Petitions to EPA. If EPA does not object in writing under paragraph 030.510.B.18.c, any person may petition EPA under the provisions of 40 CFR PART 70.8(d) within sixty (60) days after the expiration of EPA's 45-day review period to make such objection. If EPA objects to the permit as a result of a petition, the Control Officer shall not issue the permit until EPA's objection has been resolved, except that a petition for review does not stay the effectiveness of a permit or its requirements if the permit was issued after the end of the 45-day review period and prior to an EPA objection. Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in paragraph 030.510.B.17, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. If the Control Officer has issued a permit prior to receipt of an EPA objection under this paragraph, EPA may modify, terminate, or revoke such permit consistent with the procedures in 40 CFR PART 70.7(g), except in unusual circumstances, and the Control Officer may thereafter issue only a revised permit that satisfies EPA's objection. In any case, the source will not be in violation of the requirement to have submitted a timely and complete application.

- e. Prohibition on Default Issuance. The Control Officer shall not issue an operating permit, including a permit renewal or revision, until affected states and EPA have had an opportunity to review the proposed permit as required under paragraph 030.510.B.18.

19. Temporary Sources

- a. The Control Officer may issue a single permit authorizing emissions from similar operations by the same source owner or operator at multiple temporary locations. The operation must be temporary and involve at least one (1) change of location during the term of the permit. No acid rain source or a source subject to the provisions of SECTION 112 of the Act shall be permitted as a temporary source. Permits for temporary sources shall include the following:
 - (1) Conditions that will assure compliance with all applicable requirements at all authorized locations;
 - (2) Requirements that the owner or operator notify the Control Officer at least ten (10) days in advance of each change in location; and
 - (3) Conditions that assure compliance with all other provisions of CHAPTER 030.

20. PART 70 General Permit

- a. The Control Officer may, after notice and opportunity for public Participation provided under 40 CFR PART 70.7(h), issue a PART 70 general permit covering numerous similar PART 70 sources.
- b. Any general permit shall comply with all requirements applicable to other PART 70 Operating Permits and shall identify criteria by which sources may qualify for the general permit. To sources that qualify, the Control Officer shall grant the conditions and terms of the general permit. Notwithstanding the shield provisions of paragraph 030.510.B.9, the source shall be subject to enforcement action for operation without a PART 70 Operating Permit if the source is later determined not to qualify for the conditions and terms of the general permit. General permits shall not be authorized for affected sources under the Acid Rain Program unless otherwise provided in regulations under Title IV of the Act.
- c. PART 70 sources that would qualify for a general permit must apply to the Control Officer for coverage under the terms of the general permit, or must apply for an individual PART 70 Operating Permit. The Control Officer may, in the general permit, provide for applications which deviate from the requirements of paragraph 030.510.B.3, provided that such applications meet the requirements of paragraph 030.510.B.20 and include all information necessary to determine qualification of, and to assure compliance with, the general permit. Without repeating the public Participation procedures required under paragraph 030.510.B.17, the Control Officer may grant a source's request for authorization to operate under a general permit, but such a grant shall not be a final permit action for purposes of judicial review.
- d. If the Administrator does not object within forty-five (45) calendar days after receiving a proposed PART 70 general permit which covers stationary Sources that would otherwise be required to apply for individual PART 70 Operating Permits, the general permit becomes effective at the end of the forty-five (45) calendar day period. If the Administrator objects to the general permit, the PART 70 general permit becomes effective only when the objection is resolved.
- e. After the effective date of a PART 70 general permit, the owner or operator of any stationary source that meets the criteria set forth in the PART 70 general permit may request authority to operate under the PART 70 general permit. The request must be in writing and must include all information required by the PART 70 general permit.

EXPLANATION: Matter in: (1) *blue bold italics* is new language to be added to the existing rule; (2) ~~red-strikethrough~~ is language to be deleted from the existing rule. It should be noted that this draft contains grammatical, minor spelling, and formatting edits to the published rule. These edits are not highlighted using the above rules. All substantive edits are captured using these formatting rules. A copy of the published rule will be included with this proposed rule for comparison.

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

NOTE: The italicized words and phrases used in this regulation have specific meanings: see DEFINITIONS in each of the subparts.

PART 030.000 - GENERAL PROVISIONS

SECTION A - GENERAL

1. *PURPOSE: This regulation requires the owner or operator of any stationary source(s) ("source(s)") emitting air pollutants ("pollutants") located within Washoe County to obtain a Permit to Construct (PTC) and/or a Permit to Operate (PTO) prior to constructing, modifying, or operating that stationary source, except for sources listed in SECTION 030.020.B.*
 - a. *The overarching purpose in requiring a PTC and/or PTO is to protect the health and welfare of the public from exposure to unhealthy concentrations of air pollutants. The PTC and PTO, by requiring information on new and existing stationary sources and modifications to those sources, not only provide information on air pollution emissions (thus facilitating air quality management), but also limit and/or track air pollution emissions, thereby reducing emissions and/or managing exposure from new and modified sources; this allows economic growth within Washoe County while minimizing associated air pollution emissions. Since protection of public health is the Air Quality Management Division's (AQMD's) primary concern, an application for a new source or a modification to an existing source that would adversely impact public health may be denied; should this occur, the owner or operator is encouraged to contact the AQMD to discuss revisions to the proposed source or modification that would reduce the source's impact on air quality to acceptable levels.*
 - b. *Time and resources are necessary to prepare and to process applications for construction and operation of a source, and these regulations may require the installation and operation of control equipment or other measures to limit emissions. In addition, there may be monitoring, reporting and recordkeeping requirements included in the permits. Therefore, the owner/operator should include application preparation and processing time and the cost of control devices and monitoring/testing in their project plans.*
 - c. *Constructing or operating a source without obtaining the proper PTC or PTO, exceeding emissions limitations, or violating a permit term or condition can result in fines and other penalties (including an order to cease construction or operation). Therefore, owners and operators should review this regulation carefully to determine whether they are required to obtain a PTC or PTO and, if so, what standards and conditions apply. If it is unclear whether a specific source is subject to this regulation, the owner/operator should contact the AQMD for guidance.*
 - d. *A source may be subject to one or more of the air pollution permit regulations within PART*

030.000, GENERAL REQUIREMENTS, depending on the source's type, size, and emissions, and on the air quality status of the area the source will locate in or impact. Therefore, owner/operators should review the applicability criteria in PART 030.020 carefully to determine which of the following apply to the construction, modification, and/or operation of their source:

- (1) 030.100 – General Permits*
- (2) 030.200 – Minor Source Permit Requirements*
- (3) 030.300 – Nonattainment New Source Review (NNSR)*
- (4) 030.400 – Prevention of Significant Deterioration (PSD)*
- (5) 030.500 – PART 70 Permit to Construct Requirements*
- (6) 030.510 – PART 70 Operating Permit Requirements*

SECTION B - GENERAL PROHIBITIONS

1. **SEVERABILITY.** *If any provision of these regulations or the application thereof to any person or circumstance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of these regulations which can be given effect without the invalid provision or application, and to this end the provisions of these regulations are declared to be severable.*
2. **PROHIBITED CONDUCT: CONCEALMENT OF EMISSIONS.** *No person may install, construct or use any device which conceals any emission without reducing the total release of regulated air pollutants to the atmosphere.*
3. **PROHIBITED CONDUCT: OPERATION OF SOURCE WITHOUT REQUIRED EQUIPMENT; REMOVAL OR MODIFICATION OF REQUIRED EQUIPMENT; MODIFICATION OF REQUIRED PROCEDURE.** *Except as otherwise provided in these regulations, no person may:*
 - a. *Operate a stationary source of air pollution unless the control equipment for air pollution, which is required by applicable requirements or conditions of the permit, is installed and operating.*
 - b. *Disconnect, alter, modify or remove any of the control equipment for air pollution or modify any procedure required by an applicable requirement or condition of the permit.*
4. **PROHIBITED ACTS.** *As required by Nevada Revised Statute (NRS) 445B.470,*
 - a. *A person shall not knowingly:*
 - (1) *Violate any applicable provision, the terms or conditions of any permit or any provision for the filing of information;*
 - (2) *Fail to pay any fee;*
 - (3) *Falsify any material statement, representation or certification in any notice or report; or*
 - (4) *Render inaccurate any monitoring device or method, required pursuant to the provisions of NRS 445B.100 to 445B.640, inclusive, CHAPTER 030, or any regulation adopted pursuant to those provisions.*
 - b. *Any person who violates any provision of NRS 445B.470.1 shall be punished by a fine of not more than \$10,000 for each day of the violation.*
 - c. *The burden of proof and degree of knowledge required to establish a violation of NRS 445B.470.1 are the same as those required by 42 U.S.C. PART 7413(c).*
 - d. *If, in the judgment of the Control Officer or the Control Officer's designee, any person is engaged in any act or practice which constitutes a criminal offense pursuant to NRS 445B.100 to 445B.640, inclusive, the Control Officer or the designee may request that the Attorney General or the district attorney of the county in which the criminal offense is alleged to have occurred institute by indictment or information a criminal prosecution of the person.*
 - e. *If, in the judgment of the Control Officer of a local air pollution control board, any person is engaged in such an act or practice, the Control Officer may request that the district attorney of the county in which the criminal offense is alleged to have occurred institute by indictment or information a criminal prosecution of the person.*

5. **VISIBLE EMISSIONS: MAXIMUM OPACITY; DETERMINATION AND MONITORING OF OPACITY.**

- a. *Except as otherwise provided in this section, no owner or operator may cause or permit the discharge into the atmosphere from any emission unit which is of an opacity equal to or greater than 20 percent. Opacity shall be determined by one of the following methods:*
 - (1) *If opacity is determined by a visual measurement, it must be determined as set forth in Reference Method 9 in 40 CFR PART 60 Appendix A.*
 - (2) *If a source uses a continuous monitoring system for the measurement of opacity, the data must be reduced to 6-minute averages as set forth in 40 CFR PART 60.13(h).*
- b. *The provisions of this section do not apply to that part of the opacity that consists of uncombined water. The burden of proof to establish the application of this exemption is upon the person seeking to use the exemption.*
- c. *If the provisions of 40 CFR PART 60, Subpart D or Da apply to an emission unit, the emission unit must be allowed one 6-minute period per hour of not more than 27 percent opacity as set forth in 40 CFR PART 60.42(a)(2) and 40 CFR PART 60.42a(b).*
- d. *The continuous monitoring system for monitoring opacity at a facility must be operated and maintained by the owner or operator as specified in the permit for the facility in accordance with the requirements of PART 030.040.*

SECTION C - GENERAL PERMIT PROVISIONS

1. PERMITS: REVOCATION AND REISSUANCE.

- a. *A permit may be revoked by the Control Officer if the required control equipment is not operating.*
- b. *A permit may be revoked by the Control Officer upon determining that there has been a violation of CHAPTER 030, or the provisions of 40 CFR PART 52.21, or 40 CFR PARTS 60, 61, or 63, Prevention of Significant Deterioration, New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants, Approval and Promulgation of State Plans for Designated Facilities and Pollutants.*
- c. *The revocation is effective ten (10) business days after the service of a written notice.*
- d. *To reissue a revoked permit, the holder of the revoked permit must file a new application with the Control Officer, accompanied by the fee for an initial permit. An environmental review of the stationary source must be conducted as though construction had not yet commenced.*

2. PERMITS: TRANSFERS; ADMINISTRATIVE AMENDMENT.

- a. *A permit may not be transferred from one owner or piece of equipment to another unless otherwise specified in paragraph 030.000.C.2.c.(5).*
- b. *An owner or operator may apply for an administrative amendment reflecting a change of ownership or the name of the stationary source.*
- c. *The holder of a permit may request in writing, or the Control Officer may initiate, an administrative amendment of a permit to:*
 - (1) *Correct typographical errors;*
 - (2) *Identify a change in the name, address or telephone number of any person identified in the operating permit, or provide a similar minor administrative change at the stationary source;*
 - (3) *Require more frequent monitoring or reporting by the holder of the permit;*
 - (4) *Add the serial numbers of specific pieces of equipment which were not available at the time of the issuance of or revision of the operating permit; or*
 - (5) *Allow for a change in ownership or operational control of a stationary source if the Control Officer determines that no other change in the permit is necessary. A person who requests an administrative amendment pursuant to this paragraph must submit to the Control Officer a written agreement specifying a date for the transfer of responsibility for the permit.*
- d. *A holder of an operating permit must request an administrative amendment on an application provided by the Director. The application must be accompanied by a fee as determined by the District Board of Health.*
- e. *The Director shall:*
 - (1) *Issue or deny an application for an administrative amendment within thirty (30) calendar days after receipt of the application.*
 - (2) *If the administrative amendment is for a PART 70 Operating Permit, send a copy of the administrative amendment to the Administrator.*

SECTION D - GENERAL ENFORCEMENT PROVISIONS

1. VIOLATIONS: ACTS CONSTITUTING; NOTICE.

- a. *Failure to comply with any requirement of these regulations, any applicable requirement or any condition of a permit constitutes a violation. As required by NRS 445B.450, the Control Officer shall issue a written notice of an alleged violation to any owner or operator for any violation, including, but not limited to:*
 - (1) *Failure to apply for and obtain a permit;*
 - (2) *Failure to construct a stationary source in accordance with the application for a permit or any condition in the Permit to Construct, as approved by the Control Officer;*
 - (3) *Failure to construct or operate a stationary source in accordance with any condition of a permit;*
 - (4) *Commencing construction or modification of a stationary source without applying for and receiving a permit or a modification of a permit;*
 - (5) *Failure to comply with any requirement for recordkeeping, monitoring, reporting or compliance certification contained in a permit; or*
 - (6) *Failure to pay fees.*
- b. *The written notice must specify the provision of these regulations, the condition of the permit or the applicable requirement that is being violated.*
- c. *Written notice shall be deemed to have been served if delivered to the person to whom addressed or if sent by registered or certified mail to the last known address of the person.*

PART 030.010 - GENERAL DEFINITIONS

SECTION A - DEFINITIONS AND ACRONYMS

Unless the context otherwise requires, the terms used in PART 030.010 shall have the meaning given in this part, in PARTS 030.100 through 030.510; NRS 445B; the Federal Clean Air Act, or common usage, in that order of priority.

ACT or “Clean Air Act” or “CAA” means the Federal Clean Air Act as amended.

ACTUAL EMISSIONS means:

- a. *The actual rate of emissions from an emissions unit, as determined in accordance with paragraphs (1) and (2) of this definition, except that this definition shall not apply for calculating whether a significant emissions increase has occurred, or for establishing a PAL. Instead, the definitions of baseline actual emissions and projected actual emissions shall apply for those purposes.*
 - (1) *In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a consecutive 24-month period (except for purposes of annual emissions reporting) which precedes the particular date and which is representative of normal source operation. The Control Officer shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit’s actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.*
 - (2) *For any emissions unit that has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.*
- b. *For the purposes of annual emissions reporting, actual emissions shall be calculated for each calendar year.*

ADJACENT PROPERTIES means parcels of land that lie near each other or that are in close proximity to each other.

ADMINISTRATOR means the Administrator of the United States Environmental Protection Agency or the Administrator’s representative or delegate.

AFFECTED FACILITY means, with reference to a stationary or temporary source, any apparatus to which an air pollution-related standard is applicable.

AGRICULTURAL OPERATIONS means any operation devoted to the bona fide production of crops, or animals, or fowl including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity.

AFFECTED SOURCE means a source made up of one or more affected units. An affected unit shall

be any unit or segment of a facility, which is subject to emissions reductions or limitations under Title IV of the Act.

***AFFECTED STATE** means all States that are contiguous to Washoe County whose air quality may be affected, or all States and tribes that are within 50 miles of the PART 70 source under consideration. Notice of all PART 70 issuances, renewals, or modifications shall be provided to Affected states as applicable.*

***AIR POLLUTANT** or **POLLUTANT** means any air pollution agent or combination of such agents, including any physical, chemical, biological, radioactive (including source material, special nuclear material, and byproduct material) substance or matter which is emitted into or otherwise enters the ambient air. Such term includes any precursors to the formation of any air pollutant, to the extent the EPA Administrator or Control Officer has identified such precursor or precursors for the particular purpose for which the term “air pollutant” is used.*

***AIR POLLUTION** means the presence in the outdoor atmosphere of one or more air pollutants, or any combination thereof, in sufficient quantities and of such characteristics and duration, which may, or tend to:*

- a. Injure human health or welfare, plant or animal life, or property;*
- b. Limit visibility or interfere with scenic, aesthetic and historic values of the State; or*
- c. Interfere with the enjoyment of life or property or the conduct of business.*

***ALLOWABLE EMISSIONS** means the specific maximum emission rate allowed under a Permit to Construct or Permit To Operate, which shall be based on the source's potential to emit (as determined by the physical or operational design of the equipment and any practically enforceable permit conditions that limit the emissions of the source based on use of emissions control equipment, controlled operating rates, hours of operation, or other emissions control methods as approved by the Control Officer) based on the most stringent of the following:*

- a. Applicable standards as set forth in 40 CFR PARTS 60, 61, or 63;*
- b. The applicable Nevada State Implementation Plan (SIP) limitation;*
- c. The emission rate specified in a permit condition, including those with a future compliance date;*
- d. An enforceable emissions limitation established in the permit pursuant to an applicable requirement; or enforceable emissions cap assumed by the source to avoid an otherwise applicable requirement.*

***AMBIENT AIR** means that portion of the atmosphere, external to buildings, to which the general public has access.*

***APPLICABLE REQUIREMENTS** means:*

- a. Any standard or other requirement provided for in the applicable implementation plan approved or promulgated by EPA through rule making under Title I of the Act that implements the relevant requirements of the Act, including any revisions to that plan promulgated in 40 CFR PART 52;*

- b. Any term or condition of any preconstruction permits issued pursuant to regulations approved or promulgated through rule making under Title I including PARTS C or D, of the Act;
- c. Any standard or other requirement under section 111 of the Act, including section 111(d);
- d. Any standard or other requirement under section 112 of the Act, including any requirement concerning accident prevention under section 112(r)(7) of the Act;
- e. Any standard or other requirement of the acid rain program under Title IV of the Act or the regulations promulgated thereunder;
- f. Any requirements established pursuant to section 504(b) or section 114(a)(3) of the Act;
- g. Any standard or other requirement under section 126(a)(1) and (c) of the Act;
- h. Any standard or other requirement governing solid waste incineration under section 129 of the Act;
- i. Any standard or other requirement for consumer and commercial products under section 183(e) of the Act;
- j. Any standard or other requirement for tank vessels under section 183(f) of the Act;
- k. Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under Title VI of the Act, unless the Administrator has determined that such requirements need not be contained in a Title V permit; and
- l. Any national ambient air quality standard or increment or visibility requirement under part C of Title I of the Act, but only as it would apply to temporary sources permitted pursuant to section 504(e) of the Act.

AUTHORITY TO CONSTRUCT means an authorization to construct a stationary source of air pollution, generally conveyed by a permit. This term was superseded in 2024 by the term PERMIT TO CONSTRUCT, but means the same.

BASELINE ACTUAL EMISSIONS (BAE) means the rate of emissions, in tons per year, of a regulated NSR pollutant, as determined in accordance with paragraphs a. through d. of this definition.

- a. For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tons per year, at which the unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 5-year period immediately preceding when the owner or operator begins actual construction of the project. The Control Officer shall allow the use of a different time period upon a determination that it is more representative of normal source operation.
 - (1) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.
 - (2) The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above any emission limitation that was legally enforceable during the consecutive 24-month period.
 - (3) The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had such major stationary source been required to comply with such limitations during the consecutive 24-month period. However, if an emission limitation is part of a Maximum Achievable Control Technology standard that the Administrator proposed or promulgated under 40 CFR PART 63, the baseline actual emissions need only be adjusted

- if the Control Officer has taken credit for such emissions reductions in an attainment demonstration or maintenance plan.*
- (4) For a regulated NSR pollutant, when a project involves multiple emissions units, only one consecutive 24- month period must be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive 24-month period can be used for each regulated NSR pollutant.*
 - (5) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by paragraph a.(2). of this definition.*
- b. For an existing emissions unit (other than an electric utility steam generating unit), baseline actual emissions means the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 10-year period immediately preceding either the date the owner or operator begins actual construction of the project, or the date a complete permit application is received by the Control Officer for a permit required under this section, whichever is earlier.*
- (1) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.*
 - (2) The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.*
 - (3) The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must currently comply, had such major stationary source been required to comply with such limitations during the consecutive 24-month period. However, if an emission limitation is part of a Maximum Achievable Control Technology standard that the Administrator proposed or promulgated under 40 CFR PART 63, the baseline actual emissions need only be adjusted if the Control Officer has taken credit for such emissions reductions in an attainment demonstration or maintenance plan.*
 - (4) For a regulated NSR pollutant, when a project involves multiple emissions units, only one consecutive 24-month period must be used to determine the baseline actual emissions for all the emissions units being changed. A different consecutive 24-month period can be used for each regulated NSR pollutant.*
 - (5) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual emissions, in tons per year, and for adjusting this amount if required by paragraphs b.2 and b.3 of this definition.*
- c. For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's potential to emit.*
- d. For a PAL for a stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units in accordance with the procedures contained in paragraph a. of this definition, for other existing emissions units in accordance with the procedures contained in paragraph b. of this definition, and for a new emissions unit in accordance with the procedures contained in paragraph c. of this definition.*

BEGIN ACTUAL CONSTRUCTION means in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. With respect to a change in method of operating this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

BEST SYSTEM OF CONTROL (BSC) means:

- a. The lowest emissions limitation that a particular source is capable of meeting by the application of control technology that is reasonably available, considering technological and economical feasibility. In determining BSC, the following criteria shall be considered:
 - (1) Energy and environmental impact and cost;
 - (2) Cost-effectiveness;
 - (3) Control technology in use by similar sources; and
 - (4) Technical feasibility.
- b. BSC may be determined on a case-by-case or source category-specific basis, whichever is more stringent, and should take into account relevant findings and determinations in EPA's RACT/BACT/LAER Clearinghouse.
- c. The determination of cost-effectiveness shall use the analysis methodologies contained in the EPA Office of Air Quality Planning and Standards Cost Control Manual.
- d. If the Control Officer determines that technological or economic limitations would make the imposition of an emissions standard infeasible, a design, equipment, work practice, or operational standard, or combination thereof, may be prescribed instead to, in the judgment of the Control Officer, satisfy the requirements for the application of BSC.
- e. **BSC Threshold.** BSC must be determined and applied to:
 - (1) Each pollutant at a new source with a source-wide PTE that equals or exceeds the thresholds listed below unless that pollutant is subject to BACT or LAER requirements under the major source provisions of PARTS 030.300 or 030.400; and
 - (2) Each pollutant at an existing source with a source-wide PTE increase resulting from a modification that equals or exceeds the thresholds listed below unless that pollutant is subject to BACT or LAER requirements under the major source provisions of PARTS 030.300 or 030.400:

REGULATED MINOR SOURCE POLLUTANT	BSC PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO₂	40
LEAD	0.6

H ₂ S	5
TOTAL REDUCED SULFUR (TRS), (including H ₂ S)	5

- (3) For each of the pollutants in paragraphs e.(1) and e.(2) above for which BSC must be determined, BSC is determined for and applied to each proposed new emissions unit and each existing emissions unit at which a PTE emissions increase in that pollutant would occur as a result of a physical change or change in the method of operation in the unit.

BRITISH THERMAL UNIT (Btu) means the quantity of heat required to raise the temperature of one pound of water by one degree Fahrenheit at or near its point of maximum density (39.16 °F or 3.98 °C).

BSC SIGNIFICANT EMISSIONS INCREASE and BSC THRESHOLD: See Best System of Control.
BUILDING, STRUCTURE, FACILITY OR INSTALLATION means:

- a. All of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same “Major Group” (i.e., which have the same first two digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 Supplement (U.S. Government Printing Office stock numbers 4101-0066 and 003-005-00716-0, respectively).
- b. Notwithstanding the provisions of paragraph (a) of this section, building, structure, facility, or installation means, for onshore activities under Standard Industrial Classification (SIC) Major Group 13: Oil and Gas Extraction, all of the pollutant-emitting activities included in Major Group 13 that are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant emitting activities shall be considered adjacent if they are located on the same surface site; or if they are located on surface sites that are located within 1/4 mile of one another (measured from the center of the equipment on the surface site) and they share equipment. Shared equipment includes, but is not limited to, produced fluids storage tanks, phase separators, natural gas dehydrators or emissions control devices. Surface site, as used in this paragraph (b), has the same meaning as in 40 CFR PART 63.761.

CLASS I AREA means any area listed as Class I in 40 CFR PART 81 Subpart D, including SECTION 81.418, or an area otherwise specified as Class I in the legislation that creates a national monument, a national primitive area, a national preserve, a national recreational area, a national wild and scenic river, a national wildlife refuge, or a national lakeshore or seashore.

COMMENCE as used in reference to construction or modification of a stationary source, means that the owner or operator has:

- a. Obtained all necessary preconstruction approvals or permits, including those required by federal air quality control laws and regulations, Washoe County District Board of Health

Regulations Governing Air Quality Management, and air quality laws and regulations which are part of the applicable state implementation plan; and

b. Taken affirmative steps toward construction or modification, in one of the following ways:

- (1) Has begun, or caused to begin, a continuous program of actual on-site construction of the source to be completed within a reasonable time, as demonstrated by the initiation of physical on-site construction activities on an emission unit which are of a permanent nature, which may include, without limitation, the installation of building supports and foundations, laying of underground pipework and the construction of permanent storage structures;*
- (2) Has entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source, to be completed within a reasonable time; or*
- (3) For modification of a stationary source, has begun those on-site activities, other than preparatory activities, which mark the initiation of the modification.*

COMPLETE means in reference to an application for a permit that the application, in the judgment of the Control Officer, contains all of the information necessary for processing the application. Such a determination does not prohibit the Control Officer from a finding during the permitting process that additional or clarifying information is needed to complete the review process and determine whether to issue a permit or deny the application.

CONSTRUCT means the erection, fabrication, or installation of an affected facility.

CONSTRUCTION means any physical change or change in the method of operation of an emission unit, including, without limitation, the fabrication, erection, installation or modification of an emission unit, that would result in a change in emissions.

CONTROL EQUIPMENT means a mechanism, device or contrivance used to reduce or prevent air pollution, that is not, aside from air pollution control laws and regulations, vital to production of the normal product of the source or to its normal operation.

CONTROL OFFICER means the District Health Officer of the Washoe County Health District or the person designated by said District Health Officer to enforce these local air pollution control ordinances and regulations as approved by said District Board of Health created pursuant to the interlocal agreement of the City of Reno, the City of Sparks, and the County of Washoe, Nevada.

CONTIGUOUS PROPERTY means any property under single or joint ownership or operatorship which is in physical contact, touching, or adjoining.

CONTINUOUS MONITORING SYSTEM means the equipment required for monitoring emissions which is used to sample and, if applicable, condition, to analyze, and to provide a permanent record of emissions or process parameters.

CRITERIA POLLUTANTS means those pollutants for which there is a National Ambient Air Quality Standard (NAAQS).

DRAFT PERMIT means the version of a General, Minor, or Major PTC or PTO, including PSD, NNSR or PART 70 permits, that the Health District offers for public participation or affected state review under Health District Regulations for such permits.

DUST means an air pollutant consisting of minute solid particles released into the atmosphere by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, land leveling or clearing, or any combination thereof.

ELECTRIC UTILITY STEAM GENERATING UNIT means any steam electric generating unit that is constructed for the purpose of supplying more than one-third of its potential electric output capacity and more than 25 MW electrical output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

EMERGENCY means a situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God.

EMERGENCY GENERATOR means a stationary combustion device, such as a reciprocating internal combustion engine or turbine that serves solely as a secondary source of mechanical or electrical power whenever the primary energy supply is disrupted or discontinued during power outages or natural disasters that are beyond the control of the owner or operator of a facility.

EMISSION or **EMISSIONS** means that act of passing into the atmosphere any air pollutant or a gas stream, which contains any air pollutants, or the air pollutants so passed into the atmosphere.

EMISSION LIMIT means a requirement established by the Control Officer or contained in any applicable requirement, that limits the quantity, rate, or concentration of emissions of air pollutants on a continuous basis, including any requirement relating to the operation or maintenance of a source to assure continuous emission reduction, and any design, equipment, work practice or operational standard promulgated under these regulations or the Act.

EMISSIONS UNIT:

- a. For all stationary sources, means any part of a stationary source that emits or would have the potential to emit any regulated pollutant and includes an electric utility steam generating unit.
- b. For purposes of calculating emissions increases from emissions units in PARTS 030.300 and 030.400, there are two types of emissions units:
 - (1) A new emissions unit is any emissions unit that is (or will be) newly constructed and that has existed for less than two (2) years from the date such emissions unit first operated.
 - (2) An existing emissions unit is any emissions unit that does not meet the requirements in paragraph b.(1) of this definition. A replacement unit is, by definition, an existing emissions unit.

ENFORCEABLE means a requirement, limitation, standard or condition in a permit or other document which is both legally enforceable and enforceable as a practical matter. Legally enforceable means that the permit or document includes an obligation to comply with the condition. Enforceable as a practical matter means that permit conditions:

- a. Consist of emissions, operational or production limits which are objective and quantifiable;
- b. Require the use of in-place air pollution control equipment, specify that the equipment is to be operated while emissions are being generated, with any exceptions expressly stated, and that the equipment is to be properly operated and maintained;
- c. Consist of emissions limits with corresponding averaging times which are appropriate for the applicable requirement; and
- d. Consist of monitoring, recordkeeping, reporting, and testing requirements to determine compliance with permit conditions (e.g., emissions limitations) as specified in PART 030.040, and are included in the permit or document, as applicable.

EPA means the United States Environmental Protection Agency.

EPA ADMINISTRATOR means the Administrator of the U.S. Environmental Protection Agency (EPA) or his or her designee.

EXCESS EMISSIONS generally means any emission which exceeds any applicable emission limitation prescribed by these regulations or that is contained in an operating permit. The averaging time and test procedures for determining excess emissions must be as specified in the relevant condition or conditions of the operating permit, except that this does not preclude the use, including the exclusive use, of any credible evidence or information relevant to the determination of whether a source would have been in compliance with the applicable requirements if the appropriate performance or compliance test or procedure had been performed to determine excess emissions.

FACILITY means all of the pollutant-emitting activities that belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same "Major Group" (which have the same first two digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 Supplement (U.S. Government Printing Office stock numbers 41010066 and 003-005-00176-0, respectively) or the North American Industry Classification System, as published in 2002.

FEDERAL LAND MANAGER means with respect to any lands in the United States, the secretary of the department with authority over such lands or that person's delegate.

FEDERALLY ENFORCEABLE means all limitations and conditions which are enforceable by the Administrator, including those requirements developed pursuant to 40 CFR PARTS 60, 61 and 63, requirements within any applicable Nevada SIP, any permit requirements established pursuant to 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51, subpart I, including operating permits issued under an EPA-approved program that is incorporated into the Nevada SIP and that expressly requires adherence to any permit issued under such program.

FUEL means any form of combustible matter, solid, liquid, vapor or gas which is used to generate energy.

FUEL BURNING EQUIPMENT means any device, except internal combustion engines, used for the primary purpose of producing heat or power by indirect heat transfer in which the products of combustion do not come into direct contact with any process material.

FUGITIVE DUST means particulate emissions, that are not collected by a capture system, is entrained into the ambient air and is caused from human and/or natural activities, such as unpaved roads, construction activity, movement of soil, vehicles, equipment, blasting and wind. For the purpose of these regulations, fugitive dust does not include particulate matter emitted directly from the exhaust of motor vehicles and other internal combustion engines, from portable brazing, soldering, or welding equipment, and does not include emissions from process and combustion sources that are subject to other sections of these regulations. Fugitive dust is a type of fugitive emission.

FUGITIVE EMISSIONS means emissions of any pollutants, including fugitive dust, which could not reasonably pass through a stack, chimney, vent, or a functionally equivalent opening.

GAS means matter that has no definite shape or volume.

GENERAL PERMIT means:

- a. A permit (either a PTC and/or PTO) issued pursuant to PART 030.100, or
- b. In the context of a PART 70 permit, a permit that meets the requirements of 40 CFR PART 70.6(d).

GOOD ENGINEERING PRACTICE (GEP) means a stack height based on the equation and requirements found in 40 CFR 51.100(ii).

HAZARDOUS AIR POLLUTANT (HAP) means any air pollutant listed by EPA as a HAP pursuant to section 112(b) of the Act.

HEALTH DISTRICT means the Washoe County Health District created pursuant to NRS CHAPTER 439 and interlocal agreement of the City of Reno, the City of Sparks, and the County of Washoe, Nevada and includes all the incorporated cities and unincorporated areas within the geographic boundaries of Washoe County, Nevada.

HEAT INPUT means the maximum actual or design fuel capacity, whichever is greater, stated in British thermal units (Btu) per hour for the emission unit and will be expressed using the higher heating value of the fuel unless otherwise specified.

INCINERATOR means a furnace used primarily for the thermal destruction of waste, including human and pet crematories, burn-out ovens, and other solid, liquid, and gaseous waste incinerators.

INSIGNIFICANT MINOR SOURCE or INSIGNIFICANT STATIONARY SOURCE: See definition of minor source.

INSIGNIFICANT MINOR SOURCE MODIFICATION: See definition of modification.

LIKE-KIND REPLACEMENT generally means the replacement of existing components (emissions units, control equipment, etc.) with similar, equivalent, or comparable, new components (e.g. components that have the same throughput capacity, control efficiency or, utilization factor as the old component) and neither increases the potential to emit of the emissions unit nor triggers a new applicable requirement.

MALFUNCTION means any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

MAJOR STATIONARY SOURCE means,

- a. For purposes of NNSR permitting, the definition specified in PART 030.300.
- b. For purposes of PSD permitting, the definition specified in PART 030.400.

MAJOR MODIFICATION means,

- a. For purposes of NNSR permitting, the definition specified in PART 030.300.
- b. For purposes of PSD permitting, the definition specified in PART 030.400.

MINOR MODIFICATION means a modification that is not a major modification for that pollutant.

- a. A modification at a minor source is a minor modification unless the emissions increase from the modification would constitute a new major stationary source by itself (see major stationary source definitions in PARTS 030.300-030.510).
- b. Any PTE emissions increase of a regulated minor source pollutant resulting from a modification at a significant minor source requires a permit modification.
- c. Any PTE emissions increase of a regulated minor source pollutant resulting from a modification at an insignificant minor source increasing the source-wide PTE to greater than or equal to the PTE threshold for significant minor sources (see table in paragraph a. of minor source definition) requires a PTC.
- d. Any PTE emissions increase of a regulated minor source pollutant greater than or equal to the BSC threshold (see table in the BSC definition) resulting from a modification at an insignificant or significant minor source must install and operate the BSC for such pollutant and source as determined by the Control Officer.

MINOR SOURCE or MINOR STATIONARY SOURCE means any source that is not a major stationary source. A major stationary source can emit more than one pollutant, so may be classified as major because of the level of emissions of one or more pollutants, but may also emit some regulated pollutants at minor source levels. A minor source may be either a natural minor source or a

synthetic minor source (see definition—a synthetic minor source needs enforceable limitations to qualify as a minor source). In addition, minor sources are classified by their Potential to Emit (PTE) as significant minor sources or insignificant minor sources:

- a. *A minor source is a significant minor source if it has a PTE equal to or greater than the PTE threshold listed in the table below for the pollutants listed. A significant minor source must have a minor source permit (PTC and/or PTO) addressing each pollutant equaling or exceeding their listed threshold.*

POLLUTANT	PTE THRESHOLD, TPY
<i>PM10</i>	<i>5</i>
<i>PM2.5</i>	<i>5</i>
<i>CO</i>	<i>5</i>
<i>VOC</i>	<i>5</i>
<i>NOx</i>	<i>5</i>
<i>SO₂</i>	<i>5</i>
<i>LEAD</i>	<i>0.3</i>
<i>H₂S</i>	<i>5</i>
<i>TOTAL REDUCED SULFUR (TRS), including H₂S</i>	<i>5</i>

- b. *A minor source is an insignificant minor source if it has a PTE less than the PTE thresholds shown for each pollutant listed.*

MINOR SOURCE BASELINE DATE means the earliest date after the trigger date on which a major stationary source or a major modification subject to the PSD permitting program under PART 030.400 and/or 40 CFR PART 52.21 submits a complete PSD application under those regulations.

- a. *The trigger date is:*
 - (1) *In the case of PM10 and sulfur dioxide, August 7, 1977;*
 - (2) *In the case of nitrogen dioxide, February 8, 1988; and*
 - (3) *In the case of PM_{2.5}, October 20, 2011.*
- b. *The baseline date is established for each regulated NSR pollutant for which increments or other equivalent measures have been established if:*
 - (1) *The area in which the proposed source or modification would construct is designated as attainment or unclassifiable under section 107(d)(1)(A)(ii) or (iii) of the Act for the pollutant on the date of its complete application under PART 030.400 and/or 40 CFR PART 52.21 ; and*
 - (2) *In the case of a major stationary source, the pollutant would be emitted in significant amounts, or, in the case of a major modification, there would be a significant net emissions increase of the pollutant.*

MODIFICATION means:

- a. **When applied to a stationary source:** means any physical change in, or change in the method of operation of a source which:
- (1) Increases the amount of any regulated air pollutant, to which a standard applies, emitted into the atmosphere by that stationary source; or
 - (2) Results in the emission of any regulated air pollutants, to which a standard applies, into the atmosphere if the regulated air pollutants were not previously emitted.
- (a) For Nonattainment New Source Review (NNSR) purposes under PARTS 030.300 (NNSR) and 030.400 (PSD), modifications at a major stationary source can be major (because there is both a significant emissions increase and a significant net emissions increase of that pollutant resulting from the modification), or minor or both depending on the attainment designation of each pollutant. Major modifications are subject to a number of regulatory conditions, such as air impact analyses. Minor modifications at major stationary sources are not subject to NNSR or PSD permitting, but are addressed in these regulations and, if a regulated minor source pollutant, generally require a permit modification.
- (b) For PART 70 (Title V) operating permit purposes under PART 030.510, there are several classifications of modifications. These are defined and discussed in PART 030.510.
- (c) Minor modifications, whether at major or minor stationary sources, are classified as either significant or insignificant.
- (i) A minor modification is significant if:
 - (A) the PTE of the source for that pollutant prior to the modification equals or exceeds the significant minor source permitting threshold for that pollutant,
and
 - (B) the modification results in any increase in the PTE of the source for that pollutant.
 - (ii) A minor modification is insignificant if it is not a significant minor modification.
 - (iii) If the source-wide PTE increase resulting from a significant minor modification equals or exceeds the BSC threshold for that regulated minor source pollutant, it is significant and BSC must be applied to that PTE increase as specified in the BSC definition.
- b. **When applied to a permit (either a PTC or PTO):** a revision or change to a permit, usually by adding new or revising existing permit terms or conditions, including emissions limitations and monitoring, recording, and reporting requirements. There are different types of permit modifications, depending on the regulation being applied.

NATURAL MINOR SOURCE means a minor stationary source whose maximum capacity to emit regulated air pollutants under its physical and operational design falls below the major source

thresholds for those pollutants. In other words, the source does not need any enforceable restrictions (such as emissions limits, use of add-on control equipment, and/or restrictions on input, output, throughput, material or fuel composition, operating hours) to qualify as a minor source.

NEW STATIONARY SOURCE means:

- a. *For stationary sources subject to the requirements of Section 112 of the Clean Air Act, a stationary source for which the owner or operator commenced construction or reconstruction after the Administrator proposed regulations pursuant to Section 112 of the Clean Air Act which established an emission standard applicable to the stationary source.*
- b. *For all other stationary sources, a stationary source or modification for which an owner or operator has not submitted a complete application before the effective date of the program.*

NEW SOURCE PERFORMANCE STANDARDS (NSPS) means the standards established in the federal rules at 40 CFR PART 60.

NITROGEN OXIDES means all oxides of nitrogen except nitrous oxide, as measured by test methods approved by the EPA.

NONATTAINMENT AREA means a geographic area designated by the Environmental Protection Agency (EPA) at 40 CFR Part 81 as exceeding a National Ambient Air Quality Standards (NAAQS) for a given criteria pollutant. An area is nonattainment only for the pollutants for which the area has been designated nonattainment.

NONATTAINMENT NSR PERMIT or **NNSR PERMIT** means a permit issued pursuant to PART 030.300 or 40 CFR Part 51 Appendix S.

NONATTAINMENT POLLUTANT means, in relation to a nonattainment area, the regulated NSR pollutant (or its precursors) that causes that area to be designated as a nonattainment area.

NONROAD ENGINE means:

- a. *Except as provided in paragraph b below, a nonroad engine is any internal combustion engine that meets any of the following criteria:*
 - (1) *It is (or will be) used in or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as garden tractors, off-highway mobile cranes and bulldozers).*
 - (2) *It is (or will be) used in or on a piece of equipment that is intended to be propelled while performing its function (such as lawnmowers and string trimmers).*
 - (3) *That, by itself or in or on a piece of equipment, is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.*
- b. *An internal combustion engine is not a nonroad engine if it meets any of the following criteria:*

- (1) *The engine is used to propel a motor vehicle, an aircraft, or equipment used solely for competition.*
- (2) *The engine is regulated under 40 CFR PART 60, (or otherwise regulated by NSPS) promulgated under Section 111 of the Act. Note that this criterion does not apply for engines meeting any of the criteria of paragraph a of this definition that are voluntarily certified under 40 CFR PART 60.*
- (3) *The engine otherwise included in paragraph a.(3) of this definition remains or will remain at a location for more than twelve (12) consecutive months, or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine (or engines) that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced, will be included in calculating the consecutive time period. An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (i.e., at least two (2) years) and that operates at that single location approximately three (3) months (or more) each year but less than a full year.*

NORMAL FARM CULTURAL PRACTICE means all activities by the owner, lessee, agent, independent contractor, and/or supplier conducted on any facility for the production of crops, nursery plants or the management of livestock or fowl. Disturbances of the field surface caused by turning under stalks, tilling, leveling, planting, fertilizing, or harvesting are included in this definition.

ONE-HOUR PERIOD means any 60-minute period.

OWNER and/or **OPERATOR** means any person who owns, leases, operates, controls, or supervises a facility, building, structure, installation, site, activity, or a stationary source which directly or indirectly result or may result in emissions of any air pollutant for which a national standard is in effect of which an affected facility is a part.

OPACITY means the degree to which an object seen through a plume is obscured, stated as a percentage.

OPERATING PERMIT has the same meaning as Permit to Operate.

PART 70 PERMIT or **PART 70 OPERATING PERMIT** means any permit or group of permits that is issued, renewed, amended or revised pursuant to PART 030.510, which are approved by EPA under 40 CFR PART 70.

PART 70 SOURCE means any source subject to the permitting requirements in PARTS 030.500 and/or 030.510.

PARTICULATE MATTER means any material, except uncombined water such as water vapor and water droplets, which exists in a finely divided form as a solid or liquid at reference conditions, with an aerodynamic diameter smaller than one hundred (100) micrometers.

PERMIT MODIFICATION means:

- a. For a PART 70 permit, a revision to the permit that meets the requirements of 40 CFR PART 70.7(e), and
- b. Generally, a revision to any permit issued pursuant to CHAPTER 030.

PERMIT TO CONSTRUCT (PTC) means a document issued by the Control Officer allowing, with or without restrictions, the construction of a new source of air pollution or the modification of an existing source of air pollution. The PTC also allows the source or modification to operate for a limited period of time. Authorization to operate under the PTC expires:

- a. Upon issuance of a Permit to Operate (PTO) for the new source or modification, or
- a. One year after initial start-up if a complete application for a PTO has not been submitted, whichever occurs first.

PERMIT TO OPERATE (PTO) means a document issued by the Control Officer, allowing, with or without restrictions, the operation of a new or existing source of air pollution.

PERSON means any individual, firm, association, organization, partnership, business trust, public or private corporation, company, department or bureau of the state, municipality or any officer, agent or employee thereof, or any other legal entity whatsoever that is recognized by the law as the subject of rights and duties.

PM2.5 means particulate matter with an aerodynamic diameter less than or equal to a nominal two and one-half (2.5) micrometers (microns or μ) as measured by a reference method based on 40 CFR PART 50 Appendix L and designated in accordance with 40 CFR PART 53 or by an equivalent method designated in accordance with 40 CFR Part 53.

PM2.5 EMISSIONS means finely-divided solid or liquid material, including condensable particulate matter, with an aerodynamic diameter less than or equal to a nominal two and one-half (2.5) micrometers (microns or μ) emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternate method, specified in 40 CFR PART 51 Appendix M or by a test method specified in the SIP.

PM10 means particulate matter with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers (microns or μ) as measured by a reference method based on 40 CFR PART 50 Appendix J and designated in accordance with 40 CFR PART 53 or by an equivalent method designated in accordance with 40 CFR PART 53.

PM10 EMISSIONS means finely-divided solid or liquid material, including condensable particulate matter, with an aerodynamic diameter less than or equal to a nominal (ten) 10 micrometers (microns or μ) emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternate method, specified in 40 CFR PART 51 Appendix M or by a test method specified in the SIP.

POTENTIAL TO EMIT (PTE) means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as

part of its design if the limitation or the effect it would have on emissions is federally enforceable. Emissions associated with insignificant activities shall be included in the calculation of potential to emit for the facility. Secondary emissions do not count in determining the potential to emit of a stationary source.

PREVENTION OF SIGNIFICANT DETERIORATION means the EPA-implemented major source preconstruction permit programs under 40 CFR PART 52.21 or the PART 030.400 major source preconstruction permit program approved by the Administrator and incorporated into the SIP pursuant to 40 CFR PART 51.166 to implement the requirements of that section. Any permit issued under such a program is a major NSR permit.

PROCESS EQUIPMENT means any equipment used for storing, handling, transporting, processing or changing any material, excluding that equipment specifically defined as fuel-burning equipment or incinerators.

PROJECT means a plan to construct a new stationary source or a plan to take an action not defined in these rules as a physical change in, or change in the method of operation of, a source (e.g., a physical change at a source that does not increase emissions from that source, such as a new sidewalk). A modification, in contrast, is a more narrowly defined physical change in, or change in the method of operation of, a source, because there must be an emissions increase associated with it; therefore, not all projects are modifications.

PSD PERMIT means a permit issued pursuant to PART 030.400.

RECONSTRUCTION OR RECONSTRUCT means:

- a. For the purpose of meeting the requirements of 40 CFR PART 60, the definition at 40 CFR PART 60.15, or
- b. For the purpose of meeting the requirements of 40 CFR PART 63, the definition at 40 CFR PART 63.2.

REFERENCE CONDITIONS means that all measurements of ambient air quality are corrected to a reference temperature of 77 °F (25 °C) and to a reference pressure of thirty (30) inches (760 millimeters, 1013.2 millibars) of mercury.

REFERENCE METHOD means any method of sampling and analyzing for a regulated air pollutant as described in of 40 CFR PART 60 Appendix A.

REGULATED AIR POLLUTANT means, for purposes of PART 70 permitting under PARTS 030.500 and 030.510, the following:

- a. Nitrogen oxides or any volatile organic compounds;
- b. Any pollutant for which a national ambient air quality standard has been promulgated.
- c. Any pollutant that is subject to any standard promulgated under Section 111 of the Act.
- d. Any class I or II substance subject to a standard promulgated under or established by Title VI of the Act.
- e. Any pollutant subject to a standard promulgated under Section 112 or other requirements

established under Section 112 of the Act, including the following:

- (1) Any pollutant subject to requirements under Section 112(j) of the Act. If the Administrator fails to promulgate a standard pursuant to Section 112(e) of the Act, any pollutant for which a subject source would be major shall be considered to be regulated on the date eighteen (18) months after the applicable date established pursuant to Section 112(e) of the Act; and
 - (2) Any pollutant for which the requirements of Section 112(g)(2) of the Act have been met, but only with respect to the individual source subject to the Section 112(g)(2) requirement.
- f. Greenhouse gases that are subject to regulation as defined in 40 CFR PART 70.2.

REGULATED MINOR SOURCE POLLUTANT means all criteria pollutants, hydrogen sulfide (H₂S), and Total Reduced Sulfur (TRS). TRS includes H₂S.

REGULATED NSR POLLUTANT, for purposes of the Nonattainment NSR permitting program at PART 030.300 and PSD permitting program at PART 030.400, means the following:

- a. Any pollutant for which a national ambient air quality standard has been promulgated. This includes, but is not limited to, the following:
 - (1) PM_{2.5} emissions and PM₁₀ emissions shall include gaseous emissions from a source or activity, which condense to form particulate matter at ambient temperatures. On or after January 1, 2011, such condensable particulate matter shall be accounted for in applicability determinations and in establishing emissions limitations for PM_{2.5} and PM₁₀ in PSD permits. Compliance with emissions limitations for PM_{2.5} and PM₁₀ issued prior to this date shall not be based on condensable particulate matter unless required by the terms and conditions of the permit or the applicable implementation plan. Applicability determinations made prior to this date without accounting for condensable particulate matter shall not be considered in violation of this section unless the applicable implementation plan required condensable particulate matter to be included.
 - (2) Any pollutant identified under 40 CFR PART 52.21(b)(50)(i)(b) as a constituent or precursor for a pollutant for which a national ambient air quality standard has been promulgated. Precursors identified by the Administrator for purposes of NSR are the following:
 - (a) Volatile organic compounds and nitrogen oxides are precursors to ozone in all attainment and unclassifiable areas.
 - (b) Sulfur dioxide is a precursor to PM_{2.5} in all attainment and unclassifiable areas.
 - (c) Nitrogen oxides are presumed to be precursors to PM_{2.5} in all attainment and unclassifiable areas, unless the State demonstrates to the Administrator's satisfaction or EPA demonstrates that emissions of nitrogen oxides from sources in a specific area are not a significant contributor to that area's ambient PM_{2.5} concentrations.
 - (d) Volatile organic compounds are presumed not to be precursors to PM_{2.5} in any attainment or unclassifiable area, unless the State demonstrates to the Administrator's satisfaction or EPA demonstrates that emissions of volatile organic

compounds from sources in a specific area are a significant contributor to that area's ambient PM2.5 concentrations.

REGULATED POLLUTANT means an air pollutant subject to regulation by the Health District. [or “under the Act.”]

RENEWAL means the process by which a holder of an operating permit applies for and the Control Officer reissues the operating permit at the end of its term.

REPLACEMENT UNIT means an emissions unit for which all the criteria listed in paragraphs (a) through (d) of this definition are met. No creditable emission reductions shall be generated from shutting down the existing emissions unit that is replaced.

- a. *The emissions unit is a reconstructed unit within the meaning of 40 CFR PART 60.15(b)(1), or the emissions unit completely takes the place of an existing emissions unit;*
- b. *The emissions unit is identical to or functionally equivalent to the replaced emissions unit;*
- c. *The replacement does not alter the basic design parameters of the process unit; and*
- d. *The replaced emissions unit is permanently removed from the major stationary source, otherwise permanently disabled, or permanently barred from operation by a permit that is enforceable as a practical matter. If the replaced emissions unit is brought back into operation, it shall constitute a new emissions unit.*

RESPONSIBLE OFFICIAL means:

- a. *For a corporation:*
 - (1) *A President;*
 - (2) *A Vice President in charge of a principal business function;*
 - (3) *A Corporate Secretary;*
 - (4) *A Treasurer; or*
 - (5) *An authorized representative of such a person who is responsible for the overall operation of the facility and who is designated in writing by an officer of the corporation and approved in advance by the Control Officer.*
- b. *For a partnership or sole proprietorship, a general partner or the proprietor, respectively.*
- c. *For a municipality or a state, federal or other public agency, a ranking elected official or a principal executive officer, including, for a federal agency, a chief executive officer who has responsibility for the overall operations of a principal geographic unit of the agency.*

REVIEWING AUTHORITY means the State air pollution control agency, local agency, other State agency, Indian tribe, or other agency authorized to carry out a permit program, or the Administrator in the case of EPA-implemented permit programs.

SCHEDULED MAINTENANCE means the maintenance which is planned by the management of a stationary source, or any part thereof, which is anticipated at least one (1) month in advance.

SCHEDULED REPAIR means the repair of a stationary source, or any part thereof, which occurs within one (1) month of discovery of the need for the repair and which is not a part of scheduled

maintenance.

SHUTDOWN means the cessation of operation of operation of any air pollution control equipment or process equipment for any purpose.

SIGNIFICANT or **SIGNIFICANTLY** for purposes of emissions increases, means:

- a. For purposes of minor source permitting, the definition specified in PART 030.200:
- b. For purposes of NNSR permitting, the definition specified in PART 030.300.
- c. For purposes of PSD permitting, the definition specified in PART 030.400.

SIGNIFICANT MINOR SOURCE: See *Minor Source*.

SIGNIFICANT MODIFICATION: See *Modification*.

SMOKE means small gas-borne particles resulting from incomplete combustion, consisting predominantly of carbon, ash, and other combustible material present in sufficient quantity to be observable or, as a suspension in gas of solid particles in sufficient quantity to be observable.

SOURCE means:

- a. Any property, real or personal, under common ownership or control that directly emits, or may emit, any air pollutant.
- b. A source may be stationary, mobile, portable, temporary or permanent and can include:
 - (1) Any building, structure, facility or installation;
- c. One or more pieces of equipment or machinery, devices, articles, contrivances, or facilities;
- d. One or more activities that may emit (such as open burning); and/or
- e. One or more area sources (such as storage piles, bare land, or unpaved roads) that may emit under certain conditions (e.g., wind or traffic).
- c. A source consists of one or more emissions units.
- d. As used in this CHAPTER 030, source and stationary source are used interchangeably; non-stationary sources are specifically identified (e.g., as a mobile source).
- e. There are a number of different types of regulated air pollution sources identified and defined in various regulations; see, for example, the definitions for minor sources, major sources, PART 70 (Title V) sources, and HAP sources, as well as the different designations for mobile sources and internal combustion engines (ICE), such as non-road engines, propulsion units, and vessels.

STACK means any flue, pipe, conduit, or duct arranged to conduct any smoke, gas, air pollutant, or emission (including suspended solids and liquids) to the atmosphere, but does not include flares.

STARTUP means the setting into operation of any air pollution control equipment or process equipment for any purpose except routine phasing in of process equipment.

STATE IMPLEMENTATION PLAN (SIP) means the State Implementation Plan approved or promulgated for the State of Nevada under Section 110 or 172 of the Act.

STATIONARY SOURCE means:

- a. All buildings, structures, facilities and installations, including temporary sources, which:
 - (1) Belong to the same major industrial groupings described in the Standard Industrial Classification Manual, as incorporated by reference in NAC 445B.221;
 - (2) Are located on one or more contiguous or adjacent properties;
 - (3) Are owned or operated by the same person or by persons under common control; and
 - (4) Emit or may emit any regulated air pollutant.
- b. Contracted operations that support the primary operations of the stationary source are part of the stationary source, except that temporary construction activities, including, without limitation, the construction of emissions units, are not part of the stationary source.
- c. The term does not include motor vehicles, nonroad engines and nonroad vehicles.

SYNTHETIC MINOR SOURCE means a stationary source that otherwise has the potential to emit one or more regulated air pollutants in amounts that are at or above the threshold for major sources, but is subject to one or more restrictions that reduce its potential to emit to less than those major source thresholds. Such restrictions must be legally enforceable and enforceable as a practical matter.

TEMPORARY SOURCE means any building, structure, facility or installation which:

- a. Emits or may emit any regulated air pollutant;
- b. May be moved from one location to another;
- c. Is located or operated in a location for a period of less than twelve (12) months;
- d. Is not an affected source; and
- e. May be subject to other applicable federal requirements under the Act.

TOTAL REDUCED SULFUR (TRS) means the sum of the mass of sulfur compounds, hydrogen sulfide, mercaptans, dimethyl sulfide, dimethyl disulfide, and any other organic sulfides, emitted and measured by EPA Method 16 in 40 CFR PART 60 Appendix A or an approved equivalent method, and expressed as hydrogen sulfide.

VENT means any opening through which air pollutants are exhausted into the ambient air.

VIOLATION means a failure to comply with any applicable requirement, any provisions of the District Board of Health Regulations Governing Air Quality Management, or a condition of a permit.

VOLATILE ORGANIC COMPOUNDS (VOC) has the meaning ascribed to it in 40 C.F.R. PART 51.100(s).

ACRONYMS

BACT	<i>Best Available Control Technology</i>
BAE	<i>Baseline Actual Emissions</i>
BSC	<i>Best System of Control</i>
CO	<i>Control Officer (or, in context, carbon monoxide)</i>
FLM	<i>Federal Land Manager</i>
GHG	<i>Greenhouse Gases</i>
HAP	<i>Hazardous Air Pollutant</i>
LAER	<i>Lowest Achievable Emissions Rate</i>
MACT	<i>Maximum Achievable Control Technology</i>
NAAQS	<i>National Ambient Air Quality Standard</i>
NEI	<i>Net Emissions Increase</i>
NNSR	<i>Nonattainment New Source Review (generally referring to major sources)</i>
NSR	<i>New Source Review</i>
PAE	<i>Projected Actual Emissions</i>
PSD	<i>Prevention of Significant Deterioration</i>
PTC	<i>Permit to Construct</i>
PTE	<i>Potential To Emit</i>
PTO	<i>Permit to Operate</i>
RACT	<i>Reasonably Available Control Technology</i>
SER	<i>Significant Emissions Rate</i>
SSM	<i>Startup, Shutdown, and Malfunction</i>
VOC	<i>Volatile Organic Compounds</i>

PART 030.020 - GENERAL SOURCE PERMITTING APPLICABILITY

SECTION A - APPLICABILITY

1. **REGULATORY REQUIREMENTS.** *Stationary sources emitting air pollutants located in Washoe County, depending on their type, location, and size, may be subject to one or more of the County's air pollution control regulations. Sources may have only one emission source (such as gasoline dispensing) or multiple activities (e.g., an asphalt plant with storage piles, unpaved roads, an incinerator, and a wood stove in the office) that subject them to various regulations and emissions and/or operating limitations. Therefore, owner/operators should review all applicable air pollution regulations to determine whether their source is subject to CHAPTER 030.*

2. **PERMITS.** *Except as provided in SECTION 030.020.B, owners and operators of new sources and modifications to existing sources of air pollution must obtain a Permit To Construct (PTC) before beginning actual construction.*
 - a. *A PTC authorizes the construction of a source or modification and, for a period of time, its operation (generally, until a Permit To Operate (PTO) is issued following completion of the authorized construction and by way of submittal of a complete application, but no longer than twelve (12) months after initial start-up).*
 - (1) *A PTC expires if construction does not commence within eighteen (18) months of permit issuance.*
 - (2) *Construction authorized by the PTC must be completed within a reasonable time, based on typical construction times for that type of source or modification.*

 - b. *A PTO, whether for a minor or a major source, expires five (5) years from the date of issuance and must be renewed by submitting a complete application. Since a PTC is only required for proposed new sources and for modifications to existing sources, existing sources that are not being modified, but which are, or become, subject to CHAPTER 030, shall be issued a PTO without having to obtain a PTC.*

 - c. *A permit must contain the following conditions:*
 - (1) *The term or expiration date of the permit.*
 - (2) *That the holder of the permit shall retain records of all required monitoring data and supporting information for five (5) years after the date of the sample collection, measurement, report or analysis, where supporting information includes all records regarding calibration and maintenance of the monitoring equipment and all original strip-chart recordings for continuous monitoring instrumentation.*
 - (3) *Requirements for monitoring that are sufficient to ensure compliance with the conditions of the operating permit, including:*
 - (i) *All procedures or test methods for monitoring and analyzing emissions required pursuant to the applicable requirements or adopted pursuant to 42 USC 7414(a)(3) or 7661c(b).*
 - (ii) *If the applicable requirement does not require periodic testing or monitoring, periodic*

monitoring that is sufficient to yield reliable data from the relevant period which is representative of the stationary source's compliance with the conditions of the operating permit. Such monitoring requirements must use terms, test methods, units, averaging periods and other statistical conventions consistent with the applicable requirement.

(iii) As necessary, requirements concerning the use, maintenance and the installation of equipment, or methods for monitoring.

(4) All applicable requirements for recordkeeping and requirements, where applicable, to keep:

(i) Records of monitoring information required by the conditions of the permit, including the date, the location, and the time of the sampling or the measurements and the operating conditions at the time of the sampling or measurements; and

(ii) The date on which the analyses were performed, the company that performed them, the analytical techniques that the company used and the results of such analyses.

(5) All reporting requirements and requirements to:

(i) Promptly report all deviations from the requirements of the operating permit; and

(ii) State the probable cause of all deviations and any action taken to correct the reported deviations.

(6) That each of the conditions and requirements of the permit is severable, and if any are held invalid, the remaining conditions and requirements continue in effect.

(7) That the holder of the permit shall comply with all conditions of the permit and that any noncompliance constitutes a violation and is grounds for:

(i) An action for noncompliance;

(ii) Revising, revoking, reopening and revising, or terminating the permit by the Control Officer; or

(iii) Denial of an application for a renewal of an operating permit by the Control Officer.

(8) That the need to halt or reduce activity to maintain compliance with the conditions of the permit is not a defense to noncompliance with any condition of the permit.

(9) That the Control Officer may revise, revoke and reissue, reopen and revise, or terminate the permit for cause.

(10) That the permit does not convey any property rights or any exclusive privilege.

(11) That the holder of the permit shall provide the Control Officer, in writing and within a reasonable time, with any information that the Control Officer requests to determine whether cause exists for revising, revoking and reissuing, reopening and revising, or terminating the permit, or to determine compliance with the conditions of the permit.

(12) That the holder of the permit shall pay fees to the Control Officer in accordance with the provisions set forth in these regulations.

(13) That the holder of the permit shall allow the Control Officer or any authorized representative, upon presentation of credentials, to:

(i) *Enter upon the premises of the holder of the permit where:*

- (A) *The stationary source is located;*
- (B) *Activity related to emissions is conducted; and/or*
- (C) *Records are kept pursuant to the conditions of the permit;*

(ii) *Have access to and copy, during normal business hours, any records that are kept pursuant to the conditions of the permit;*

(iii) *Inspect, at reasonable times, any facilities, practices, operations or equipment, including any equipment for monitoring or controlling air pollution, that are regulated or required pursuant to the permit; and*

(iv) *Sample or monitor, at reasonable times, substances or parameters to determine compliance with the conditions of the permit or applicable requirements.*

(14) *That a responsible official of the stationary source shall certify that, based on information and belief formed after a reasonable inquiry, the statements made in any document required to be submitted by any condition of the permit are true, accurate and complete.*

(15) *That permits must be posted conspicuously at or near the stationary source.*

- d. *A single Permit To Construct may be issued for an entire stationary source or for all components of an integrated system or process consisting of one or more emissions units, or for a modification to an existing source, even if the modification involves more than one new emissions unit and/or modification of more than one existing emissions unit.*
- e. *Sources and modifications are generally classified based on quantity of emissions (as major or minor) and on the air quality of the area where they are located (either attainment or nonattainment with the NAAQS). A source can be both major and minor and located in both attainment and nonattainment areas, depending on the air pollutants emitted, so may fall within several or all these classifications. For example, a source may emit major amounts of NO₂ but only a minor amount of PM_{2.5} and be located in an area that is in attainment of the NO₂ NAAQS but nonattainment for the PM_{2.5} NAAQS.*
- f. *Stationary sources not subject to either minor or major source permitting may still be required to obtain a general permit under PART 030.100.*
- g. *Minor stationary sources are generally subject to the permitting regulations in PART 030.200; but may also be subject to national, state or county source-specific emissions limitations (e.g., Federal nationwide New Source Performance Standards (NSPS) or National Emission Standards for Hazardous Air Pollutants (NESHAP) or local requirements for that specific source category).*
- h. *If a source is a new major stationary source or a major modification to an existing major stationary source for a pollutant for which the area is designated attainment (air quality complies with the NAAQS for that pollutant), then the source is subject to Prevention of Significant Deterioration (PSD) permitting. See PART 030.400.*
- i. *If a source is a new major stationary source or a major modification to an existing major stationary source for a pollutant for which the area is designated nonattainment (air quality exceeds the NAAQS for that pollutant), then the source is subject to major Nonattainment NSR. See PART 030.300.*
- j. *If the source is a major source as defined in PART 030.500 and/or 030.510, it must obtain a PART 70 operating permit, even if it is an existing source that has not been modified. New*

and modified stationary sources that meet the definition of major source under in PART 030.500 and/or 030.510, must submit a complete application within twelve (12) months of commencing operation under the PTC. See PART 030.500 and/or 030.510.

- k. *In addition, new and/or existing sources (minor and major) may be subject to Federal national emissions standards, specifically New Source Performance Standards (NSPS) and/or National Emission Standards for Hazardous Air Pollutants (NESHAP).*
3. **APPLICABILITY PROCEDURES AND EMISSIONS CALCULATIONS:** *The following procedures and calculations shall be used when determining whether a new stationary source or a modification to an existing stationary source is a minor or major source or modification; whether it is required to obtain a Permit To Construct (PTC) and/or Permit To Operate, and if so, under which NSR program(s) the permit is required: a New Source Review (NSR), including Minor Source, Prevention of Significant Deterioration (PSD), and/or Nonattainment NSR (NNSR) PTC; and if a PART 70 operating permit is required.*
- a. *Applicability is first determined on the basis of whether the source is of the type or size exempted from permit requirements, then (if not exempt), on a potential to emit and pollutant-by-pollutant basis. The source can be a minor source for some pollutants, a major source of other pollutants and can be located in an area that is nonattainment for certain pollutants and in attainment for other pollutants.*
 - b. *Generally, all applicable requirements are combined into a single permit. For example, a proposed new source that will be minor for one pollutant, PSD for another, and NNSR for another will apply for a single permit that combines the requirements for all these programs.*
 - c. **EXEMPTIONS:** *The first step in making applicability determinations is to determine whether the source is exempt from the permit requirements of CHAPTER 030. If so, the source is not required to obtain any permits, although certain air pollution control requirements and limitations in CHAPTERS 020 and 040 may still apply.*
 - (1) *For new stationary sources, determine whether it belongs to the type, size or category of source that is exempt from the requirements of CHAPTER 030. Exempt sources are listed in SECTION 030.020.B. If your source is listed in SECTION 030.020.B, it is exempt and does not require a permit. If the source consists of multiple activities or emissions units, certain activities may be exempt, while other activities may require a permit; if any one activity or emissions unit requires a permit, the source must obtain a permit for that part of the source.*
 - (2) *For proposed changes to an existing stationary source that is not exempt, determine whether the proposed change is a physical change or change in the method of operation. If not, the proposed change is not a modification and does not require a permit. If it is a modification, the next step is to determine whether the modification is classified as major or minor. This is determined by following the applicability criteria for modifications to minor sources in PART 030.200 or for major sources in PARTS 030.300 through 510.*
 - d. **POTENTIAL TO EMIT (PTE):** *The next step in making applicability determinations is to determine the PTE of the proposed new or modified source in tons of emissions per year.*
4. **REGULATED AIR POLLUTANTS:** *There are different groups of pollutants for purposes of CHAPTER 030 for which permits are required:*

- a. **Criteria pollutants.** These are the pollutants for which there are National Ambient Air Quality Standards (NAAQS). They are PM2.5 (which includes precursors NOx and SO₂ (and in nonattainment areas, VOC and ammonia)), PM10, SO₂, NO₂, ozone (regulated through its precursors: VOC and NOx), CO, and lead (Pb). Stationary sources (unless exempt) emitting these pollutants at or above the significant minor source threshold must, at a minimum, obtain a minor source permit (new sources must obtain a PTC; existing sources must obtain a PTO and modified sources must obtain both a PTC and PTO) or a general permit for those pollutants (See PARTS 030.100 and 030.200). They may also be subject to PSD (See PART 030.400), NNSR in nonattainment areas (see PART 030.300), and/or PART 70 (See PARTS 030.500 and/or 030.510) permit requirements, depending on the quantity of emissions.
- b. **Regulated Minor Source Pollutants.** This group consists of the criteria pollutants plus Hydrogen Sulfide (H₂S) and Total Reduced Sulfur (TRS) compounds (which includes H₂S). Sources with a PTE for these pollutants at or above the thresholds found in the definition of minor source are termed significant minor sources and require a permit. See PART 030.200 and the definitions in PART 030.010.
- c. **Regulated NSR pollutants.** For minor NSR and NNSR, this group only consists of criteria pollutants and their precursors. For PSD, this group consists of certain noncriteria pollutants in addition to all the criteria pollutants and includes the pollutants subject to regulation under the PSD permitting program. Unless exempt, major stationary sources (new or modified) emitting these noncriteria pollutants may be subject to PSD permitting and require a PTC. See PART 030.400.
- d. **Regulated air pollutants.** This group consists of the regulated NSR pollutants plus the Hazardous Air Pollutants (HAP) regulated under SECTION 112(b) of the Act. Sources that are major for any one of these pollutants must obtain a PART 70 (Title V) operating permit (PTO). See PART 030.500 and/or 030.510.
- e. **Regulated pollutants.** This group consists of all the air pollutants regulated by Washoe County, and includes all of the air pollutant groups listed in this paragraph and any other air pollutants subject to various Washoe County regulations.

5. **APPLICABILITY CALCULATIONS FOR CONSTRUCTION (NSR) PERMITS (PTC)**

- a. **NEW STATIONARY SOURCES:** Calculate the proposed new source's potential to emit (PTE) for each pollutant. Use the tables provided below to determine which permit program requirements are applicable:
 - (1) A Minor source permit is required if the entire source has a potential to emit equal to or greater than the thresholds listed in the table below for each of the regulated minor source pollutants listed, but is not a major source as defined in PART 030.300 or PART 030.400:

Regulated Minor Source Pollutant	Minor Source Threshold Potential to Emit (PTE), tpy
PM10	5
PM2.5	5
CO	5

VOC	5
NOx	5
SO2	5
Lead (Pb)	0.3
H2S	5
Total reduced sulfur (including H2S)	5

(2) Any new minor source must apply Best System of Control (BSC) to each regulated minor source pollutant whose PTE equals or exceeds the following BSC thresholds:

REGULATED MINOR SOURCE POLLUTANT	BSC PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO ₂	40
LEAD	0.6
H ₂ S	5
TOTAL REDUCED SULFUR (TRS), including H ₂ S	5

(3) A major stationary source permit is required if the new source is subject to PSD permitting (See PART 030.400) and/or nonattainment New Source Review (NSR) (NNSR) permitting (See PART 030.300).

(i) Applicability determinations are made on a pollutant-by-pollutant basis, so a new source may be subject to both minor and major permitting. However, in most cases, a single PTC which includes all the requirements and conditions that the source must meet, is issued.

b. **MODIFICATIONS TO EXISTING SOURCES:** Modifications are either minor or major and a minor modification may be further classified as either insignificant or significant. Once a change or project is determined to be a modification, determine whether the existing source (as it is currently configured) is minor or major (see the major stationary source definitions and the criteria in PARTS 030.300 and 030.400).

(4) **EXISTING MINOR STATIONARY SOURCES:**

(i) If the existing source is minor (based on its PTE), then a modification is minor unless the emissions increase resulting from the project constitutes a major stationary source by itself; this is determined by reviewing the applicability provisions in the definition of a major stationary source (not the definition of a major modification) in

PARTS 030.300 and 030.400.

(ii) If the emissions increase of a pollutant is major in and of itself, then:

- (A) If the area is in attainment for that pollutant, the modification is subject to PSD review for that pollutant (and possibly additional pollutants (see the applicability provisions in PART 030.400) and may still be subject to minor NSR permitting for other pollutants (see below).**
- (B) If the area is nonattainment for that pollutant and the PTE of the existing source is major for that nonattainment pollutant, the modification is subject to NNSR review for only that pollutant (see the applicability provisions in PART 030.300) and may still be subject to minor NSR permitting for other pollutants (see below).**

(iii) If the emissions increase is not major in and of itself, then the modification is minor (either significant or insignificant).

- (A) If the existing source is an insignificant minor source (based on its PTE) and the PTE emissions increase, as a result of the modification, maintains the facility-wide PTE below the significant minor source permitting threshold, then the modification is an insignificant minor source modification and does not require a permit.**
- (B) If the existing source is an insignificant minor source (based on its PTE) and the PTE emissions increase, as a result of the modification, equals or exceeds the significant minor source permitting threshold but is not major in and of itself, then the modification is a significant minor source modification and requires a PTC. In addition, if the PTE emissions increase equals or exceeds the BSC threshold, BSC must be determined and applied to those emissions.**
- (C) If the existing source is a significant minor source (based on its PTE), any modification that results in a PTE increase, that is not major in and of itself, is significant and requires a permit modification. In addition, if the PTE emissions increase equals or exceeds the BSC threshold, BSC must be determined and applied to those emissions.**

(5) EXISTING MAJOR STATIONARY SOURCES:

(i) If the source is major, determine whether the modification is minor or major by calculating the (project) emissions increase and the net emissions increase for each pollutant.

- (A) The modification is minor for each pollutant for which either the emissions increase, or the net emissions increase, is not significant. Minor modifications, even those at major stationary sources, are not subject to major source PTC requirements (PSD, NNSR), but may be subject to minor source modification PTC and PTO permitting based on PTE increases and the minor source permitting thresholds (See PART 030.200) and subject to BSC based on PTE increases and the BSC thresholds.**
- (B) The major modification significance levels (thresholds) for PSD permitting are provided in PART 030.400 and NNSR permitting are provided in PART 030.300.**

(C) *The modification is major for each pollutant for which both the emissions increase and the net emissions increase is significant. If the area is attainment or unclassifiable for a pollutant, then that pollutant is subject to PSD permitting (See PART 030.400). If the area is nonattainment for that pollutant and the source is major for that nonattainment pollutant, then that pollutant is subject to NNSR permitting (See PART 030.300)*

c. **EMISSIONS INCREASE CALCULATIONS FOR MAJOR STATIONARY SOURCES:** *Calculate the emissions increase (also called the “project emissions increase”) and the net emissions increase (also called the contemporaneous net increase) that will result from the proposed project for each pollutant using the following calculation methodology. If both the project emissions increase and the net emissions increase are significant, the modification is a major modification.*

(1) *The procedure for calculating (before beginning actual construction) whether a significant emissions increase (i.e., the first step of the process) will occur depends upon the type of emissions units being modified, according to paragraphs 030.020.A.5.c.(2), (3), and (4). The procedure for calculating (before beginning actual construction) whether a significant net emissions increase will occur at the major stationary source (i.e., the second step of the process) is contained in the definition of net emission increase. Regardless of any such preconstruction projections, a major modification results if the project causes a significant emissions increase and a significant net emissions increase.*

(2) *Actual-to-projected-actual applicability test for projects that only involve existing emissions units. A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference between the projected actual emissions and the baseline actual emissions, for each existing emissions unit, equals or exceeds the significant threshold for that pollutant (as defined in PART 030.300).*

(3) *Actual-to-potential test for projects that only involve construction of a new emissions unit(s). A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference between the potential to emit from each new emissions unit following completion of the project and the baseline actual emissions (as defined in PART 030.010) of these units before the project equals or exceeds the significant threshold for that pollutant (as defined in PART 030.300).*

(4) *Hybrid test for projects that involve multiple types of emissions units. A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference for all emissions units, using the method specified in paragraphs 030.020.A.5.c.(2) and (3) as applicable with respect to each emissions unit, equals or exceeds the significant threshold for that pollutant (as defined in PART 030.300).*

(5) *The “sum of the difference” as used in paragraphs 030.020.A.5.c.(2), (3), and (4) include both increases and decreases in emissions calculated in accordance with those paragraphs.*

d. **Plantwide Applicability Limitation (PAL):** *For any major stationary source with a PAL for a regulated NSR pollutant, the major stationary source shall comply with the requirements under PART 030.500.*

6. PERMIT TO CONSTRUCT (PTC): TYPE, DURATION

- a. *A Permit To Construct expires and is invalid:*
 - (1) *If the permittee does not commence construction within eighteen (18) months of the PTC date of issuance;*
 - (2) *If the permittee commences construction and then ceases construction for a period of eighteen (18) months or longer.*
 - (3) *If a complete application for a new PTO or modification of an existing PTO is not submitted within twelve (12) months after initial start-up of the new source or modification.*
 - (4) *Upon the issuance of a PTO.*

- b. *The Control Officer may extend the eighteen (18) month period upon written request and a satisfactory showing of good cause why an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within eighteen (18) months of the projected and approved commencement date.*
- c. *An expired PTC cannot be reauthorized or reinstated. If a PTC expired prior to completion of the construction authorized in the PTC, a new PTC application must be submitted if the permittee wishes to resume and complete that construction.*
- d. *For sources required to obtain a PTC, a PTO can only be issued if the construction of the source is completed in accordance with and in compliance with all applicable requirements in the PTC.*
- e. *A PTC will be denied if the application, engineering data or any other documentation submitted by the applicant shows, or the Control Officer determines, that the source:*
 - (1) *Cannot meet the requirements of, or be operated in compliance with, federal, state, or local regulations;*
 - (2) *Will prevent the attainment or maintenance of state or national ambient air standards; or*
 - (3) *Will cause a violation of the approved State Implementation Plan.*

- f. *If the source or modification has not been constructed in accordance with the PTC, and/or the air pollution control system or equipment is less effective as specified in the PTC, the permittee will be denied a PTO until and unless such deficiencies are corrected.*
- g. *To assure compliance with all applicable state, local and federal regulations, the PTC and PTO may impose written conditions of operation including, but not limited to, restrictions on emissions outputs, operating times, process temperatures, and other parameters on the source or modification.*

7. PERMIT TO OPERATE (PTO): TYPE, DURATION

- a. *A PTO expires and is invalid five (5) years from the date of issuance;*
- b. *An expired PTO cannot be reauthorized or reinstated. If a PTO expired prior to renewal completion, a new PTO application must be submitted if the permittee wishes to resume operation.*
- c. *A PTO will be denied if the application, engineering data or any other documentation submitted by the applicant shows, or the Control Officer determines, that the source:*

- (1) Cannot meet the requirements of, or be operated in compliance with, federal, state, or local regulations;*
 - (2) Will prevent the attainment or maintenance of state or national ambient air standards; or*
 - (3) Will cause a violation of the approved State Implementation Plan.*
- d. *To assure compliance with all applicable state, local and federal regulations, the Control Officer may impose written conditions of operation including, but not limited to, restrictions on emissions outputs, operating times and process temperatures on any permit.*
- e. *RENEWALS. A PTO expires five (5) years from the date of issuance and can be renewed by applying for a new PTO.*
 - (1) The renewal process for PART 70 permits is detailed in PART 030.510.*
 - (2) The renewal process for minor sources is detailed in PART 030.200.*
 - (3) Timely filing of the renewal application provides the applicant a permit shield.*
 - (4) Each renewal must be accompanied by the appropriate fee.*

SECTION B - EXEMPTIONS AND INSIGNIFICANT SOURCES

The existing or new sources listed in paragraphs 030.020.B.1 and B.2 are exempted from the requirement to obtain a Permit to Construct and/or Permit to Operate unless they are subject to the PART 70 regulations as defined in PART 030.500 or 030.510.

1. Exemptions - Categorical

- a. *The following sources or source categories are exempt from all permitting requirements in CHAPTER 030 unless otherwise specified. Any applicable county, state, and/or federal requirements shall still apply to these sources or source categories.*

- (1) Agricultural equipment used in agricultural operations, other than agricultural equipment that is classified as, or located at, a source for which a permit is required under Title V of the Clean Air Act, or that is subject to any standard set forth in 40 CFR PARTS 60, 61, or 63.*
- (2) Motor vehicles, special mobile equipment licensed for highway travel, and any internal combustion engines associated with the operation of licensed mobile equipment.*
- (3) Nonroad engines as defined in 40 CFR 1068.30.*
- (4) Emergency (backup) electrical generators located and/or operated at residential locations;*
- (5) Tobacco/cannabis smoking rooms and areas;*

2. Exemptions - Insignificant Sources

- a. *Emissions from insignificant activities, as determined pursuant to this section, must be included in the calculation of potential to emit and any determination of whether a stationary source requires a PTC or PTO.*
- b. *A stationary source is not required to obtain a permit for emissions below the threshold for a minor source as set forth in paragraph 030.020.A.5.a.(1) or for any emission unit determined to be an insignificant activity in accordance with this section, as long as the stationary source is not otherwise subject to any other requirement to obtain a permit under Title V of the Act. Such an exclusion from the requirements relating to permitting is not an exclusion or exemption from any other requirement relating to the operation of the emission unit determined to be an insignificant activity.*
- c. *A stationary source which consists solely of insignificant activities, as determined pursuant to this section, and which exceeds the threshold for a minor source as set forth in paragraph 030.020.A.5.a.(1), may be required to obtain a permit as determined by the Control Officer.*
- d. *The following emissions units are considered to be insignificant activities and not required to be permitted unless the emission unit is otherwise subject to another specific applicable requirement which requires an operating permit, including, without limitation, any requirement or standard set forth in 40 CFR PART 60, 61 or 63, or in the determination of a major source:*
- (1) Emergency Compression Ignition Engine that is stationary and has an output rating that is less than six hundred (600) horsepower;*
 - (2) Emergency Spark Ignition Engines that is stationary and has an output rating that is less than one thousand eight hundred (1,800) horsepower;*

- (3) *Hydraulic and hydrostatic testing equipment;*
- (4) *Air conditioning equipment or fuel-burning equipment used for human comfort and/or safety of properties that do not have applicable requirements under Title VI of the Clean Air Act and individually has a rating that is less than 1,000,000 Btu's per hour;*
- (5) *Commercial food preparation (such as restaurants or prep kitchens etc.) that does not use solid fuel;*
- (6) *Standalone laundry activities, such as independent laundry mats, laundry facilities in apartment complexes, except for dry-cleaning, and steam boilers greater than or equal to 1,000,000 Btu/hr;*
- (7) *Blacksmith forges;*
- (8) *Drop hammers or hydraulic presses for forging or metalworking (excluding engines);*
- (9) *Plant maintenance and upkeep activities (e.g., grounds-keeping, general repairs, cleaning, painting, welding, plumbing, re-tarring roofs, installing insulation, and paving parking lots), provided these activities are not included as part of a manufacturing process, are not related to the source's primary business activity. Cleaning and painting activities qualify as insignificant activities if they are not subject to volatile organic compound (VOC or HAP) control requirements;*
- (10) *Handheld equipment for buffing, polishing, cutting, drilling, sawing, grinding, turning, or machining wood, metal, or plastic; including air compressors, pneumatically operated equipment, and hand tools;*
- (11) *Brazing, soldering, welding equipment, and cutting torches related to manufacturing and construction activities if:*
 - (i) *These activities do not result in emission of HAP metals;*
 - (ii) *The emissions of particulate matter are vented to a control device located and vented inside the building;*
- (12) *Batteries and battery charging stations, except at battery manufacturing plants;*
- (13) *Storage tanks, vessels, and containers holding or storing liquid substances that will not emit any VOCs or HAPs;*
- (14) *Equipment used to mix and package non-VOC or non-HAPs emitting liquids;*
- (15) *Vents from continuous emissions monitors and other analyzers;*
- (16) *Handheld applicator equipment for hot melt adhesives with no VOCs in the adhesive formulation;*
- (17) *CO₂ lasers used only on metals and other materials that do not contain any HAPs;*
- (18) *Laser trimmers using dust collection to prevent fugitive emissions;*
- (19) *Electric or steam-heated drying ovens and autoclaves, but not the emissions from the articles or substances being processed in the ovens or autoclaves or the boilers delivering the steam;*
- (20) *Equipment used for surface coating, painting, dipping, or spraying operations, except those that will emit VOCs or HAPs;*
- (21) *Onsite cleaning, stripping, and subsequent coating of outdoor objects and structures such as buildings, bridges, billboards, signs, water towers, swimming pools, lampposts, fences, railings, monuments, etc. that must be done periodically for maintenance purposes, provided the following requirements are met:*
 - (i) *Abrasive blasting operations, if conducted, employ tarps, enclosures, or other*

techniques as required by SECTION 040.029, "Abrasive Blasting," to prevent dust nuisances;

(ii) Solid waste, hazardous waste, and waste waters generated by the operations are managed in accordance with applicable regulations;

(22) Grinding, machining, and sanding operations, abrasive cleaning operations (dry or wet), pneumatic conveying and woodworking operations that vent to the inside of a building and have no visible emissions to the outside of the building;

(23) Parts washers and rinse tanks using detergent cleaners that will not emit any VOCs or HAPs;

(24) Tumblers used for the cleaning and deburring of metal products without abrasive blasting;

(25) Abrasive blasting operations that do not exhaust or release particulate emissions to the ambient air;

(26) Non-commercial brick and clay products (tiles, ceramic, etc.) manufacturing operations, including any drying equipment if the heat input is less than 1,000,000 btu/hr.

(27) An emission unit is an insignificant activity if the emission unit is not otherwise subject to a specific applicable requirement, including, without limitation, any requirement or standard set forth in 40 CFR PART 60, 61 or 63, and meets the following criteria:

(i) The operation of the emission unit, not considering controls or limits on production, type of materials processed, combusted or stored, or hours of operation, will not result in:

(A) Emissions of a regulated air pollutant, on a potential to emits basis, that exceed Four thousand (4,000) pounds per year; and

(B) Emissions of regulated air pollutants that adversely impact public health or safety, or exceed any ambient air quality standards.

(C) The emissions from the emission unit are not relied on to avoid any other applicable requirements.

PART 030.030 - GENERAL APPLICATIONS REQUIREMENTS

SECTION A - APPLICATIONS CONTENT

1. *Application for a Permit to Construct (PTC) and/or Permit To Operate (PTO) shall be submitted on forms furnished by the Control Officer.*
2. *A separate application is required for each new or modified stationary source.*
3. *Each application shall include, as applicable, the following information:*
 - a. *Name and address of business and any other identifying information;*
 - b. *Nature of business, including products produced and processes to be used, including any applicable NAICS and/or SCC codes;*
 - c. *Name, phone number, and email address of Responsible Official;*
 - d. *Name, phone number, and email address of owner's agent, manager or other contact person;*
 - e. *Name, phone number, and email address of the manager of the plant or another appropriate person to contact;*
 - f. *The address and physical location of any records that the applicant must keep pursuant to the requirements of the operating permit, if the records are kept at a location other than the emitting facility;*
 - g. *Process information, including process flow diagrams, a narrative of the process flow diagram, description of all insignificant activities, and an identification and a description of all points of emissions and all activities which may generate emissions in sufficient detail to establish the basis for the applicability of all applicable requirements, standards and fees;*
 - h. *Site information, including description of site and property boundary limiting public access,*
 - i. *A plot plan, including the distance to, length, width, and height of; buildings within two hundred (200) feet, or other distance specified by the Control Officer, from the place where the new or modified stationary source or portable source will be installed;*
 - j. *Calculations of the facility-wide potential to emit and the potential to emit for each emission unit with citations for all emission factors used;*
 - k. *A description of the nature and quantity of emissions for all regulated pollutants on an hourly and annual basis, expressed in units as necessary to determine compliance, including demonstration as to whether the proposed project will be a major source or major modification and which pollutants the source will be major for;*
 - l. *Calculations and methods used to estimate emissions and other parameters, including assumptions, citations and references;*
 - m. *A list and description of each facility or process equipment to be permitted or to have their permit revised, including the control equipment, control measures and/or work practices to be utilized in emission reduction;*
 - n. *The identification and description, including but not limited to manufacturer, model, rating and serial number, of each emission unit in sufficient detail to establish the applicable requirements.*
 - o. *The following information, to the extent it is needed to determine or regulate emissions: fuels, fuel use, raw materials, material usage rates, production rates, and operating schedules.*
 - p. *A list and description of any air pollution control equipment, and any devices or activities for monitoring compliance with emission limitations;*
 - q. *Proposed monitoring, recordkeeping, and reporting sufficient to ensure compliance with any emission, throughput, production, material type and composition, operational, or other*

- limitation or requirement;*
- r. *The operating times, temperatures, fuels used, raw materials consumption, production rates, process rates, or other pertinent information for each emission unit;*
 - s. *Such other information or documentation requested by the Control Officer as necessary to determine compliance with all requirements and standards;*
 - t. *A declaration signed by the Responsible Official under penalty of perjury stating that, the statements and information in the application are true, accurate, and complete. Signature of the declaration statement shall subject the Responsible Official to liability for perjury under NRS 199.145.*
 - u. *A wet original signature of the responsible official;*
 - v. *Any fees as set by the District Board of Health.*
4. ***METHODS TO DETERMINE SOURCE EMISSION RATES. Emission rates for each emission unit must be determined using accepted engineering practice methods. Such emission rates shall be used to establish annual emissions fees, applicability of permit requirements and any other applicable requirement (including new source control technology requirements), and for the purposes of determining whether there are emissions violations. These methods include, but are not limited to, the use of emission factors from approved publications such as "AP - 42 COMPILATION OF AIR POLLUTION EMISSION FACTORS" published by the U.S. EPA, source test data from an approved reference test method, manufacturers specification, or mass balance emissions calculations. The methodology selected is subject to the approval of the Control Officer, who may reject the proposed methodology and require use of another methodology, including requiring the owner or operator to conduct reference method testing to determine emissions rates. It is the burden of the source operator to provide satisfactory scientific evidence of different emission rates if the operator wishes to dispute emission rates determined by the Control Officer.***
5. ***In case of a dispute regarding emission rates, the Control Officer may require that the application and reports be certified by a licensed professional engineer as to the accuracy of the technical information concerning equipment, calculations, or other items submitted by the applicant. The certification shall be given under oath or upon information and belief that statements made in the application are truthful, accurate and correct.***

SECTION B - APPLICATION PROCESSING

1. **PROCESSING STEPS AND DEADLINES.** *Applications for permits are received, evaluated and will result in either issuance or denial of the requested permit. A summary of the steps in the process are:*
 - a. *Application is received by the Control Officer.*
 - b. *The Control Officer has a specified time frame from receipt of the application to determine whether the application is administratively complete. If the determination is not made within the specified timeframe, the application is deemed administratively complete.*
 - c. *If the application is:*
 - (1) *Administratively complete, the Control Officer notifies the permittee the application is complete and advises of the next steps of the permitting process.*
 - (2) *Administratively incomplete, the Control Officer returns the application to the permittee in conjunction with a description of what is deficient.*
 - d. *During the technical review, the Control Officer may discover that information needed to complete the processing of the application is missing. Written correspondence will be provided to the permittee with specific details of what additional information is required. Upon notification of missing information, the timeline for application processing will cease until the necessary information is provided. The discovery of missing information may occur more than once during the processing of an application.*
 - e. *At any time that additional information is requested, the number of days between and including the date that the request for information is sent and the date that the information received is considered sufficient, are not counted in determining the deadline for issuing or denying the permit. If, for example, a request for missing information is sent on day forty (40) of a one hundred eighty (180) day processing period (which would end on April 1) and the information is provided and determined sufficient on day sixty one (61), then twenty one (21) days (Day 61 – Day 40) are added to the original one hundred eighty (180) day date of April 1, making the new one hundred eighty (180) day ending date April 22.*
 - f. *During the review, the Control Officer may provide public notice of the proposed permit, including, where required, an opportunity to comment and a public hearing.*
2. **PROCESSING.** *The Control Officer, using standard engineering practices and methods, will determine which local, state and/or federal regulations apply to the source, determine if the proposed project and associated control technology will meet regulatory requirements, and determine what, if any, pre-construction monitoring or testing will be required before the permit is issued.*
 - a. *The Control Officer will perform the evaluations required to determine compliance with all applicable requirements and make a preliminary written decision as to whether a Permit to Construct and/or Permit to Operate should be approved, conditionally approved, or disapproved. This decision will be supported by a succinct written analysis;*
 - b. *The Control Officer shall provide notice, if required pursuant to CHAPTER 030, stating the preliminary decision of the Control Officer and where the public may inspect the information required to be made available. The notice must provide thirty (30) calendar days from the date of publication for the public to submit written comments on the preliminary decision;*

- c. *At the time notice of the preliminary decision is published, the Control Officer shall make available for public inspection the information submitted by the applicant, the supporting analysis for the preliminary decision to grant or deny the Permit to Construct and/or Permit to Operate, including any proposed permit conditions, and the reasons therefore.*
- d. *The Control Officer will consider and respond to all public comments received during the comment period before taking final action on whether to issue the PTC or PTO.*
- e. *Public notice shall be accomplished by posting a notice on a website maintained by the agency and establishing a list of persons interested in receiving air quality information and notifying those people, by email or other means.*
- f. *The costs of publication of the notice, if any, may be borne by the applicant.*

PART 030.040 - GENERAL TESTING, MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

SECTION A - TESTING

1. EXCESS EMISSIONS: SCHEDULED MAINTENANCE, TESTING OR REPAIRS; NOTIFICATION OF DIRECTOR; MALFUNCTION, UPSET, START-UP, SHUTDOWN OR HUMAN ERROR.

- a. *Scheduled maintenance, testing, or repairs which may result in excess emissions of regulated air pollutants prohibited by this regulation and/or permit terms and conditions must be approved in advance in writing by the Control Officer and performed during a time designated by the Control Officer as being favorable for atmospheric ventilation.*
- b. *Each owner or operator shall notify the Control Officer of the proposed time and expected duration at least thirty (30) calendar days before any scheduled maintenance or testing which may result in excess emissions of regulated air pollutants prohibited in this regulation. The scheduled maintenance or testing must not be conducted unless the scheduled maintenance or testing is approved in writing by the Control Officer.*
- c. *Each owner or operator shall notify the Control Officer of the proposed time and expected duration at least twenty-four (24) hours before any scheduled repairs which may result in excess emissions of regulated air pollutants prohibited by this regulation and/or permit terms and conditions. The scheduled repairs must not be conducted unless the scheduled repairs are approved in writing by the Control Officer.*
- d. *The owner or operator of the stationary source shall promptly report to the Control Officer any deviations from the requirements of a permit or these regulations. The report to the Control Officer shall include the probable cause of all deviations and any action taken to correct the deviations. Prompt is defined as submittal of a report within fifteen (15) calendar days of the deviation. This definition does not alter any reporting requirements as established for reporting of excess emissions.*
- e. *Each owner or operator shall notify the Control Officer of any excess emissions within twenty-four (24) hours after any malfunction or upset of the process equipment, or equipment for controlling pollution, or during start-up or shutdown of that equipment.*
- f. *Each owner or operator shall provide the Control Officer, within fifteen (15) calendar days after any malfunction, upset, start-up, shutdown or human error which results in excess emissions, sufficient information to quantify the excess emissions. The information must include at least the following:*
 - (1) *The identity of the stack or other point of emission, or both, where the excess emissions occurred.*
 - (2) *The estimated magnitude of the excess emissions expressed in opacity, or in the units of the applicable limitation on emissions, and the operating data and methods used in estimating the magnitude of the excess emissions.*
 - (3) *The time and duration of the excess emissions.*
 - (4) *The identity of the equipment causing the excess emissions.*
 - (5) *If the excess emissions were the result of a malfunction, the steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of the malfunction.*
 - (6) *The steps taken to limit the excess emissions.*
 - (7) *Documentation that the equipment for controlling air pollution, process equipment or*

processes were at all times maintained and operated, to a maximum extent practicable, in a manner consistent with good practice for minimizing emissions.

- g. Each owner or operator shall ensure that any notification or related information submitted to the Control Officer pursuant to this section is provided in a format specified by the Control Officer.*
- h. Nothing in this section limits the authority of the Control Officer to institute actions under SECTIONS 113 and 303 of the Act or to exercise his or her authority under CHAPTER 030.*

2. TESTING AND SAMPLING.

- a. If specified in the permit to construct, a new or modified source shall conduct or have testing and sampling conducted to demonstrate compliance with any permit limit (e.g., visible emissions, emission rates, control efficiencies, VOC content). Testing and/or sampling must be conducted and the results submitted to the Control Officer within sixty (60) calendar days after achieving the maximum rate of production at which the affected facility will be operated, but not later than one hundred eighty (180) calendar days after initial start-up of the facility and at such other times as may be required by the Control Officer.*
- b. Tests of performance must be conducted and data reduced in accordance with the methods and procedures of the test contained in each applicable subsection of this section unless the Control Officer:*
 - (1) Specifies or approves, in specific cases, the use of a reference method with minor changes in methodology;*
 - (2) Approves the use of an equivalent method;*
 - (3) Approves the use of an alternative method, the results of which the Control Officer has determined to be adequate for indicating whether a specific stationary source is in compliance; or*
 - (4) Waives the requirement for tests of performance because the owner or operator of a stationary source has demonstrated by other means to the Control Officer's satisfaction that the affected facility is in compliance with the standard.*
- c. Tests of performance must be conducted under such conditions as the Control Officer specifies to the operator of the plant based on representative performance of the affected facility. The owner or operator shall make available to the Control Officer such records as necessary to determine the conditions of the test of performance. Operations during periods of start-up, shutdown and malfunction do not constitute representative conditions of a test of performance unless otherwise specified in the applicable standard.*
- d. The owner or operator of an affected facility shall give notice to the Control Officer thirty (30) calendar days before the test of performance to allow the Control Officer to have an observer present. A written testing procedure for the test of performance must be submitted to the Control Officer at least thirty (30) calendar days before the test of performance to allow the Control Officer to review and approve the proposed testing procedures.*
- e. Each test of performance must consist of at least three separate runs using the applicable method for that test. Each run must be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the runs apply. In the event of forced*

shutdown, failure of an irreplaceable portion of the sampling train, extreme meteorological conditions or other circumstances with less than three valid samples being obtained, compliance may be determined using the arithmetic mean of the results of the other two runs upon the Control Officer's approval.

- f. *All testing and sampling shall be performed in accordance with approved methods and as specified by the Control Officer.*
- g. *The cost of all testing and sampling and the cost of all sampling holes, scaffolding, electric power and other pertinent allied facilities as may be required and specified in writing by the Control Officer must be provided and paid for by the owner of the stationary source.*
- h. *All information and analytical results of testing and sampling must be certified as to their truth and accuracy and as to their compliance with all provisions of these regulations, and copies of these results must be provided to the Control Officer no later than sixty (60) calendar days after the testing or sampling, or both.*
- i. *Notwithstanding the provisions of paragraph 030.040.A.2.b, the Control Officer shall not approve an alternative method or equivalent method to determine compliance with a standard or emission limitation contained in 40 CFR PART 60, 61 or 63 or for an affected source.*

SECTION B - MONITORING, RECORDKEEPING AND REPORTING

1. **MONITORING SYSTEMS: CALIBRATION, OPERATION AND MAINTENANCE OF EQUIPMENT.** *The owners or operators of all stationary sources identified in Appendix P of 40 CFR PART 51(1.1) as amended from time to time, are required to install, calibrate, operate and maintain all monitoring equipment necessary for continuously monitoring the pollutants specified in Appendix P for the applicable source category. Those stationary sources must meet the basic requirements of Appendix P of 40 CFR PART 51(2.0 et seq.).*
2. **MONITORING SYSTEMS: LOCATION.**
 - a. *All continuous monitoring systems or monitoring devices must be installed so that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for the location of continuous monitoring systems are contained in the applicable Performance Specifications of Appendix B of 40 CFR PART 60.*
 - b. *When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems for each effluent or for the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems must be installed for each effluent. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install applicable continuous monitoring systems on each separate effluent unless the installation of fewer systems is approved by the Control Officer.*
3. **MONITORING SYSTEMS: VERIFICATION OF OPERATIONAL STATUS.**
 - a. *Unless otherwise approved by the Control Officer or specified in these regulations, the requirements of SECTION 030.040.B apply to all continuous monitoring systems required under applicable provisions of CHAPTER 030.*
 - b. *All continuous monitoring systems and monitoring devices must be installed and operational before conducting performance tests. Verification of operational status must, as a minimum, consist of the following:*
 - (1) *For continuous monitoring systems referred to in paragraph 030.040.B.4.b, completion of the conditioning period specified by applicable requirements in Appendix B of 40 CFR PART 60.*
 - (2) *For monitoring devices referred to in SECTION 030.040.B, completion of the manufacturer's written requirements or recommendations for checking the operation or calibration of the device.*
4. **MONITORING SYSTEMS: PERFORMANCE EVALUATIONS.**
 - a. *During any performance tests required under paragraph 030.040.A.2 or within thirty (30) calendar days thereafter and at such other times as may be required by the Control Officer under PART 114 of the Act, the owner or operator of any affected facility shall conduct continuous evaluations of the performance of monitoring systems and furnish the Control Officer within sixty (60) calendar days thereof two, or upon request more, copies of a written report of the results of such tests. These evaluations must be conducted in accordance with*

the specifications and procedures provided in SECTION 030.040.B.

- b. *Continuous monitoring systems listed within SECTION 030.040.B must be evaluated in accordance with the requirements and procedures contained in the applicable performance specification of Appendix B of 40 CFR PART 60. Continuous monitoring systems for measuring:*

- (1) Opacity of emissions must comply with Performance Specification 1.*
- (2) Nitrogen oxides emissions must comply with Performance Specification 2.*
- (3) Sulfur dioxide emissions must comply with Performance Specification 2.*
- (4) The oxygen and carbon dioxide content of effluent gases must comply with Performance Specification 3.*

5. MONITORING SYSTEMS: ADJUSTMENTS.

- a. *Owners or operators of all continuous monitoring systems installed in accordance with the provisions of SECTION 030.040.B shall check the zero and span drift at least once daily in accordance with the method prescribed by the manufacturer of the systems unless the manufacturer recommends adjustments at shorter intervals, in which case the recommendations must be followed. The zero and span must, as a minimum, be adjusted whenever the twenty four (24) hour zero drift or twenty four (24) hour calibration drift limits of the applicable performance specifications in Appendix B of 40 CFR PART 60 are exceeded.*

6. MONITORING SYSTEMS: MEASUREMENT OF OPACITY.

- a. *For continuous monitoring systems measuring opacity of emissions, the optical surfaces exposed to the effluent gases must be cleaned before performing the zero or span drift adjustments, except that for systems using automatic zero adjustments, the optical surfaces must be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity. Unless otherwise approved by the Control Officer, the following procedures, as applicable, must be followed:*

- (1) For extractive continuous monitoring systems measuring gases, minimum procedures must include introducing applicable zero and span gas mixtures into the measurement system as near the probe as is practical. Span and zero gases certified by their manufacturer to be traceable to National Institute of Standards and Technology reference gases must be used whenever these reference gases are available. The span and zero gas mixtures must be the same composition as specified in Appendix B of 40 CFR PART 60. Every six (6) months after the date of manufacture, span and zero gases must be reanalyzed by conducting triplicate analyses with Reference Methods 6 for SO₂, 7 for NO, and 3 for O₂ and CO₂, respectively. The gases may be analyzed at less frequent intervals if longer shelf lives are guaranteed by the manufacturer.*
- (2) For non-extractive continuous monitoring systems measuring gases, minimum procedures include upscale checks using a certified calibration gas cell or test cell which is functionally equivalent to a known gas concentration. The zero check may be performed by computing the zero value from upscale measurements or by mechanically producing a zero condition.*
- (3) For continuous monitoring systems measuring opacity of emissions, minimum procedures include a method for producing a simulated zero opacity condition and an*

upscale (span) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. These procedures must provide a system check of the analyzer internal optical surfaces and all electronic circuitry, including the lamp and photodetector assembly.

- b. *Notwithstanding the provisions of paragraph 030.040.B.6 above, the Control Officer shall not approve an alternative method or equivalent method to determine compliance with a standard or emission limitation contained in 40 CFR PART 60, 61 or 63 or for an affected source.*

7. MONITORING SYSTEMS: FREQUENCY OF OPERATION.

- a. *Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required by paragraph 030.040.B.5, all continuous monitoring systems must be in continuous operation and meet minimum frequency of operation requirements as follows:*
 - (1) *All continuous monitoring systems referred to in this section for measuring opacity of emissions must complete a minimum of one cycle of operation (sampling, analyzing and data recording) for each successive 10-second period.*
 - (2) *All continuous monitoring systems referred to in paragraph 030.040.B.4 for measuring oxides of nitrogen, sulfur dioxide, carbon dioxide or oxygen must complete a minimum of one cycle of operation (sampling, analyzing and data recording) for each successive 15-minute period.*

8. MONITORING SYSTEMS: RECORDATION OF DATA.

- a. *Owners or operators of all continuous monitoring systems for the measurement of opacity shall reduce all data to 6-minute averages and for systems other than opacity to 1-hour averages.*
- b. *For systems other than opacity, 1-hour averages must be computed from four (4) or more data points equally spaced over each 1-hour period.*
- c. *Data recorded during periods of system breakdowns, repairs, calibration checks, and zero and span adjustments must not be included in the data averages computed under this section. An arithmetic or integrated average of all calibrated data must be used. The data output of all continuous monitoring systems may be recorded in reduced or nonreduced form, e.g., ppm pollutant and percent O₂ or lb/million Btu of pollutant.*
- d. *All excess emissions must be converted into units of the standard using the applicable conversion procedures specified in these regulations. After conversion into units of the standard, the data may be rounded to the same number of significant digits used in those sections to specify the applicable standard, e.g., rounded to the nearest one (1) percent opacity.*
- e. *As used in this section, "calibrated data" means data which is precise and accurate within a stated acceptance criteria for the instrument.*

9. MONITORING SYSTEMS: RECORDS; REPORTS.

- a. *Any owner or operator subject to the provisions of SECTION 030.040.B shall maintain records of the occurrence and duration of any start-up, shutdown or malfunction in the operation of*

an affected facility and any malfunction of the air pollution control equipment or any periods during which a continuous monitoring system or monitoring device is inoperative.

- b. Each owner or operator required to install a continuous monitoring system shall submit a written report of excess emissions to the Control Officer for every calendar quarter. All quarterly reports must be postmarked by the thirtieth (30th) day following the end of each calendar quarter and must include the following information:*

- (1) The magnitude of excess emissions computed in accordance with this section, any conversion factors used, and the date and time of commencement and completion of each time period of excess emissions.*
- (2) Specific identification of each period of excess emissions that occurs during start-ups, shutdowns and malfunctions of the affected facility.*
- (3) The nature and cause of any malfunction, if known, the corrective action taken or preventative measures adopted.*
- (4) Specific identification of each period during which the continuous monitoring system was inoperative, except for zero and span checks, and the nature of any repairs or adjustments that were made. When no excess emissions have occurred and the continuous monitoring system has not been inoperative, repaired or adjusted, such information must be included in the report.*

- c. Any owner or operator subject to the provisions of SECTION 030.040.B, shall maintain a file of all measurements, including:*

- (1) Continuous monitoring systems, monitoring devices and performance testing measurements;*
- (2) All continuous monitoring system performance evaluations;*
- (3) All continuous monitoring systems or monitoring device calibration checks;*
- (4) Adjustments and maintenance performed on these systems or devices; and*
- (5) All other information required by this section, recorded in a permanent form suitable for inspection. The file must be retained for at least two (2) years following the date of the measurements, maintenance, reports, and records.*

10. ALTERNATIVE MONITORING PROCEDURES OR REQUIREMENTS.

- a. Upon written application by an owner or operator, the Control Officer may approve alternatives to any monitoring procedures or requirements of this section, including, but not limited to, the following:*

- (1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by those sections would not provide accurate measurements due to liquid water or other interferences caused by substances with the effluent gases.*
- (2) Alternative monitoring requirements when the affected facility is infrequently operated.*
- (3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.*

- (4) *Alternative locations for installing continuous monitoring systems or monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.*
 - (5) *Alternative methods of converting regulated air pollutant concentration measurements to units of the standards.*
 - (6) *Alternative procedures for performing daily checks of zero and span drift that do not involve use of span gases or test cells.*
 - (7) *Alternatives to the test methods of the American Society for Testing and Materials or sampling procedures specified by any provision of this section.*
 - (8) *Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, Appendix B of 40 CFR PART 60, but adequately demonstrate a definite and consistent relationship between their measurements and the measurements of opacity by a system complying with the requirements in Performance Specification 1. The Control Officer may require that such demonstration be performed for each affected facility.*
 - (9) *Alternative monitoring requirements when the effluent from a single affected facility or the combined effluent from two or more affected facilities are released to the atmosphere through more than one point.*
- b. *Notwithstanding the provisions of paragraph 030.040.B.10.a, the Control Officer shall not approve an alternative method or equivalent method to determine compliance with a standard or emission limitation contained in 40 CFR PART 60, 61 or 63 and for an affected source.*
11. **RECORD KEEPING.** *Each holder of a Permit To Construct or Permit To Operate shall keep adequate records concerning pollutant emissions for any equipment or process for which the permit was issued. All permittees operating add-on emissions control equipment shall maintain records sufficient to legally demonstrate that the equipment has operated in compliance with all applicable Federal, State and Health District regulations. The permittee shall also record any times or occasions when the emissions control equipment is not in operation due to equipment failure, maintenance or any other reason.*
12. **NOTIFICATION TO CONTROL OFFICER: CONSTRUCTION, RECONSTRUCTION AND INITIAL START-UP; DEMONSTRATION OF CONTINUOUS MONITORING SYSTEM PERFORMANCE.**
- a. *Any owner or operator subject to the provisions of these regulations, shall furnish the Control Officer written notification of:*
- (1) *The date that construction or reconstruction of an affected facility is commenced, postmarked no later than thirty (30) calendar days after such date.*
 - (2) *The anticipated date of initial start-up of an affected facility, postmarked not more than sixty (60) calendar days and not less than thirty (30) calendar days before such date.*
 - (3) *The actual date of initial start-up of an affected facility, postmarked within fifteen (15) calendar days after such date.*
 - (4) *If applicable, the date upon which a demonstration of the continuous monitoring system performance commences in accordance with SECTION 030.040.B. Notification must be postmarked not less than thirty (30) calendar days before such date.*

13. YEARLY REPORTS, ANNUAL EMISSIONS

- a. *Any owner or operator subject to the provisions of CHAPTER 030 shall submit yearly 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 specified on the Permit to Construct and/or Permit to Operate. The completed report must be submitted to the Control Officer no later than March 31 annually for the preceding calendar year.*

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.100 - GENERAL PERMITS

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 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 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) 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) 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 - RECORKEEPING 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 030.000.D and NRS 445B.570.*
- 2. Any owner or operator subject to the provisions of PART 030.100 shall submit yearly 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 emission units/systems covered under the General permit. The completed report must be submitted to the Control Officer no later than March 31 annually for*

the preceding calendar year.

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.200 - Minor Source Permit Requirements

SECTION A - GENERAL

1. **Applicability.** PART 030.200 is applicable to any stationary source located in Washoe County that has the potential to emit (PTE) a Regulated Minor Source Pollutant equal to or greater than the Minor Source Permit Thresholds listed in the table below, but less than the major source thresholds listed in PARTS 030.300, 030.400, 030.500, and/or 030.510. PART 030.200 is also applicable to any source that takes a voluntarily accepted emission limitation to avoid obtaining a PART 70 operating permit.

<i>Regulated Minor Source Pollutant</i>	<i>Minor Source Threshold Permit Potential to Emit (PTE), tpy</i>
<i>PM10</i>	<i>5</i>
<i>PM2.5</i>	<i>5</i>
<i>CO</i>	<i>5</i>
<i>VOC</i>	<i>5</i>
<i>NOx</i>	<i>5</i>
<i>SO2</i>	<i>5</i>
<i>Lead (Pb)</i>	<i>0.3</i>
<i>H2S</i>	<i>5</i>
<i>Total reduced sulfur (including H2S)</i>	<i>5</i>

SECTION B - DEFINITIONS

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

EXEMPT STATIONARY SOURCE means any stationary source with a potential to emit lower than the Minor Source Permit Thresholds listed in paragraph 030.200.A.1.

EXISTING MINOR SOURCE means any minor source that has been issued a minor source permit under PART 030.200 and is not a new minor source.

LIKE-KIND the replacement of existing components (emissions units, control equipment, etc.) with similar, equivalent, or comparable, new components (e.g. components that have the same throughput capacity, control efficiency or, utilization factor as the old component) and neither increases the potential to emit of the emissions unit nor triggers a new applicable requirement.

MINOR SOURCE or **MINOR STATIONARY SOURCE** means any source that is not a major stationary source for a particular pollutant. A major stationary source can emit more than one pollutant, so may be classified as major because of the level of emissions of one or more pollutants, but may also emit some regulated pollutants at minor source levels. A minor source may be either a natural minor source or a synthetic minor source (see definition—a synthetic minor source needs enforceable limitations to qualify as a minor source).

MINOR SOURCE PERMIT means a permit that authorizes the construction (Permit to Construct, PTC) or operation (Permit to Operate, PTO) of a minor source.

MINOR PERMIT REVISION means a permit revision that is not a SIGNIFICANT PERMIT REVISION.

MODIFICATION or **MODIFY** means a physical change in, or a change in the method of operation, of a minor source that increases the source's PTE of any pollutant identified in paragraph 030.200.A.1.

NEW MINOR SOURCE means any minor source for which no minor source permit has been issued or whose minor source permit has expired without an application for renewal having been submitted in a timely manner.

SIGNIFICANT means, for a minor new source, a source with a facility-wide PTE that exceeds thresholds specified in the table below. Means, for a modified source, an increase in the PTE of any of the following pollutants at a rate that would equal or exceed any of the following:

POLLUTANT	PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO₂	40
LEAD	0.6
H₂S	5
TOTAL REDUCED SULFUR (TRS), including H₂S	5

SIGNIFICANT PERMIT REVISION means a permit revision allowing any of the revisions listed in SECTION F.1.

VOLUNTARILY ACCEPTED EMISSION LIMITATION means those permit emission limitations or other standards proposed by a source to avoid being subject to New Source Review, having to obtain a PART 70 Operating Permit, becoming a major source of Hazardous Air Pollutants, Best System of Control (BSC), or other applicable requirements.

SECTION C - PERMIT APPLICATION

1. Duty to Apply for a Minor Source Permit

- a. Except as provided in SECTION 030.200.F, no person shall commence construction of or make a modification to a minor source except in compliance with a minor source PTC that authorizes such construction or modification.*
- b. Except as provided in SECTION 030.200.F, no person shall operate a minor source except in compliance with a minor source PTC or PTO that authorizes such operation.*
- c. For the renewal of an existing minor source permit, a timely application shall be submitted to the Control Officer. An application for renewal shall be considered timely if it is deemed complete and submitted at least one hundred eighty (180) calendar days, but no more than two hundred seventy (270) calendar days, before the date of permit expiration.*
- d. If the submittal of an application for renewal of an existing minor source permit is not timely, there is no permit application shield as provided in paragraph 030.200.C.3, and the source loses its authority to operate upon permit expiration until the renewal permit is issued.*
- e. If the source fails to submit an application for renewal of an existing minor source PTO prior to permit expiration, the source loses its authority to operate upon permit expiration, the source will be treated as a new minor source, and the application will be subject to all of the requirements of paragraph 030.200.C.5.*

2. Complete Application

- a. To be deemed complete, an application must contain all information required under paragraph 030.200.C.5 and must be accompanied by payment of the applicable fee(s).*
- b. Unless the Control Officer determines that an application is not administratively complete within thirty (30) calendar days of receipt, any application for a new, renewal, minor modification, or significant revision permit shall be deemed complete.*
- c. During the technical review, the Control Officer may discover that information needed to complete the processing of the application is missing. Written correspondence will be provided to the permittee with specific details of what additional information is required. Upon notification of missing information, the timeline for application processing will cease until the necessary information is provided. The discovery of missing information may occur more than once during the processing of an application.*
- d. At any time that additional information is requested, the number of days between and including the date that the request for information is sent and the date that the information received is considered sufficient, are not counted in determining the deadline for issuing or denying the permit. If, for example, a request for missing information is sent on day forty (40) of a one hundred eighty (180) day processing period (which would end on April 1) and the information is provided and determined sufficient on day sixty-one (61), then twenty-one (21) days (Day 61 – Day 40) are added to the original one hundred eighty (180) day date of April 1, making the new one hundred eighty (180) day ending date April 22.*
- e. Failure to provide the additional information required by the Control Officer by the deadline in the written correspondence could result in denial of the application.*

3. Permit Application Shield. If an existing minor source submits a timely and complete application for renewal of a minor source PTO, the source's continued operation after permit expiration and before issuance of the renewed permit is not a violation. The application shield shall cease to apply if, after a completeness determination, the applicant fails to submit any additional information identified as needed to process the application by a deadline the Control Officer has specified in

writing or the renewed permit is denied for any other reason.

- 4. Duty to Supplement or Correct Application. Any applicant who fails to submit any relevant facts or submits incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submission, submit such supplementary facts or corrected information promptly. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date the applicant files a complete application, but before issuance of the permit.*
- 5. Application Contents. An application for a minor source permit shall contain all the information necessary to be deemed a complete application. An application for a new minor source permit, renewal of an existing minor source permit, and any revision to a minor source permit shall include, as needed, the following information:*
 - a. The company name and address (and the source name and address, if different).*
 - b. The owner's and Responsible Official's name, email address, telephone number and the name(s) of plant site manager/contact with associated email addresses and telephone numbers.*
 - c. A declaration signed by the Responsible Official under penalty of perjury stating that, the statements and information in the application are true, accurate, and complete. Signature of the declaration statement shall subject the Responsible Official to liability for perjury under NRS 199.145.*
 - d. Identifying information that includes, but is not limited to:*
 - (1) A description of the source's processes and products using the North American Industrial Classification System (NAICS).*
 - (2) The following emissions-related information:*
 - (a) The PTE of all regulated minor source air pollutants emitted from each emissions unit and activity, including fugitive emissions.*
 - (b) Identification and description, including but not limited to manufacturer, model, rating and serial number, of each emissions unit in sufficient detail to establish the applicable requirements.*
 - (c) The following information, to the extent it is needed to determine or regulate emissions: fuels, fuel use, raw materials, material usage rates, production rates, and operating schedules.*
 - (d) Identification and description of air pollution control equipment and compliance monitoring devices or activities, including design specifications.*
 - (e) Any limitations on source operation affecting emissions or on any work practice standards affecting emissions.*
 - (f) Other information required by any applicable requirement or to determine applicability of an applicable requirement.*
 - (g) A justification for any exemption sought from any otherwise applicable requirement.*
 - (h) The calculations on which the information in paragraphs 030.200.C.5.(d)(2)(a) through (g) is based.*
 - e. For a new or modified source, a schedule of construction, if applicable.*
 - f. A list of emission limitations and other requirements applicable to the source.*
 - g. A list of emissions units or activities claimed as exempt and/or insignificant under SECTION*

030.020.B

h. The following information may be required where the application proposes the following:

- (1) A new minor source that will have a PTE that is significant for any regulated minor source air pollutant shall include a demonstration of BSC for the affected pollutant and shall include the methodology by which BSC was determined and how compliance with BSC will be demonstrated, including material usage limits, performance testing, or continuous emissions monitoring, if applicable.**
 - (2) A modification to an existing minor source that requires a significant permit revision pursuant to paragraph 030.200.F.1.e shall contain the following:**
 - (a) A description and quantification of the increase in the PTE resulting from the modification.**
 - (b) A proposed BSC for each affected pollutant, the methodology by which BSC was determined and how compliance with BSC is to be demonstrated, including material usage limits, performance testing, or continuous emissions monitoring, if applicable.**
- i. A new minor source or revision to a minor source proposing a voluntarily accepted emission limitation shall include enough detail to demonstrate that the voluntarily accepted emission limitation is enforceable as a practical matter, and such detail shall include, at minimum, how the limitation affects each emissions unit and each air pollutant from that emissions unit.**
- j. A significant permit revision or a renewal for a source that is not in compliance at the time the application is submitted, shall include a compliance plan to address the non-compliant issue(s). The plan shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any requirements that the source is not in compliance at the time of permit issuance. Any such plan shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.**
- k. An application for a minor permit revision for a minor source shall contain the information necessary to demonstrate that the change qualifies as a minor permit revision pursuant to paragraph 030.200.F.2.**
- l. Such other information or documentation requested by the Control Officer as necessary to determine compliance with all applicable requirements and standards.**

SECTION D - PERMIT CONTENT

- 1. Terms and Conditions. A minor source permit issued by the Control Officer shall include terms and conditions that contain all of the following, as applicable:**
 - a. Identification of all applicable requirements.**
 - b. A physical description of each emissions unit(s) and operating information consistent with the application information.**
 - c. Emission limitations for any source of emissions or emissions unit that ensure all of the following:**
 - (1) The National Ambient Air Quality Standards (NAAQS) will be attained or maintained.**
 - (2) Compliance with the applicable requirements of these regulations and the Act.**
 - d. Monitoring, testing, reporting, and recordkeeping requirements that ensure adequate information is provided to evaluate compliance with the permit terms and conditions including, at a minimum, all of the following:**
 - (1) Applicable and appropriate monitoring and testing requirements, such as:**
 - (a) Emissions monitoring and analysis procedures or test methods.**
 - (b) Where an applicable regulation does not require periodic testing or monitoring (which may consist of record-keeping designed to serve as monitoring), periodic monitoring specifications sufficient to yield reliable data from the relevant time period(s) that are representative of the source's compliance with the permit. Such monitoring requirements may ensure that terms, test methods, units, averaging periods, and other statistical conventions are consistent with the applicable regulation.**
 - (c) As necessary, requirements concerning the use, maintenance and, where appropriate, installation of monitoring equipment or methods.**
 - (d) The Control Officer may require monitoring or testing to assure compliance with all applicable requirements. Any monitoring or testing shall be performed in accordance with paragraph 030.200.D.d.(2), any applicable requirement, or other methods approved by the Control Officer.**
 - (2) With respect to recordkeeping, the permit may incorporate all applicable recordkeeping requirements, including the following:**
 - (a) Records of required monitoring information that includes:**
 - (i) The date, place, as listed in the permit, and time of sampling or measurements.**
 - (ii) The date(s) analyses were performed.**
 - (iii) The person and/or company, if a third party, that performed the monitoring, sampling, measurements or analyses.**
 - (iv) The analytical techniques or methods used.**
 - (v) The results of such analyses.**
 - (vi) The operating conditions at the time of sampling or measurement.**
 - (vii) Calibration and maintenance of instrumentation and equipment.**
 - (viii) Raw data relating to calculation of emissions.**

authorized representative to enter the permittee's premises where a source is located or emissions related activity is conducted and to:

- (1) Have access to and copy any records that must be kept under the conditions of the permit.*
 - (2) Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.*
 - (3) Sample or monitor substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.*
 - (4) Document alleged violations using devices such as cameras or video equipment.*
- r. A statement that issuance of the permit does not convey any property rights of any sort, or any exclusive privilege.*
- s. A requirement that the permittee 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 permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Control Officer copies of records required to be kept by the 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.*
- t. A requirement that any person who has been issued a permit pursuant to this section shall post such permit in compliance with the requirements of paragraph 030.020.A.(15).*
- u. A requirement that the permit will not waive, or make less stringent, any limitations or requirements contained in or issued pursuant to the Washoe County portion of the Nevada State Implementation Plan (SIP), or that are otherwise federally enforceable.*
- v. A requirement that the permit shall not affect the responsibilities of the permittee to comply with the applicable portions of a control strategy in the SIP.*
- w. A requirement that the permittee shall furnish the Control Officer written notification of:*
- (1) The date that construction or reconstruction is commenced, postmarked no later than thirty (30) calendar days after such date.*
 - (2) The anticipated date of initial start-up, postmarked not more than sixty (60) calendar days and not less than thirty (30) calendar days before such date.*
 - (3) The actual date of initial start-up, postmarked within fifteen (15) calendar days after such date.*
- x. The Control Officer may impose additional conditions necessary to ensure compliance with any applicable requirement.*
- 2. Acknowledgment of Responsibility for Compliance. The permit shall contain a statement that the permittee's commencement of operation constitutes an acknowledgment that the permittee assumes the responsibility of ensuring that the source's emissions units and emission control equipment have been constructed and will be operated in compliance with all applicable requirements.*

SECTION E - PERMIT APPLICATION PROCESSING PROCEDURES

1. Action on Application

- a. *A minor source permit to construct, permit to operate, and/or permit renewal may be issued only after the Control Officer has:*
 - (1) *Received the correct and complete application as prescribed by paragraph 030.200.C.2.*
 - (2) *Determined that the conditions of the permit provide for compliance with all applicable requirements.*
 - (3) *Determined that the source or emissions units will not interfere with attainment and maintenance of the NAAQS and has imposed emission limitations in accordance with paragraphs 030.200.D.1.c and D.1.f.*
 - (4) *Complied with the requirements for public participation under paragraph 030.200.E.3. as applicable.*
 - (5) *Determined that all required fees have been paid.*
- b. *Following the close of any public participation process prescribed by paragraph 030.200.E.3, the Control Officer shall make the determination to issue or deny the permit.*
- c. *The Control Officer shall deny a permit to construct, permit to operate, and/or permit renewal if the applicant fails to submit the correct application or to demonstrate that the source will be designed, controlled, and operated in a manner that meets all applicable requirements, or to demonstrate that the source will not interfere with attainment or maintenance of any NAAQS.*
- d. *If the Control Officer denies the permit to construct, permit to operate, and/or permit renewal, a notice of denial shall be served on the applicant by method providing evidence of receipt. The notice shall detail the grounds for denial and describe the applicant's right to appeal the denial under paragraph 020.000.C.2.a.*
- e. *If the Control Officer issues the permit or permit revision, the new or revised permit shall be provided to the applicant. The permit or revision becomes effective upon issuance unless stayed by the District Board of Health.*

2. Permit Processing Deadlines

The Control Officer shall either issue or deny the permit within one hundred eighty (180) calendar days, commencing after the date on which the application is received. This issuance time frame is exclusive of the days when the Control Officer is awaiting the submittal of requested information, as specified in paragraph 030.200.C.2, and days required for public participation, as specified in paragraph 030.200.E.3.

3. Public Participation

The Control Officer shall provide for public notice, comment, and an opportunity for a hearing in accordance with the following procedures:

a. Notice of Proposed Action.

- (1) *After receipt of a complete application for any of the following proposed actions for minor source permits, a Notice of Proposed Action (NPA) shall be provided.*

(a) A new minor source with a potential to emit any pollutant that exceeds the following:

POLLUTANT	PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO₂	40
LEAD	0.6
H₂S	5
TOTAL REDUCED SULFUR (TRS), including H₂S	5

- (b) *A new minor source that will be located within 1,000 feet of the outer boundary of a school, hospital, or residential area.*
- (c) *A significant permit revision that is required because of a significant increase in an existing minor source's potential to emit.*
- (d) *A voluntarily accepted emissions limitation as provided in paragraph 030.200.G.4.*

(2) *The Notice of Proposed Action on the application shall contain all of the following:*

- (a) *The name and address of the permittee or permit applicant and, if different, of the facility regulated by the permit.*
- (b) *The date the Control Officer received the complete application.*
- (c) *The location where documents relevant to the application, including the application, the proposed permit conditions, and determinations of BSC, if applicable, will be available.*
- (d) *The nature of the source involved in the permit action.*
- (e) *The pollutants to be emitted by the source and the projected quantities of those pollutants.*
- (f) *The name, address, and telephone number persons may contact for instructions on how to obtain additional information, such as a copy of the draft permit, technical support document, the application, relevant supporting materials, and other materials available to the Control Officer that are relevant to the permitting decision.*
- (g) *The location of the administrative record, the times at which the record will be open for public inspection, and a statement that all data submitted by the applicant (except confidential information, in accordance with NRS 445B.570 and SECTION 020.000.D) are available as part of the administrative record.*
- (h) *The Control Officer's preliminary determination whether the application for a permit should be approved or disapproved.*
- (i) *An opportunity for any person to submit written comments on the application for a permit and any relevant documents.*
- (j) *An opportunity for any person to request a public hearing, consistent with the requirements of paragraph 030.200.E.3.b below, at which oral and written comments on the application will be received, or notice of such a hearing if one has been scheduled.*

- (3) *The NPA and the draft permit shall be provided during the thirty (30) calendar day public comment period. All written comments must be received by the Control Officer before expiration of the public comment period.*
 - (4) *The Control Officer shall consider all written and oral comments, and all other documents on the administrative record, before taking final action on the permit.*
 - (5) *The Control Officer shall send a copy of the NPA to the applicant and to officials and agencies having jurisdiction over the location where the proposed construction would occur, including:*
 - (a) *The U.S. Environmental Protection Agency (EPA), if requested, except that the NPA shall be sent to EPA if the subject of the NPA is a voluntarily accepted emission limit pursuant to SECTION 030.200.G that an applicant requests to avoid having to obtain a PART 70 Operating Permit.*
 - (b) *Any other person who requests such notice.*
- b. During the public comment period specified in SECTION 030.200.E.3.a.(3), any person may petition the Control Officer in writing for a public hearing. All such petitions shall contain the petitioner's name, address, daytime telephone number, email address, and reason for requesting a hearing.*
- (1) *If a proper petition is filed and the Control Officer determines that there is a significant degree of public interest, the Control Officer shall hold a public hearing no sooner than thirty (30) calendar days, but no later than seventy (70) calendar days, after the date of the NPA. In determining if a significant degree of public interest exists, the Control Officer shall consider all relevant factors, including, but not limited to, the number of petitioners, the nature of their concerns as stated in their petitions, and the type and quantity of emissions emitted by the source and the proximity of the source to sensitive areas such as parks, schools, hospitals or residential areas.*
 - (2) *At least seven (7) calendar days prior to the public hearing, notice of the public hearing shall be given to the petitioner, to the applicant and to those listed in SECTION 030.200.E.3.a.(5) in the same manner as required for the NPA.*
 - (3) *If the petition for hearing is denied, the Control Officer shall notify the petitioner within thirty (30) calendar days of receipt of the petition.*
- 4. Permit Transfers**
- a. *A minor source permit issued under PART 030.200 may be transferred from the existing permittee to a new permittee if the applicable administrative amendment fee is paid and all the applicable requirements are met.*
 - b. *A permit is not transferable, by operation of law or otherwise, from one location to another, or from one piece of equipment or process to another but may be transferred from one person to another upon approval of the Control Officer and payment of a transfer fee set by the District Board of Health.*
 - c. *The new permit holder is entitled to use the permit until expiration at no further cost.*

SECTION F - Revisions to an Existing Minor Source Permit

1. **Significant Permit Revision.** *The following changes at a minor source require a significant permit revision and are subject to the permit application requirements in SECTION 030.200.C and the public participation requirements in paragraph 030.200.E.3, if applicable:*
 - a. *Establishing or revising a voluntarily accepted emission limitation or standard, as described in SECTION 030.200.G.*
 - b. *A change in fuel not authorized by the permit, except for a switch from fuel oil or coal to natural gas or propane.*
 - c. *A change that relaxes monitoring, testing, recordkeeping, or reporting requirements, except when such change results from either:*
 - (1) *Equipment removal that results in a permanent decrease in actual emissions, if the source keeps on-site records of the change in a log that meets the requirements of SECTION 030.200.F.6 below and if the relaxed requirements in the permit apply solely to the equipment that was removed.*
 - (2) *Newly applicable requirements specified in 40 CFR PART 60, 61, or 63.*
 - d. *A change that will require any of the following:*
 - (1) *Except for a BSC determination required by SECTION 030.200.F.1.f, a case-by-case determination of an emission limitation or other standard.*
 - (2) *A source-specific determination of ambient impacts, or a visibility or increment analysis.*
 - (3) *A case-by-case determination of a monitoring, record-keeping, and reporting requirement.*
 - e. *Replacement of a piece of air pollution control equipment listed in the permit with one that the permittee cannot demonstrate will have the same or better pollutant removal efficiency. In determining the comparative removal efficiency of air pollution control equipment, the Control Officer shall rely upon relevant performance testing results, vendor performance guarantees, and emissions factors.*
 - f. *A new or modified sources that increases the source's potential to emit a regulated air pollutant, by an amount equal to or exceeding a significant increase. The modification shall apply BSC to each emissions unit to which the increase applies.*
 - g. *The Control Officer may deny the significant permit revision because the proposed revision does not comply with all applicable requirements.*
2. **Minor Permit Revision.** *If the proposed change at a minor source is not listed in SECTION 030.200.F.1, but is listed below in SECTIONS 030.200.F.2.a.(1) through (5), such change requires a minor permit revision and is subject to the permit application requirements in SECTION 030.200.C.*
 - a. *The following changes require a minor permit revision:*
 - (1) *The construction of a new emissions unit that is not a like-kind replacement.*
 - (2) *Increasing operating hours or rates of production above the permitted level, any other physical change or change in method of operation that will result in an increase in the source's PTE that is less than the significant levels listed in the definition of Significant found in SECTION 030.200.B.*
 - (3) *A change in fuel, if not authorized in the permit.*

- (4) *A change that results in emissions subject to any new or revised monitoring, recordkeeping, or reporting requirement that is not already in the permit if the revision proposes monitoring, recordkeeping, and/or reporting that provides the required quantification.*
 - (5) *Replacement of an item of air pollution control equipment listed in the permit with one that has the same or better efficiency, but that employs a different technology or substantially different design. The application for the minor permit revision must demonstrate the efficiency of the replacement air pollution control equipment is equivalent or better than the equipment being replaced.*
 - (6) *Conversion of Permit to Construct to a Permit to Operate*
- b. *The application shall specify how the change qualifies as a minor permit revision under paragraph 030.200.F.2 and propose language for the permit revision sought. No change listed in paragraph 030.200.F.2 shall proceed if the Control Officer objects or deems the application incomplete.*
 - c. *The Control Officer may deny the minor revision because:*
 - (1) *The change does not qualify as a minor permit revision because it is a significant permit revision.*
 - (2) *The change does not otherwise qualify as a minor permit revision under the criteria in paragraph 030.200.F.2.*
 - (3) *There is insufficient information to determine if it qualifies as a minor permit revision.*
 - (4) *The proposed revision does not comply with all applicable requirements.*
3. *Administrative Amendment. The following changes require a permit revision, are considered administrative, and may be initiated by either the source or the Control Officer. These changes are not subject to the revision processes in paragraphs 030.200.F.1 and F.2:*
- a. *Correcting typographical errors.*
 - b. *Changing the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source (except transfers of ownership, which are subject to the requirements of paragraph 030.000.C.2).*
 - c. *Correcting a permit condition, including but not limited to emission standards and compliance demonstration requirements, consistent with an existing requirement.*
 - d. *Incorporating newly applicable requirements due to an amendment to an existing rule or adoption of a new rule.*
 - e. *Incorporating alternative testing or compliance monitoring requirements that have received the Administrator's approval under 40 CFR PART 60, 61, or 63.*
 - f. *Incorporating newly applicable monitoring or testing requirements specified in 40 CFR PART 60, 61, or 63 that apply because of a change in applicability of those requirements to the source, including removal from the permit of monitoring or testing requirements that no longer apply as a result of the change.*
 - g. *Incorporating test methods or monitoring requirements specified in an applicable requirement that the source may use as an alternative to the testing or monitoring requirements in the permit.*
4. *Changes That Can Be Made With Notice. The following changes at a minor source may be made without a permit revision if the source provides prior written notice of the change, within the*

applicable timeframe for the change listed below, on a form specified by the Control Officer, unless the Control Officer objects within the applicable timeframe.

- a. *Replacing an item of air pollution control equipment listed in the permit with an identical (i.e., same model, different serial number) item: thirty (30) calendar days after the date of receipt of the written notice by the Control Officer. The Control Officer may require verification of the efficiency of the new equipment by performance tests.*
 - b. *Replacing an item of air pollution control equipment listed in the permit with one that is not identical, but is substantially similar and has the same or better pollutant removal efficiency: thirty (30) calendar days after the date of receipt of the written notice by the Control Officer. The Control Officer may require a verification of the efficiency of the new equipment by performance tests.*
 - c. *A physical change, or a change in the method of operation, that does not increase the source's potential to emit: thirty (30) calendar days after the date of receipt of the written notice by the Control Officer (includes a like-kind replacement of an emissions unit or the addition of an insignificant activity).*
 - d. *A change that amounts to reconstruction of the source or an individual emissions unit, unless the reconstruction triggers a new applicable requirement: thirty (30) calendar days after the date of receipt of the written notice by the Control Officer. For purposes of this requirement, reconstruction of a source or an emissions unit shall be presumed if the fixed capital cost of the new component(s) exceeds fifty (50) percent of the fixed capital cost of a comparable entirely new source or emissions unit.*
 - e. *Removal of one or more emissions unit(s) or activity that is part of an existing minor source permit. This change will not affect the source's potential to emit until it is incorporated into the permit through a permit renewal, permit revision, or the Control Officer action identified in paragraph 030.200.F.6.*
5. *Reopening for Cause.*
- a. *A permit may be reopened and revised under any of the following circumstances:*
 - (1) *Additional requirements (including excess emissions requirements) become applicable to an affected source. Upon approval by the Control Officer, excess emissions offset plans shall be deemed to be incorporated into the permit.*
 - (2) *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.*
 - (3) *The Control Officer determines that the permit must be revised or revoked to assure compliance with the applicable requirements.*
 - (4) *Proceedings to reopen and issue a permit shall follow the same requirements as apply to any permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.*
 - b. *Reopenings under paragraph 030.200.F.5 shall not be initiated before a notice of such intent is provided to the source by the Control Officer at least thirty (30) calendar days in advance of the date that the permit is to be reopened, except that the Control Officer may provide a shorter time period in the case of an emergency.*

6. *The Control Officer may revise a permit annually for a minor source without notice or public input*

to incorporate changes filed pursuant to paragraphs 030.200.F.3 and F.4 above.

- 7. Any modification at a minor source that results in an increase in PTE equal to or greater than the emissions of a major stationary source (as defined in PARTS 030.300 and 030.400) is subject to the applicable permit requirements in PART 030.510, as well as those in PARTS 030.300, 030.400, and/or 030.500.*

SECTION G - Permits Containing Voluntarily Accepted Emission Limitations

1. *A source may voluntarily propose in its application, and accept in its permit, emission limitations that are enforceable as a practical matter to avoid being subject to any of the following:*
 - a. *New Source Review under PARTS 030.300 or 030.400.*
 - b. *Having to obtain a PART 70 Operating Permit under PART 030.500.*
 - c. *Becoming a major Hazardous Air Pollutants (HAPs) source.*
 - d. *Becoming subject to BSC.*
 - e. *Meeting any other applicable requirements (excluding air quality fees).*
2. *A source that proposes a voluntarily accepted emission limitation shall comply with the requirements of paragraph 030.200.C.5.i.*
3. *The public participation procedures set forth in paragraph 030.200.E.3 apply to sources proposing to establish an initial voluntarily accepted emission limitation as described in paragraph 030.200.G.1.a-c.*
4. *A source that proposes a voluntarily accepted emission limitation to avoid becoming a major stationary source, including a major source of fugitive emissions of any such pollutant under PARTS 030.300 or 030.400 as described in paragraph 030.200.G.1.a, or becoming a new PART 70 source as described in paragraph 030.200.G.1.b must determine if the proposed stationary source is a major source and is listed as belonging to one of the source categories. If it is not listed, fugitive emissions must not to be included in the facility-wide PTE to determine if it is a major source.*

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.300 - NONATTAINMENT NEW SOURCE REVIEW (PERMIT REQUIREMENTS FOR MAJOR SOURCES IN NONATTAINMENT AREAS)

SECTION A - APPLICABILITY PROCEDURES

1. *Preconstruction Review Requirements.* The preconstruction review requirements of PART 030.300 shall apply to the construction of any new major stationary source or any project at an existing major stationary source in an area designated as nonattainment for any National Ambient Air Quality Standard under 40 CFR PART 81.329.
2. *Construction of Major Stationary Sources or Major Modifications*
 - a. *If a proposed project will result in a new major stationary source for any regulated NSR pollutant, then the requirements of paragraph 030.300.A.3 and SECTIONS 030.300.C through H apply to that pollutant(s).*
 - b. *If a proposed project will result in a major modification at a major stationary source for any regulated NSR pollutant, then the requirements of paragraph 030.300.A.3 and SECTIONS 030.300.C through H apply to that pollutant(s).*
3. *Permit to Construct Requirement.* No new major stationary source, or major modification to which the requirements of SECTIONS 030.300.C through H apply, shall begin actual construction or operate without a Permit to Construct that requires that the major stationary source or major modification meet these requirements.
4. *Major Modification Applicability.* The requirements of PART 030.300 apply to projects at major stationary sources in accordance with the applicability provisions set out in paragraphs 030.300.A.4.a through A.4.e.
 - a. *Except as otherwise provided in paragraph 030.300.A.5, a project is a major modification for a regulated NSR pollutant if either the required preconstruction projected actual emissions or the post-construction emissions show that the project causes two (2) types of emissions increases: a significant emissions increase and a significant net emissions increase. The project is not a major modification if it does not cause a significant emissions increase. If the project causes a significant emissions increase, then the project is a major modification only if it also results in a significant net emissions increase.*
 - b. *The procedure for calculating (before beginning actual construction) whether a significant emissions increase will occur depends upon the type of emissions units being added or modified as part of the project, according to paragraphs 030.300.A.4.c through A.4.e. The procedure for calculating (before beginning actual construction) whether a significant net emissions increase will occur at the major stationary source is contained in the definition of net emissions increase and significant. Regardless of any such preconstruction projections, a major modification results if the project causes a significant emissions increase and a significant net emissions increase.*
 - c. *Actual-to-Projected-Actual Applicability Test for Projects that Only Involve Existing*

Emissions units. A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference between the projected actual emissions and the baseline actual emissions for each existing emissions unit equals or exceeds the significant amount for that pollutant.

- d. *Actual-to-Potential Test for Projects that Only Involve construction of a New emissions unit(s). A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference between the PTE from each new emissions unit following completion of the project and the baseline actual emissions of these units before the project equals or exceeds the significant amount for that pollutant.*
 - e. *Hybrid Test for Projects that Involve Multiple Types of emissions units. A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the emissions differences for each emissions unit, calculated using the methods specified in paragraphs 030.300.A.4.c or A.4.d, as applicable with respect to each emissions unit, equals or exceeds the significant amount for that pollutant.*
 - f. *The “sum of the difference” as used in paragraphs c, d and e of this section shall include both increases and decreases in emissions calculated in accordance with those paragraphs.*
5. *Major sources with Plantwide Applicability Limitations (PAL). For any major stationary source with a PAL for a regulated NSR pollutant, the Owner or Operator shall comply with the requirements in SECTION 030.300.I.*
- a. *For any project that would increase emissions of a regulated NSR pollutant at a major stationary source with a PAL for that regulated NSR pollutant, the Owner or Operator shall comply with the requirements in SECTION 030.300.I. For emissions increases resulting from the project that are not regulated by a PAL, the Owner or Operator shall comply with paragraphs 030.300.A.2.b or SECTION 030.300.A.6.*
6. *Existing Emission unit Projects. The provisions of this paragraph apply when a project occurs at an existing emissions unit at a major stationary source, other than a source with a PAL; the project is not a part of a major modification; and the owner or operator elects to use the method specified in paragraphs a.(1) through a.(4) of the definition of projected actual emissions.*
- a. *Before beginning actual construction of the project, and as a condition of the source’s Permit to Construct, the owner or operator shall document and maintain a record of the following information:*
 - (1) *A description of the project;*
 - (2) *Identification of the emissions unit(s) whose emissions of a regulated NSR pollutant could be affected by the project; and*
 - (3) *A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including the baseline actual emissions, the projected actual emissions, the amount of emissions excluded under paragraph a.(4) of the definition of projected actual emissions and an explanation for why such amount was excluded, and any netting calculations, if applicable.*
 - b. *If the emissions unit is an existing emissions unit, before beginning actual construction, the owner or operator shall provide a copy of the information set out in paragraph 030.300.A.6.a*

to the Control Officer. Nothing in this paragraph shall be construed to require the owner or operator of such a unit to obtain any determination from the Control Officer before beginning actual construction, except such owner or operator may still be subject to the requirements of CHAPTER 030, including PART 030.200 or other applicable requirements.

- c. The Owner or Operator shall monitor and maintain a record of the emissions of any regulated NSR pollutant from any existing emissions unit identified in paragraph 030.300.A.6.a.(2) that did not rely on the emissions unit's Potential to emit to estimate the emissions unit's projected actual emissions; and calculate and maintain a record of the annual emissions (in tons per year (tpy)) for the project, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of, or Potential to emit that regulated NSR pollutant at, such existing emissions unit.*
- d. If the emissions unit is an existing electric utility steam generating unit, the Owner or Operator shall submit a report to the Control Officer within sixty (60) days after the end of each twelve (12) month period during which records must be generated under paragraph 030.300.A.6.c setting out the unit's annual emissions during the twelve (12) month period that preceded submission of the report.*
- e. If the emissions unit is an existing emissions unit other than an electric utility steam generating unit, the Owner or Operator shall submit a report to the Control Officer if the annual emissions, in tpy, from the project identified in paragraph 030.300.A.6.a exceed the baseline actual emissions (as documented and maintained pursuant to paragraph 030.300.A.6.a.(3)), by a significant amount for that regulated NSR pollutant, and if such emissions differ from the projected actual emissions (prior to exclusion of the amount of emissions under the definition of projected actual emissions) as documented and maintained pursuant to paragraph 030.300.A.6.a.(3). Such report shall be submitted to the Control Officer within sixty (60) days after the end of such year. The report shall contain the following:
 - (1) The name, address, and telephone number of the major stationary source;*
 - (2) The annual emissions, as calculated pursuant to paragraph 030.300.A.6.c; and*
 - (3) Any other information that the Owner or Operator wishes to include in the report (e.g., an explanation as to why the emissions differ from the pre-construction projection).**

7. Availability of Information. The Owner or Operator of the source shall make the information required to be documented and maintained pursuant to paragraph 030.300.A.6 available for review upon a request for inspection by the Control Officer or the general public pursuant to the requirements contained in 40 CFR PART 70.4(b)(3)(viii).

8. Secondary emissions. Secondary emissions shall not be considered in determining whether a stationary source would qualify as a major stationary source. If a stationary source is subject to PART 030.300 on the basis of the direct emissions from the stationary source, the requirements of SECTION 030.300.F, but no other provisions of PART 030.300, must also be met for Secondary emissions.

SECTION B - DEFINITIONS

Unless the context otherwise requires, the following terms shall have the meanings set forth below for the purposes of PART 030.300. When a term is not defined in these paragraphs, it shall have the meaning given in PART 030.000, PARTS 030.100 through 030.510; Nevada Revised Statutes (NRS) 445B; the Federal Clean Air Act, or common usage, in that order of priority.

ACTUAL EMISSIONS means the actual rate of emissions of a regulated NSR pollutant from an emissions unit, as determined in accordance with this definition.

- a. *In general, actual emissions as of a particular date shall equal the average rate, in tpy, at which the emissions unit actually emitted the regulated NSR pollutant during a consecutive twenty-four (24) month period which precedes the particular date and which is representative of normal source operation. The Control Officer shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.*
- b. *For any emissions unit that has not begun normal operations on the particular date, actual emissions shall equal the PTE of the unit on that date.*
- c. *This definition shall not apply for calculating whether a significant emissions increase has occurred, or for establishing a PAL under SECTION 030.300.I. Instead, projected actual emissions and baseline actual emissions shall apply for those purposes.*

ATTAINMENT AREA means an area, which is shown by air monitoring, calculated by air quality modeling, or is shown by other reliable methods, to have air quality that meets or exceeds minimum ambient air quality standards.

BASELINE ACTUAL EMISSIONS means the rate of emissions, in tpy, of a regulated NSR pollutant, as determined in accordance with paragraphs a through d of this definition.

- a. *For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tpy, at which the unit actually emitted the pollutant during any consecutive twenty-four (24) month period selected by the Owner or Operator within the five (5) year period immediately preceding when the Owner or Operator begins actual construction of the project. The Control Officer shall allow the use of a different time period upon a determination that it is more representative of normal source operation.*
 - (1) *The average rate shall include fugitive emissions, to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.*
 - (2) *The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the source was operating above any emission limitation that was legally enforceable during the consecutive twenty four (24) month period.*
 - (3) *The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must comply as of the particular date, had such major stationary source been required to comply with such limitations during the consecutive twenty-four (24) month period. For the purposes of determining baseline actual emissions for contemporaneous changes pursuant to paragraph a.2 of the definition of net emissions increase, the particular date is the date*

- on which the particular change occurred. However, if an emission limitation is part of a Maximum Achievable Control Technology standard that the Administrator proposed or promulgated under 40 CFR PART 63, the baseline actual emissions need only be adjusted if the State of Nevada has taken credit for such emissions reductions in an attainment demonstration or maintenance plan, consistent with the requirements of 40 CFR PART 51.165(a)(3)(ii)(G).*
- (4) For a regulated NSR pollutant, when a project involves multiple emissions units, only one consecutive 24-month period must be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive twenty-four (24) month period can be used for each regulated NSR pollutant.*
 - (5) The average rate shall not be based on any consecutive twenty-four (24) month period for which there is inadequate information for determining annual emissions, in tpy, and for adjusting this amount if required by this definition.*
- b. For an existing emissions unit (other than an electric utility steam generating unit), baseline actual emissions means the average rate, in tpy, at which the emissions unit actually emitted the pollutant during any consecutive twenty four (24) month period selected by the Owner or Operator within the ten (10) year period immediately preceding either the date the Owner or Operator begins actual construction of the project, or the date a Complete permit application is received by the Control Officer for a permit required under CHAPTER 030, whichever is earlier, except that the ten (10) year period shall not include any period earlier than November 15, 1990.*
- (1) The average rate shall include fugitive emissions to the extent quantifiable.*
 - (2) The average rate shall include emissions associated with startups, shutdowns, and malfunctions.*
 - (3) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.*
 - (4) The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must comply as of a particular date, had such major stationary source been required to comply with such limitations during the consecutive 24-month period. For the purposes of determining baseline actual emissions for contemporaneous changes pursuant to paragraph a.2 of the definition of net emissions increase, the particular date is the date on which the particular change occurred. However, if an emission limitation is part of a Maximum Achievable Control Technology standard that the Administrator proposed or promulgated under 40 CFR PART 63, the baseline actual emissions need only be adjusted if the State of Nevada has taken credit for such emissions reductions in an attainment demonstration or maintenance plan, consistent with the requirements of 40 CFR 51.165(a)(3)(ii)(G).*
 - (5) For a regulated NSR pollutant, when a project involves multiple emissions units, only one consecutive 24-month period must be used to determine the baseline actual emissions for all the emissions units being changed. A different consecutive 24-month period can be used for each regulated NSR pollutant.*
 - (6) The average rate shall not be based on any consecutive 24- month period for which there is inadequate information for determining annual emissions, in tpy, and for adjusting this amount if required by paragraphs b.(2) and b.(3) of this definition.*

- c. *For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's PTE.*
- d. *For a PAL for a stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units in accordance with the procedures contained in paragraph a of this definition; for other existing emissions units, in accordance with the procedures contained in paragraph b of this definition; and for a new emissions unit, in accordance with the procedures contained in paragraph c of this definition.*

BASIC DESIGN PARAMETER means:

- a. *Except as provided in paragraph c of this definition, for a process unit at a steam electric generating facility, the Owner or Operator may select as its basic design parameters either maximum hourly heat input and maximum hourly fuel consumption rate or maximum hourly electric output rate and maximum steam flow rate. When establishing fuel consumption specifications in terms of weight or volume, the minimum fuel quality based on Btu content shall be used for determining the basic design parameter(s) for a coal-fired electric utility steam generating unit.*
- b. *Except as provided in paragraph c of this definition, the basic design parameter(s) for any process unit that is not at a steam electric generating facility are maximum rate of fuel or heat input, maximum rate of material input, or maximum rate of product output. Combustion process units will typically use maximum rate of fuel input. For sources having multiple end products and raw materials, the Owner or Operator should consider the primary product or primary raw material when selecting a basic design parameter.*
- c. *If the Owner or Operator believes the basic design parameter(s) in paragraphs a and b of this definition is not appropriate for a specific industry or type of process unit, the Owner or Operator may propose to the Control Officer an alternative basic design parameter(s) for the source's process unit(s). If the Control Officer approves of the use of an alternative basic design parameter(s), the Control Officer shall issue a permit that is legally enforceable that records such basic design parameter(s) and requires the Owner or Operator to comply with such parameter(s).*
- d. *The Owner or Operator shall use credible information, such as results of historic maximum capability tests, design information from the manufacturer, or engineering calculations, in establishing the magnitude of the basic design parameter(s) specified in paragraphs a and b of this definition.*
- e. *If design information is not available for a process unit, then the Owner or Operator shall determine the process unit's basic design parameter(s) using the maximum value achieved by the process unit in the 5-year period immediately preceding the planned activity.*
- f. *Efficiency of a process unit is not a basic design parameter.*
- g. *The replacement activity shall not cause the process unit to exceed any emission limitation, or operational limitation that has the effect of constraining emissions, that applies to the process unit and that is legally enforceable.*

BEGIN ACTUAL CONSTRUCTION means in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of Building supports and foundations, laying of underground pipework, and

construction of permanent storage structures. With respect to a change in method of operating, this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

BEST AVAILABLE CONTROL TECHNOLOGY (BACT) means an emission limitation (including a visible emissions standard) based on the maximum degree of reduction for each regulated NSR pollutant which would be emitted from any proposed major stationary source or major modification which the Control Officer, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of BACT result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR PART 60, 61, or 63. If the Control Officer determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard or combination thereof may be prescribed instead to satisfy the requirement for the application of BACT. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice, or operation, and shall provide for compliance by means which achieve equivalent results.

BUILDING, STRUCTURE, FACILITY, OR INSTALLATION

- a. *means all of the pollutant- emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same Person (or Persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same SIC or NAICS code) as described in either the Standard Industrial Classification (SIC) manual, 1972, as amended by the 1977 supplement or the North American Industry Classification System (NAICS) manual.*
- b. *Notwithstanding the provisions of paragraph a of this definition, building, structure, facility, or installation means, for onshore activities under Standard Industrial Classification (SIC) Major Group 13: Oil and Gas Extraction, all of the pollutant-emitting activities included in Major Group 13 that are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant emitting activities shall be considered adjacent if they are located on the same surface site; or if they are located on surface sites that are located within 1/4 mile of one another (measured from the center of the equipment on the surface site) and they share equipment. Shared equipment includes, but is not limited to, produced fluids storage tanks, phase separators, natural gas dehydrators or emissions control devices. Surface site, as used in this paragraph b of this definition, has the same meaning as in 40 CFR PART 63.761.*

CATEGORICAL STATIONARY SOURCE means any stationary source of Air pollutants that belongs to one of the following categories of stationary sources:

- a. *Coal cleaning plants (with thermal dryers);*
- b. *Kraft pulp mills;*

- c. Portland cement plants;
- d. Primary zinc smelters;
- e. Iron and steel mills;
- f. Primary aluminum ore reduction plants;
- g. Primary copper smelters;
- h. Municipal incinerators capable of charging more than 50 tons of refuse per day;
- i. Hydrofluoric, sulfuric, or nitric acid plants;
- j. Petroleum refineries;
- k. Lime plants;
- l. Phosphate rock processing plants;
- m. Coke oven batteries;
- n. Sulfur recovery plants;
- o. Carbon black plants (furnace process);
- p. Primary lead smelters;
- q. Fuel conversion plants;
- r. Sintering plants;
- s. Secondary metal production plants;
- t. Chemical process plants - The term chemical processing plant shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140;
- u. Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;
- v. Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
- w. Taconite ore processing plants;
- x. Glass fiber processing plants;
- y. Charcoal production plants;
- z. Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input, and
- aa. Any other stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the Act.

CONSTRUCTED EMISSIONS UNIT means any part of a stationary source that emits or has the Potential to emit any Regulated air pollutant that is newly constructed or modified.

CONTINUOUS EMISSIONS MONITORING SYSTEM (CEMS) means all of the equipment that may be required to meet the data acquisition and availability requirements of PART 030.300, to sample, condition (if applicable), analyze, and provide a record of emissions on a continuous basis.

CONTINUOUS EMISSIONS RATE MONITORING SYSTEM (CERMS) means the total equipment required for the determination and recording of the pollutant mass emissions rate (in terms of mass per unit of time).

CONTINUOUS PARAMETER MONITORING SYSTEM (CPMS) means all of the equipment necessary to meet the data acquisition and availability requirements of PART 030.300, to monitor process and control device operational parameters and other information and to record average operational parameter value(s) on a continuous basis.

EMISSION REDUCTION CREDIT (ERC) means a unit of emission reduction (in tpy) that has been issued by the Control Officer in accordance with the provisions set forth in SECTION 030.300.F.

EMISSIONS UNIT means any part of a stationary source that emits, or would have the Potential to emit, any regulated NSR pollutant and includes an electric utility steam generating unit. For purposes of PART 030.300, there are two types of emissions units as described in paragraphs a and b of this definition:

- a. A “New Emissions unit” is any emissions unit which is (or will be) newly constructed and which has existed for less than two (2) years from the date such emissions unit first operated. For the purposes of this definition, the date an emissions unit first operated shall not be extended by any shakedown period established pursuant to paragraph f of the definition of net emissions increase.
- b. An “Existing Emissions unit” is any emissions unit that does not meet the requirements in paragraph (1) of this definition. A replacement unit is an existing emissions unit.

LOWEST ACHIEVABLE EMISSION RATE (LAER) means, for any source, the more stringent rate of emissions based on the following:

- a. The most stringent emission limitation which is contained in the implementation plan of any State for such class or category of stationary source, unless the Owner or Operator of the proposed major stationary source demonstrates that such limitations are not achievable; or
- b. The most stringent emission limitation which is achieved in practice by such class or category of stationary sources. This limitation, when applied to a major modification, means the LAER for the new or modified emissions units within the Stationary Source. In no event shall the application of the term permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under an applicable New Source standard of performance.

For purposes of this definition only, the term “any State” means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa, and includes the Commonwealth of the Northern Mariana Islands.

MAJOR MODIFICATION means any physical change in, or change in the method of operation of, a major stationary source that would result in a significant emissions increase of a regulated NSR pollutant and a significant net emissions increase of that pollutant from the major stationary source.

- c. Any significant emissions increase or any net emissions increase, from any emissions units, at a major stationary source that is significant for volatile organic compounds or nitrogen oxides shall be considered significant for ozone.
- d. A physical change or change in the method of operation shall not include:
 - (1) Routine maintenance, repair, and replacement;
 - (2) Use of an alternative fuel or raw material by reason of an order under Sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding

- legislation), or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;
- (3) Use of an alternative fuel by reason of an order or rule under SECTION 125 of the Act;
 - (4) Use of an alternative fuel at a steam generating unit, to the extent that the fuel is generated from municipal solid waste;
 - (5) Use of an alternative fuel or raw material by a stationary source which:
 - (a) The source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any Federally enforceable permit condition which was established after December 21, 1976, pursuant to PART 030 or under regulations approved pursuant to 40 CFR PART 51, Subpart I.
 - (b) The source is approved to use under any permit issued under CHAPTER 030.
 - (6) An increase in the hours of operation or in the production rate, unless such change is prohibited under any Federally enforceable permit condition which was established after December 21, 1976;
 - (7) Any change in ownership at a stationary source;
- c. This definition shall not apply with respect to a particular regulated NSR pollutant when the Major stationary source is complying with the requirements under SECTION 030.300.I for a PAL for that regulated NSR pollutant. Instead, the definition of PAL major modification shall apply.
 - d. The fugitive emissions of a major stationary source shall be included in determining, for any of the purposes of PART 030.300, whether a particular physical change or change in the method of operation is a major modification.

MAJOR STATIONARY SOURCE or MAJOR SOURCE means:

- a. Any stationary source of Air pollutants which emits, or has the Potential to emit, one hundred (100) tpy or more of any regulated NSR pollutant except:
 - (1) For an area designated nonattainment for PM10 and classified as “serious,” a major stationary source is a stationary source which emits, or has the Potential to emit, seventy (70) tpy or more of PM10.
 - (2) A major stationary source is a stationary source which emits, or has the Potential to emit, fifty (50) tpy or more in an area classified as “serious” nonattainment for CO where stationary sources significantly contribute to ambient CO levels, as determined under regulations issued by EPA pursuant to the Act.
 - (3) For an area designated nonattainment for ozone, a source with the Potential to emit VOC or NOx in the following amounts shall be considered a major stationary source:
 - (a) ≥ 100 tpy in areas classified as “marginal” or “moderate”;
 - (b) ≥ 50 tpy in areas classified as “serious”;
 - (c) ≥ 25 tpy in areas classified as “severe”; and
 - (d) ≥ 10 tpy in areas classified as “extreme.”

- b. *Any physical change that would occur at a stationary source not qualifying as a major stationary source under paragraph a of this definition, if the change would constitute a major stationary source by itself under paragraph a of this definition.*
- c. *A major stationary source that is major for Volatile organic compounds shall be considered major for ozone.*
- d. *A major stationary source that is major for nitrogen oxides shall be considered major for ozone, unless EPA has granted a waiver for nitrogen oxides emissions under Section 182(f) of the Act and the waiver continues to apply.*
- e. *The fugitive emissions of a major stationary source shall be included in determining, for any of the purposes of PART 030.300, whether a source is a major stationary source.*

NET EMISSIONS INCREASE means, with respect to any regulated NSR pollutant emitted by a major stationary source, the following:

- a. *The amount by which the sum of the following exceeds zero:*
 - (1) *The increase in emissions from a particular physical change, or change in the method of operation, at a stationary source as calculated pursuant to paragraphs 030.300.A.4.a through A.4.e; and*
 - (2) *Any other increases and decreases in actual emissions at the major stationary source that are contemporaneous with the particular change and are otherwise creditable.*
 - (a) *For the purposes of calculating increases and decreases under paragraph a.(2) of this definition, baseline actual emissions prior to the contemporaneous project shall be determined as provided in the definition of baseline actual emissions, except that paragraphs a.(4) and b.(5) of that definition shall not apply.*
- b. *An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the date five (5) years before construction on the particular change commences and the date that the increase from the particular change occurs.*
- c. *An increase or decrease in actual emissions is creditable only if the Control Officer has not relied on it in issuing a permit for the source under CHAPTER 030, or any other regulation approved by the Administrator pursuant to 40 CFR PART 51 or 40 CFR PART 52.21, which permit is in effect when the increase in actual emissions from the particular change occurs.*
- d. *An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.*
- e. *A decrease in actual emissions is creditable only to the extent that:*
 - (1) *The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;*
 - (2) *It is enforceable as a practical matter at and after the time that actual construction on the particular change begins;*
 - (3) *The Control Officer has not relied on it in issuing any permit under CHAPTER 030 or any other regulations approved pursuant to 40 CFR PART 51, SUBPART I, nor has the State of Nevada relied on it in demonstrating attainment or reasonable further progress; and*
 - (4) *It has approximately the same qualitative significance for public health and welfare as*

that attributed to the increase from the particular change.

- f. An increase that results from a physical change at a source occurs when the emissions unit on which construction becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown, or any new emissions unit that replaces an existing emissions unit and that requires shakedown, becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty (180) days.*

NONATTAINMENT MAJOR NEW SOURCE REVIEW (NSR) Program means a major source preconstruction permit program that has been approved by the Administrator and incorporated into the Nevada State Implementation Plan (SIP), or a program that implements 40 CFR PART 51, Appendix S, Sections I through VI. Any permit issued under such a program is a major NSR permit.

PORTABLE SOURCE means a stationary source that is specifically designed to be transferred to a new location as need warrants and operated at that new location for no more than twelve (12) months. Portable sources may be subject to other applicable federal requirements under the Act.

PREDICTIVE EMISSIONS MONITORING SYSTEM (PEMS) means all of the equipment necessary to monitor process and control device operational parameters and other information, and calculate and record the mass emissions rate on a continuous basis.

PREVENTION OF SIGNIFICANT DETERIORATION (PSD) PERMIT means any permit that is issued under a major source preconstruction permit program that has been approved by the Administrator and incorporated into the Nevada SIP to implement the requirements of PART C, SUBCHAPTER I of the Act.

PROJECT means a physical change in, or change in the method of operation of, an existing major stationary source.

PROJECTED ACTUAL EMISSIONS (PAE) means the maximum annual rate, in tpy, at which an existing emissions unit is projected to emit a regulated NSR pollutant in any one of the five (5) years (12-month period) following the date the unit resumes regular operation after the project, or in any one of the ten (10) years following that date, if the project involves increasing the design capacity or PTE of any emissions unit for that regulated NSR pollutant and full utilization of the unit would result in a significant emissions increase or a significant net emissions increase at the major stationary source.

- a. In determining the projected actual emissions (before beginning actual construction), the Owner or Operator of the major stationary source:
 - (1) Shall consider all relevant information, including, but not limited to, historical operational data, the company's own representations, the company's expected business activity and the company's highest projections of business activity, the company's filings with the county, State or federal regulatory authorities, and compliance plans under CHAPTER 030;*
 - (2) Shall include fugitive emissions to the extent quantifiable;*
 - (3) Shall include emissions associated with startups, shutdowns, and malfunctions; and*
 - (4) Shall exclude, only for calculating any increase in emissions that results from the**

particular project, that portion of the unit's emissions following the project that an existing unit could have accommodated during the consecutive 24- month period used to establish the baseline actual emissions and that are also unrelated to the particular project, including any increased utilization due to product demand growth.

- b. In lieu of using the method set out in paragraphs a.(1) through a.(4) of this definition, the Owner or Operator of the major stationary source may elect to use the emissions unit's PTE in tpy.*

REGULATED NSR POLLUTANT, for purposes of PART 030.300, means:

- a. Any pollutant for which a National Ambient Air Quality Standard has been promulgated, and for which pollutant the area is designated nonattainment;*
- b. Any pollutant that is identified as a constituent or precursor of a pollutant regulated under paragraph a of this definition provided that such constituent or precursor pollutant may only be regulated under NSR as part of regulation of the criteria Air pollutant. The Administrator has identified the following precursors for the purposes of NSR:
 - (1) Volatile organic compounds and nitrogen oxides are precursors to ozone in all ozone Nonattainment areas.*
 - (2) Sulfur dioxide is a precursor to PM2.5 in all PM2.5 Nonattainment areas.*
 - (3) Nitrogen oxides, volatile organic compounds, and ammonia are presumed to be precursors to PM2.5 in all PM2.5 Nonattainment areas, unless the State or county demonstrates to the Administrator's satisfaction or EPA demonstrates that emissions of nitrogen oxides, volatile organic compounds, or ammonia from sources in a specific area are not a significant contributor to that area's ambient PM2.5 concentrations..**
- c. PM2.5 emissions and PM10 emissions shall include gaseous emissions from a source or activity which condense to form Particulate matter at ambient temperatures. On or after January 1, 2011, such condensable Particulate matter shall be accounted for in applicability determinations and in establishing emissions Limitations for PM2.5 and PM10 in NSR permits. Compliance with emissions limitations for PM2.5 and PM10 issued prior to this date shall not be based on condensable Particulate matter unless required by the terms and conditions of the permit or the applicable implementation plan. Applicability determinations made prior to this date without accounting for condensable Particulate matter shall not be considered in violation of this section unless the applicable implementation plan required condensable Particulate matter to be included.*

REPLACEMENT UNIT means an emissions unit for which all the criteria listed in paragraphs a. through d. of this definition are met. No creditable emission reductions shall be generated from shutting down the existing emissions unit that is replaced. The criteria are:

- a. The emissions unit is a reconstructed unit within the meaning of 40 CFR PART 60.15(b)(1), or the emissions unit completely takes the place of an existing emissions unit.*
- b. The emissions unit is identical to, or functionally equivalent to, the replaced emissions unit.*
- c. The replacement does not alter the basic design parameters of the process unit.*
- d. The replaced emissions unit is permanently removed from the major stationary source,*

otherwise permanently disabled, or permanently barred from operation by a permit that is enforceable as a practical matter. If the replaced emissions unit is brought back into operation, it shall constitute a new emissions unit.

SHUTDOWN means the cessation of operation of any air pollution control equipment or process equipment for any purpose except routine phasing out of process equipment.

SIGNIFICANT means, in reference to a net emission increase or the potential of a source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:

a. **Carbon monoxide:**

- (1) 100 tpy; or
- (2) 50 tpy in an area designated nonattainment for CO and classified as "serious," and where stationary sources significantly contribute to ambient CO levels as determined under regulations issued by EPA pursuant to the Act.

b. **Nitrogen oxides: 40 tpy;**

c. **Sulfur dioxide: 40 tpy;**

d. **Ozone:**

- (1) 40 tpy of VOCs; or
- (2) 40 tpy of nitrogen oxides, unless EPA has granted a waiver for nitrogen oxides emissions under SECTION 182(f) of the Act and the waiver continues to apply.

e. **PM10: 15 tpy;**

f. **PM2.5: 10 tpy of direct PM2.5 emissions or 40 tpy of sulfur dioxide emissions or 40 tpy of nitrogen dioxide emissions or 40 tpy of VOC emissions or 10 tpy of ammonia emissions; and**

g. **Lead: 0.6 tpy.**

SIGNIFICANT EMISSIONS INCREASE means, for a regulated NSR pollutant, an increase in emissions that is significant for that pollutant.

STARTUP means the setting into operation of any air pollution control equipment or process equipment for any purpose except routine phasing in of process equipment.

SECTION C - STATEWIDE COMPLIANCE

Prior to issuance of a Permit to Construct for a new major stationary source or major modification subject to PART 030.300, the Owner or Operator shall either demonstrate that each existing major stationary source owned or operated by the applicant in the State of Nevada is in compliance with all applicable emission limitations and standards under the Act or is in compliance with an expeditious schedule which is Federally enforceable or contained in a court decree.

SECTION D - ANALYSIS OF ALTERNATIVES

In addition to the permit application submission requirements in SECTION 030.300.A, the Owner or Operator shall submit an analysis of alternative sites, sizes, production processes, and environmental control techniques for the proposed construction or major modification that demonstrates, to the satisfaction of the Control Officer, that the benefits of the proposed construction or major modification significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.

SECTION E - LOWEST ACHIEVABLE EMISSION RATE

- 1. Applicable requirements. An Owner or Operator shall meet each applicable requirement.*
- 2. Permit Requirements to Achieve LAER. A Permit to Construct for a new major stationary source or major modification shall contain terms and conditions sufficient to ensure that the major stationary source or major modification will achieve LAER in accordance with paragraphs 030.300.E.2.a and E.2.b:*
 - a. A new major stationary source shall achieve LAER for each regulated NSR pollutant that it would have the Potential to Emit in significant amounts. Only the regulated NSR pollutant(s) for which a source is major are subject to these requirements.*
 - b. A major modification shall achieve LAER for each regulated NSR pollutant for which it would result in a significant net emissions increase at the stationary source. This requirement applies to each proposed emissions unit included in the project at which a net emissions increase in the pollutant would occur as a result of a physical change, or change in the method of operation, in the emissions unit.*

SECTION F - EMISSIONS OFFSET

1. *Sufficiency of Reductions. Prior to issuance of a Permit to Construct for a new major stationary source or major modification, the Control Officer shall make a determination that, by the time the source is to Commence Operation, sufficient offsetting emissions reductions will be surrendered prior to commencing operation, such that allowable emissions from existing sources in the Nonattainment area, from new or modified sources which are not major stationary sources, and from the proposed source or modification will be sufficiently less than total emissions from existing sources prior to the application for the offset. At a minimum, this determination requires the Owner or Operator to satisfy the offset requirements in paragraph 030.300.F.2.*
2. *Offset Methods. Pollutant-specific emissions shall be offset with Federally enforceable ERCs or with internal emission reductions.*
 - a. *The emission increases of a nonattainment pollutant for which the new stationary source or modification is classified as major, shall be offset with federally enforceable ERCs or with internal emission reductions.*
 - b. *ERCs from one or more sources may be used, alone or in combination with internal emission reductions, in order to satisfy offset requirements.*
 - c. *Internal emission reductions used to satisfy offset requirements shall be governed by 030.300.F.3 through 030.300.F.8.*
 - d. *ERCs used to satisfy offset requirements shall be governed by Sections 030.300.F.3 through 030.300.F.6, 030.300.F.8.*
3. *Restrictions on Trading Pollutants*
 - a. *Pursuant to the Nevada Revised Statutes, SECTION 445B.508(2)(c), purchasing or selling credits of one type of pollutant is prohibited if such credits would be used subsequently to emit a different type of pollutant.*
 - b. *The Control Officer may approve interpollutant emission offsets for precursor pollutants on a case-by-case basis except for PM_{2.5}. In such cases, the Control Officer shall impose, based on an air quality analysis, emission offset ratios in addition to the requirements of Table 030.300-1. PM₁₀ emissions shall not be allowed to offset nitrogen oxide or volatile organic compound emissions in ozone nonattainment areas. In no case shall the compounds excluded from the definition of volatile organic compounds 40 CFR PART 51.100(s) be used as offsets for volatile organic compounds. No emission credit may be allowed for replacing one hydrocarbon compound with another of lesser reactivity, except that emissions credit may be allowed for the replacement with those compounds listed as having negligible photochemical reactivity in 40 CFR PART 51.100(s). Interpollutant emission offsets used at a major stationary source must receive written approval from the U.S. Environmental Protection Agency.*
 - c. *Interpollutant offsets between PM_{2.5} and PM_{2.5} precursors are not allowed unless modeling has been used to demonstrate that PM_{2.5} interpollutant offset ratios are appropriate as approved in a PM_{2.5} nonattainment plan.*
 - d. *No emissions credit may be allowed for replacing one hydrocarbon compound with another of lesser reactivity, except that emissions credit may be allowed for the replacement with those compounds listed as having negligible photochemical reactivity in 40 CFR 51.100(s).*

4. Timing

- a. *Emission reductions used to satisfy an offset requirement must be Federally enforceable at the time of issuance of the Permit to Construct containing the offset requirements.*
- b. *Except as provided by paragraph 030.300.F.4.c, the decrease in actual emissions used to generate emission reductions must occur by no later than the commencement of operation of the new or modified major stationary source.*
- c. *Where the new emission unit(s) is a replacement for a emission unit(s) that is being shut down in order to provide the necessary offsets, the Control Officer may allow up to one hundred eighty (180) calendar days for shake-down or commissioning of the new emission unit(s) before the existing facility is required to cease operation.*

5. Quantity. *The quantity of internal emission reductions required to satisfy off- set requirements shall be determined in accordance with the following:*

- a. *The unit of measure for offsets and internal emission reductions shall be tpy. All calculations and transactions shall use emission rate values rounded to the nearest one one-hundredth (0.01) tpy.*
- b. *The quantity of internal emission reductions required shall be calculated as the product of the amount of increased emissions, as determined in accordance with paragraph 030.300.F.5.c, and the offset ratio, as determined in accordance with paragraph 030.300.F.5.d.*
- c. *The amount of increased emissions shall be determined as follows:*
 - (1) *The amount of increased emissions includes fugitive emissions in the case of all major stationary sources.*
 - (2) *When the offset requirement is triggered by the construction of a new major stationary source, the amount of increased emissions shall be the sum of the PTE of all emissions units plus any Secondary emissions as specified in paragraph 030.300.A.8.*
 - (3) *When the offset requirement is triggered by a major modification of an existing major stationary source, the amount of increased emissions shall be the sum of the differences between the allowable emissions after the modification and the actual emissions before the modification for each emissions unit plus any Secondary emissions as specified in paragraph 030.300.A.8.*
- d. *The baseline for determining credit for emissions reductions is the actual emissions of the source from which the offset credit is obtained.*

- e. *The offset ratio is expressed as a ratio of emissions reductions to emissions increases.*
 - (1) *The following table contains offset ratios by designated area and pollutant.*
 - (2) *The ratios listed in Table 030.300-1 shall be applied based on the nonattainment area classifications contained in the table for a specific pollutant.*

Table 030.300-1 Federal Offset Ratio Requirements by Area Designation and Pollutant

<i>Area Designation</i>	<i>Pollutant</i>	<i>Offset Ratio</i>
<i>Marginal Ozone Nonattainment Area</i>	<i>NOx</i>	<i>1.1:1</i>
	<i>VOC</i>	<i>1.1:1</i>
<i>Moderate Ozone Nonattainment Area</i>	<i>NOx</i>	<i>1.15:1</i>
	<i>VOC</i>	<i>1.15:1</i>
<i>Serious Nonattainment Area</i>	<i>PM10</i>	<i>1:1</i>

- 6. *Emission Reduction Requirements. Emission reductions used to satisfy an offset requirement shall meet the following requirements:*
 - a. *Emission reductions used to satisfy offset requirements must be real, surplus, permanent, quantifiable, and Federally enforceable.*
 - b. *Permitted sources whose internal emission reductions are used to satisfy offset requirements must appropriately amend or cancel their Permit to Construct and/or PART 70 Operating permit to reflect their new reduced PTE, including Practicably Enforceable conditions to limit their PTE.*
 - c. *Emission reductions used to satisfy offset requirements must be surplus at the time of issuance of the Permit to Construct containing the offset requirements.*

- 7. *Location of Internal Reductions. Internal emission reductions used to satisfy offset requirements shall occur at the same major stationary source at which the increase in emissions occurs.*
 - a. *Emission reductions must be obtained from the same nonattainment area, however, the APCO may allow emission reductions from another nonattainment area if the following conditions are met:*
 - (1) *The other area has an equal or higher nonattainment classification than the area in which the source is located; and*
 - (2) *Emissions from such other area contribute to a violation of the national ambient air quality standard in the nonattainment area in which the source is located.*

- 8. *Emission Reduction Credit (ERC) Requirements. ERCs used to satisfy an offset requirement shall meet the following requirements:*
 - a. *The source owner or responsible official utilizing ERCs to satisfy offsets must demonstrate to the satisfaction of the Control Officer that such utilization will not significantly cause or contribute to a violation of a National Ambient Air Quality Standard or an exceedance of a PSD increment identified in PART 030.400.*
 - b. *The use of ERCs shall not provide:*

- (1) *Authority for, or the recognition of, any pre-existing vested right to emit any regulated NSR pollutant;*
 - (2) *An exemption to a stationary source for emission limitations established in accordance with New Source Performance Standards;*
 - (3) *Authority for, or the recognition of, any rights that would be contrary to applicable law; or*
 - (4) *An exemption to a stationary source from any other air pollution control requirements of federal, state, or county laws, rules, and regulations.*
- c. *For an existing fuel combustion source, credit shall be based on the allowable emissions under the applicable State Implementation Plan for the type of fuel being burned at the time the application to construct is filed. If the existing source commits to switch to a cleaner fuel at some future date, emissions offset credit based on the allowable (or actual) emissions for the fuels involved is not acceptable, unless the permit is conditioned to require the use of a specified alternative control measure which would achieve the same degree of emissions reduction should the source switch back to a dirtier fuel at some later date. AQMD will ensure that adequate long-term supplies of the new fuel are available before granting emissions offset credit for fuel switches.*
- d. *Credit for an emissions reduction can be claimed to the extent that AQMD has not relied on it in issuing any permit under regulations approved pursuant to 40 CFR PART 51 Subpart I or AQMD has not relied on it in demonstration attainment or reasonable further progress.*

9. ERC Registry

- a. *The ERC Registry and its use shall not interfere with the attainment or maintenance of any National Ambient Air Quality Standard.*
- b. *The ERC Registry and its use shall assure that the use of ERCs does not contravene applicable requirements of the Act and Nevada Revised Statutes (NRS) Chapter 445B.*

SECTION G - SOURCE OBLIGATION

1. Enforcement

- a. *An Owner or Operator of a major stationary source may be subject to enforcement action if:*
 - (1) *The Owner or Operator who constructs or operates a major stationary source or major modification not in accordance with the application submitted pursuant to PART 030.300 or 030.500 and any changes to the application as required by the Control Officer, or with the terms of its Permit to Construct; or any Owner or Operator of a major stationary source or major modification subject to PART 030.300 who begins actual construction or operates after the effective date of these regulations without applying for and receiving a Permit to Construct, shall be subject to enforcement action;*
 - (2) *The Owner or Operator improperly estimated emissions increases that would result from the construction or project and circumvented the requirements of paragraphs 030.300.A.2.b or 030.300.A.6 using these estimates;*
 - (3) *The Control Officer determines that post-change emissions from a project resulted in construction of a major stationary source or a major modification of an existing major stationary source, and the Owner or Operator did not obtain a Permit to Construct meeting the requirements of paragraph 030.300.A.3.*
 - b. *Nothing in this section shall limit the Control Officer's authority to take enforcement action for other violations of PART 030.300.*
2. *Termination. Approval to construct shall terminate if construction is not commenced within eighteen (18) months after receipt of such approval, if construction is discontinued for a period of eighteen (18) months or more, or if construction is not completed within a reasonable time. The Control Officer may extend the 18-month period upon a satisfactory showing of good cause why an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within eighteen (18) months of the projected and approved commencement date.*
 3. *Compliance. Approval to construct shall not relieve any Owner or Operator of the responsibility to comply fully with applicable provisions of the SIP and any other requirements under local, State, or federal law.*
 4. *Relaxation in Enforceable Limitations. If within the period of the projected actual emissions estimate under paragraph 030.300.A.4 (five (5) or ten (10) years as defined in the projected actual emissions definition in SECTION 030.300.B) a particular stationary source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the stationary source or modification otherwise to emit a pollutant, then the requirements of SECTIONS 030.300.C through G shall apply to the stationary source or modification as though construction had not yet Commenced on the stationary source or modification. Nothing in this paragraph shall limit the Control Officer's enforcement authority with respect to new major stationary source or major modifications subject to PART 030.300.*

5. Permit Application and Permit to Construct Revisions

- a. *An Owner or Operator remains under a continuing obligation to provide timely updates to its permit application submitted in accordance with PART 030.300 or 030.500, until issuance of a Permit to Construct.*
- b. *No later than thirty (30) days before commencing operation, the Owner or Operator shall provide a written notice to the Control Officer if the source as constructed or modified differs from the source or modification authorized by the Permit to Construct.*
- c. *The Owner or Operator shall include in the notice required by paragraph 030.300.G.5.b, a complete list and description of the differences, and determine whether such differences alter the emissions increase calculations made under paragraph 030.300.A.4, or other applicability requirements in SECTIONS 030.300.C through H.*
- d. *All permit revisions shall follow the procedures in PART 030.510.*
- e. *Submission of the notice required by paragraph 030.300.G.5.b does not affect the Control Officer's ability to undertake an enforcement action.*

SECTION H - PUBLIC PARTICIPATION

1. *Issuance of a Permit to Construct pursuant to PART 030.300 and 030.500 shall be subject to the public participation requirements in SECTION 030.400.P.*

SECTION I - PLANT-WIDE APPLICABILITY LIMITS (PALS)

1. Applicability

- a. *The Control Officer may approve the use of an actuals PAL for any existing major stationary source if the PAL meets the requirements in paragraphs 030.300.I.1 through 030.300.I.15. The term "PAL" shall mean "actuals PAL" throughout SECTION 030.300.I.*
- b. *Any physical change in, or change in the method of operation of, a major stationary source that maintains its total source-wide emissions below the PAL level, meets the requirements of paragraphs 030.300.I.1 through 030.300.I.14, and complies with the PAL conditions in its PART 70 Operating permit:
 - (1) *Is not a major modification for the PAL pollutant;*
 - (2) *Does not have to be approved through the plan's Nonattainment Major NSR Program; and*
 - (3) *Is not subject to the provisions in paragraph 030.300.G.4.**
- c. *Except as provided under paragraph 030.300.I.1.b.(3), a major stationary source shall continue to comply with all applicable federal or State requirements, emission limitations, and work practice requirements that were established prior to the effective date of the PAL.*

2. PAL Definitions. Unless the context otherwise requires, the following terms shall have the meanings set forth below for the purposes of SECTION 030.300.I. When a term is not defined in these paragraphs, it shall have the meaning given in SECTION 030.300.B, PART 030.000, Nevada Revised Statutes (NRS) 445B; the Federal Clean Air Act, or common usage, in that order of priority.

- a. *"Actuals PAL for a major stationary source" means a PAL based on the baseline actual emissions of all emissions units at the source that emit, or have the Potential to Emit, the PAL pollutant.*
- b. *"Allowable emissions" means allowable emissions as defined in SECTION 030.300.B, except as this definition is modified according to paragraphs b.(1) and b.(2) of this definition:
 - (1) *The allowable emissions for any emissions unit shall be calculated considering any emission limitations that are Enforceable as a Practical Matter on the emissions unit's PTE.*
 - (2) *An emissions unit's PTE shall be determined using the definition in SECTION 030.300.B (definition of "significant"), except that the words "or Enforceable as a Practical Matter" should be added after "Federally enforceable."**
- c. *"Major emissions unit" means:
 - (1) *Any emissions unit that emits, or has the Potential to emit, 100 tpy or more of the PAL pollutant in an attainment area; or*
 - (2) *Any emissions unit that emits, or has the Potential to emit, the PAL pollutant in an amount that is equal to or greater than the major source threshold for the PAL pollutant as defined by the Act for Nonattainment areas.**
- d. *"PAL" means an emission limitation, expressed in tpy, for a pollutant at a major stationary*

source that is enforceable as a practical matter and established source-wide in accordance with paragraphs 030.300.I.1 through 030.300.I.15.

- e. "PAL effective date" generally means the date of issuance of the PART 70 Operating permit containing the PAL conditions, or the date on which a significant permit revision containing the PAL conditions becomes effective. However, the PAL effective date for an increased PAL is the date any emissions unit which is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.
- f. "PAL effective period" means the period beginning with the PAL effective date and ending ten (10) years later.
- g. "PAL major modification" means, notwithstanding the definitions for major modification and net emissions increase, any physical change in, or change in the method of operation of, the PAL source that causes it to emit the PAL pollutant at a level equal to or greater than the PAL.
- h. "PAL pollutant" means the pollutant for which a PAL is established at a major stationary source.
- i. "Project" means a physical change in, or change in the method of operation of, an existing stationary source.
- j. "Significant emissions unit" means an emissions unit that emits, or has the Potential to emit, a PAL pollutant in an amount that is equal to or greater than the significant level as defined in SECTION 030.300.B or in the Act, whichever is lower, for that PAL pollutant, but less than the amount that would qualify the unit as a major emissions unit.
- k. "Small emissions unit" means an emissions unit that emits, or has the Potential to emit, the PAL pollutant in an amount less than the significant level as defined in SECTION 030.300.B or in the Act, whichever is lower, for that PAL pollutant.

3. Permit Application Requirements. As part of an application for a PART 70 Operating permit requesting a PAL, the Owner or Operator of a major stationary source shall submit the following information to the Control Officer for approval:

- a. A list of all emissions units at the source designated as small, significant, or major based on their PTE. In addition, the Owner or Operator of the source shall indicate which, if any, federal, State or county applicable requirements, emission limitations, or work practices apply to each unit;
- b. Calculations of the baseline actual emissions (with supporting documentation). Baseline actual emissions are to include emissions associated not only with operation of the unit, but also emissions associated with startup, Shutdown, and malfunction;
- c. The calculation procedures that the major stationary source Owner or Operator proposes to use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total for each month, as required by paragraph 030.300.I.13.a.

4. General Requirements for Establishing PALs

- a. The Control Officer may establish a PAL at a major stationary source, provided that, at a minimum, the following requirements in paragraphs 030.300.I.4.a.(1) through I.4.a.(7) are met.

(1) The PAL shall impose an annual emission limitation, in tpy, that is Enforceable as a Practical Matter, for the entire major stationary source. For each month during the PAL effective period after the first twelve (12) months of establishing a PAL, the major

stationary source Owner or Operator shall show that the sum of the monthly emissions from each emissions unit under the PAL for the previous twelve (12) consecutive months is less than the PAL (a 12-month total rolled monthly). For each month during the first eleven (11) months from the PAL effective date, the major stationary source Owner or Operator shall show that the sum of the preceding monthly emissions from the PAL effective date for each emissions unit under the PAL is less than the PAL.

- (2) The PAL shall be established in a PART 70 Operating permit as a significant permit revision.*
- (3) The PART 70 Operating permit shall contain all the requirements of paragraph 030.300.I.7.*
- (4) The PAL shall include fugitive emissions, to the extent quantifiable, from all emissions units that emit or have the Potential to emit the PAL pollutant at the major stationary source.*
- (5) Each PAL shall regulate emissions of only one pollutant.*
- (6) Each PAL shall have a PAL effective period of ten (10) years.*
- (7) The Owner or Operator of the major stationary source with a PAL shall comply with the monitoring, recordkeeping, and reporting requirements provided in paragraphs 030.300.I.12 through I.14 for each emissions unit under the PAL through the PAL effective period.*

- b. At no time (during or after the PAL effective period) are emissions reductions of a PAL pollutant, which occur during the PAL effective period, creditable as decreases for purposes of offsets under SECTION 030.300.F unless the level of the PAL is reduced by the amount of such emissions reductions and such reductions would be creditable in the absence of the PAL.*

5. Public Participation Requirements for PALs. *PALs for existing major stationary sources shall be established, renewed, or increased through the public participation procedures in PART 030.400.P.*

6. Setting the 10-year Actuals PAL Level

- a. Except as provided in paragraph 030.300.I.6.b, the Actuals PAL level for a major stationary source shall be established as the sum of the baseline actual emissions of the PAL pollutant for each emissions unit at the source; plus an amount equal to the applicable significant level for the PAL pollutant under these AQRs or under the Act, whichever is lower. When establishing the actuals PAL level for a PAL pollutant, only one consecutive 24-month period must be used to determine the baseline actual emissions for all existing emissions units. However, a different consecutive 24-month period may be used for each different PAL pollutant. emissions associated with units that were permanently shut down after this 24-month period must be subtracted from the PAL level. The Control Officer shall specify a reduced PAL level(s) (in tons/yr) in the PART 70 Operating permit to become effective on the future compliance date(s) of any applicable federal or State regulatory requirement(s) that the Control Officer is aware of prior to issuance of the permit.*
- b. For newly constructed units (which does not include modifications to existing units) on which actual construction began after the 24-month period, in lieu of adding the baseline actual emissions as specified in paragraph 030.300.I.6.a, the emissions must be added to the PAL level in an amount equal to the PTE of the units.*

7. PART 70 Operating permits with PALs. Contents of a PART 70 Operating permit containing a PAL shall include the information in paragraphs 030.300.I.7.a through j:

- a. *The PAL Pollutant and the applicable source-wide emission limitation in tpy;*
- b. *The effective date and the expiration date of the PAL conditions (PAL effective period).*
- c. *Specification in the permit that if a major stationary source Owner or Operator applies to renew the PAL conditions in accordance with paragraph 030.300.I.9 before the end of the PAL effective period, then the PAL conditions shall not expire at the end of the PAL effective period. It shall remain in effect until a revised PART 70 Operating permit is issued by the Control Officer.*
- d. *A requirement that emission calculations for compliance purposes include emissions from startups, shutdowns, and malfunctions;*
- e. *A requirement that, once the PAL conditions expire, the major stationary source is subject to the requirements of paragraph 030.300.I.9;*
- f. *The calculation procedures that the major stationary source Owner or Operator shall use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total, as required by paragraph 030.300.I.13.a;*
- g. *A requirement that the major stationary source Owner or Operator monitor all emissions units in accordance with the provisions under paragraph 030.300.I.12;*
- h. *A requirement to retain the records required under paragraph 030.300.I.13 on-site. Such records may be retained in an electronic format;*
- i. *A requirement to submit the reports required under paragraph 030.300.I.14 by the required deadlines; and*
- j. *Any other requirements that the Control Officer deems necessary to implement and enforce the PAL conditions.*

8. PAL Effective Period and Reopening of PAL Conditions

- a. *PAL Effective Period. The Control Officer shall specify a PAL effective period of ten (10) years from the date of issuance.*
- b. *Reopening of the PAL conditions in a PART 70 Operating permit.*

(1) During the PAL effective period, the Control Officer shall reopen the PAL conditions in a PART 70 Operating permit to:

- (a) Correct typographical/calculation errors made in setting the PAL, or reflect a more accurate determination of emissions used to establish the PAL;*
- (b) Reduce the PAL if the Owner or Operator of the major stationary source creates creditable emissions reductions for use as offsets under SECTION 030.300.F; or*
- (c) Revise the PAL to reflect an increase in the PAL as provided under paragraph 030.300.I.11.*

(2) The Control Officer may reopen the PAL conditions in a PART 70 Operating permit for the following:

- (a) Reduce the PAL to reflect newly applicable federal requirements with compliance*

dates after the PAL effective date.

(b) Reduce the PAL consistent with any other requirement that is Enforceable as a Practical Matter, and that the Control Officer may impose on the major stationary source under the Nevada SIP.

(c) Reduce the PAL if the Control Officer determines that a reduction is necessary to avoid causing or contributing to a National Ambient Air Quality Standard or PSD increment violation, or to an adverse impact on an air quality related value that has been identified for a federal Class I area by a Federal Land Manager and for which information is available to the general public.

(3) Reopening of specific permit conditions during the PAL effective period does not affect or reopen any of other permit conditions.

(4) Except for the permit reopening in paragraph 030.300.I.8.b.(1)(a) for the correction of typographical/calculation errors that do not increase the PAL level, all other reopenings shall be carried out as significant permit revisions to a PART 70 Operating permit.

9. Expiration of a PAL. Any PAL which is not renewed in accordance with the procedures in paragraph 030.300.I.10 shall expire at the end of the PAL effective period, and the requirements in paragraphs 030.300.I.9.a through e shall apply.

a. Each emissions unit (or each group of emissions units) that existed under the PAL shall comply with an allowable emission limitation under a revised PART 70 Operating permit established according to the procedures in paragraphs 030.300.I.9.a.(1) and a.(2).

(1) Within the time frame specified for PAL Renewals in paragraph 030.300.I.10.b, the major stationary source shall submit a proposed allowable emission limitation for each emissions unit (or each group of emissions units, if such a distribution is more appropriate as decided by the Control Officer) by distributing the PAL allowable emissions for the affected major stationary source among each of the emissions units that existed under the PAL. If the PAL had not yet been adjusted for an applicable requirement that became effective during the PAL effective period, as required under paragraph 030.300.I.10.e, such distribution shall be made as if the PAL had been adjusted.

(2) The Control Officer will decide whether and how the PAL allowable emissions will be distributed and issue a revised PART 70 Operating permit incorporating allowable limits for each emissions unit, or each group of emissions units, as the Control Officer determines is appropriate.

b. Each emissions unit(s) shall comply with the allowable emission limitation on a 12-month rolling basis. The Control Officer may approve the use of monitoring systems other than CEMS, CERMS, PEMS, or CPMS to demonstrate compliance with the allowable emission limitation.

c. Until the Control Officer issues the revised PART 70 Operating permit incorporating allowable limits for each emissions unit, or each group of emissions units, as required under paragraph 030.300.I.9.a.(2), the source shall continue to comply with a source-wide, multi-unit emissions cap equivalent to the level of the PAL emission limitation.

d. Any physical change or change in the method of operation at the major stationary source will be subject to the nonattainment major NSR requirements if such change meets the definition

of major modification.

- e. *The major stationary source Owner or Operator shall continue to comply with any federal, State or county applicable requirements that may have applied either during the PAL effective period or prior to the PAL effective period except as provided in paragraph 030.300.I.1.b.(3).*

10. Renewal of a PAL

- a. *The Control Officer shall follow the procedures specified in paragraph 030.300.I.5 and PART 030.510 in approving any request to renew the PAL conditions in a PART 70 Operating permit for a major stationary source, and will provide both the proposed PAL level and a written rationale for the proposed PAL level to the public for review and comment. During such public review, any Person may propose a PAL level for the source for consideration by the Control Officer.*
- b. *Application deadline. A major stationary source Owner or Operator shall submit a timely application to the Control Officer to request Renewal of the PAL conditions in a PART 70 Operating permit. A timely application is one that is submitted at least six (6) months prior to, but not earlier than eighteen (18) months prior to, the date of expiration of the PART 70 Operating permit. This deadline for application submittal is to ensure that the permit will not expire before the permit is renewed. If the Owner or Operator of a major stationary source submits a Complete application to renew the PAL conditions in a PART 70 Operating permit within this time period, then the PAL conditions shall continue to be effective until the revised permit with the renewed PAL conditions is issued.*
- c. *Application Requirements. The application to renew PAL conditions shall be incorporated in the application for Renewal of the affected PART 70 Operating permit and shall contain the information required in paragraphs 030.300.I.10.c.(1) through c.(4):*
 - (1) *The information required in paragraph 030.300.I.3.a through c;*
 - (2) *A proposed PAL level;*
 - (3) *The sum of the PTE of all emissions units under the PAL (with supporting documentation); and*
 - (4) *Any other information the Owner or Operator wishes the Control Officer to consider in determining the appropriate level for renewing the PAL conditions.*
- d. *PAL Adjustment. In determining whether and how to adjust the PAL, the Control Officer will consider the options outlined in paragraphs 030.300.I.10.d.(1) and d.(2). However, in no case may any such adjustment fail to comply with paragraph 030.300.I.10.d.(3).*
 - (1) *If the emissions level calculated in accordance with paragraph 030.300.I.6 is equal to or greater than eighty (80) percent of the PAL level, the Control Officer may renew the PAL at the same level without considering the factors set forth in paragraph 030.300.I.10.d.(2); or*
 - (2) *The Control Officer may set the PAL at a level that the Control Officer determines to be more representative of the source's baseline actual emissions, or to be appropriate considering air quality needs, advances in control technology, anticipated economic growth in the area, desire to reward or encourage the source's voluntary emissions reductions, or other factors as specifically identified by the Control Officer in a written rationale.*

(3) *Notwithstanding paragraphs 030.300.I.10.d.(1) and d.(2):*

- a. *If the PTE of the major stationary source is less than the PAL, the Control Officer shall adjust the PAL to a level no greater than the PTE of the source; and*
- b. *The Control Officer shall not approve a renewed PAL level higher than the current PAL unless the major stationary source has complied with the provisions of paragraph 030.300.I.11.*
- e. *If the compliance date for a federal or State requirement that applies to the PAL source occurs during the PAL effective period, and if the Control Officer has not already adjusted for such requirement, the PAL shall be adjusted at the time the major source's PART 70 Operating permit is renewed.*

11. Increasing a PAL during the PAL Effective Period

- a. *The Control Officer may increase a PAL emission limitation only if the major stationary source complies with the provisions in paragraphs 030.300.I.11.a.(1) through a.(4).*
 - (1) *The Owner or Operator of the major stationary source shall submit a Complete application to request an increase in the PAL limit as a significant revision to the affected PART 70 Operating permit. Such application shall identify the emissions unit(s) contributing to the increase in emissions so as to cause the major stationary source's emissions to equal or exceed its PAL.*
 - (2) *As part of this application, the major stationary source Owner or Operator shall demonstrate that the sum of the baseline actual emissions of the small emissions units, plus the sum of the baseline actual emissions of the significant and major emissions units, assuming application of BACT equivalent controls, plus the sum of the allowable emissions of the new or modified emissions unit(s), exceeds the PAL. The level of control that would result from BACT equivalent controls on each significant or major emissions unit shall be determined by conducting a new BACT analysis at the time the application is submitted, unless the emissions unit is currently required to comply with a BACT or LAER requirement that was established within the preceding ten (10) years. In such a case, the assumed control level for that emissions unit shall be equal to the level of BACT or LAER with which that emissions unit must currently comply.*
 - (3) *The Owner or Operator obtains a Permit to Construct pursuant to PART 030.500 for all emissions unit(s) identified in paragraph 030.300.I.11.a.(1), regardless of the magnitude of the emissions increase resulting from them. These emissions unit(s) shall comply with any emissions requirements resulting from the nonattainment Permit to Construct issuance process, even though they have also become subject to the PAL or continue to be subject to the PAL.*
 - (4) *The PAL conditions in a PART 70 Operating permit shall require that the increased PAL level shall be effective on the day any emissions unit that is part of the PAL significant permit revision becomes operational and begins to emit the PAL pollutant.*
- b. *The Control Officer shall calculate the new PAL as the sum of the allowable emissions for each modified or new emissions unit, plus the sum of the baseline actual emissions of the significant and major emissions units (assuming application of BACT-equivalent controls as*

determined in accordance with paragraph 030.300.I.11.a.(2)), plus the sum of the baseline actual emissions of the small emissions units.

- c. The PAL conditions in a PART 70 Operating permit shall be revised to reflect the increased PAL level pursuant to the public notice requirements of paragraph 030.300.I.5.*

12. Monitoring Requirements for PALs

a. General requirements.

- (1) The PAL conditions in a PART 70 Operating permit must include enforceable requirements for the monitoring system that accurately determines plant-wide emissions of the PAL pollutant in terms of mass per unit of time. Any monitoring system authorized for use in the PAL conditions must be based on sound science and meet generally acceptable scientific procedures for data quality and manipulation. Additionally, the information generated by such system must meet minimum legal requirements for admissibility in a judicial proceeding to enforce the PAL conditions.*
- (2) The PAL monitoring system must employ one or more of the four (4) general monitoring approaches meeting the minimum requirements set forth in paragraphs 030.300.I.12.b.(1) through b.(4) and must be approved by the Control Officer.*
- (3) Notwithstanding paragraph 030.300.I.12.a.(2), the PAL monitoring system may also employ an alternative monitoring approach that meets paragraph 030.300.I.12.a.(1) if approved by the Control Officer.*
- (4) Failure to use a monitoring system that meets the requirements of paragraph 030.300.I.12 renders the PAL invalid.*

b. Minimum performance requirements for approved monitoring approaches. The following are acceptable general monitoring approaches when conducted in accordance with the minimum requirements in paragraphs 030.300.I.12.c through i:

- (1) Mass balance calculations for activities using coatings or solvents;*
- (2) CEMS;*
- (3) CPMS or PEMS; and*
- (4) Emission factors.*

c. Mass Balance Calculations. An Owner or Operator using mass balance calculations to monitor PAL pollutant emissions from activities using coatings or solvents shall meet the following requirements:

- (1) Provide a demonstrated means of validating the published content of the PAL pollutant that is contained in or created by all materials used in or at the emissions unit;*
- (2) Assume that the emissions unit emits all of the PAL pollutant that is contained in or created by any raw material or fuel used in or at the emissions unit, if it cannot otherwise be accounted for in the process; and*
- (3) Where the vendor of a material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material, the Owner or Operator must use the highest value of the range to calculate the PAL pollutant emissions unless the Control Officer determines there is site-specific data or a site-specific monitoring program to*

support another content within the range.

- d. *CEMS. An Owner or Operator using CEMS to monitor PAL pollutant emissions shall meet the following requirements:*
 - (1) *The CEMS must comply with applicable performance specifications found in 40 CFR PART 60, Appendix B; and*
 - (2) *The CEMS must sample, analyze, and record data at least every fifteen (15) minutes while the emissions unit is operating.*

- e. *CPMS or PEMS. An Owner or Operator using CPMS or PEMS to monitor PAL pollutant emissions shall meet the following requirements:*
 - (1) *The CPMS or PEMS must be based on current site-specific data demonstrating a correlation between the monitored parameter(s) and the PAL pollutant emissions across the range of operation of the emissions unit; and*
 - (2) *Each CPMS or PEMS must sample, analyze, and record data at least every fifteen (15) minutes, or at another, less frequent interval approved by the Control Officer while the emissions unit is operating.*

- f. *Emission Factors. An Owner or Operator using emission factors to monitor PAL pollutant emissions shall meet the following requirements:*
 - (1) *All emission factors shall be adjusted, if appropriate, to account for the degree of uncertainty or limitations in the factors' development;*
 - (2) *The emissions unit shall operate within the designated range of use for the emission factor, if applicable; and*
 - (3) *If technically practicable (as determined by the Control Officer), the Owner or Operator of a significant emissions unit that relies on an emission factor to calculate PAL pollutant emissions shall conduct validation testing to determine a site-specific emission factor within six (6) months of permit issuance unless the Control Officer determines that testing is not required.*

- g. *A source Owner or Operator must record and report maximum potential emissions without considering enforceable emission limitations or operational restrictions for an emissions unit during any period of time whenever there is no monitoring data unless another method for determining emissions during such periods is specified in the PART 70 Operating permit containing the PAL.*

- h. *Notwithstanding the requirements in paragraphs 030.300.I.12.c through g, when an Owner or Operator of an emissions unit cannot demonstrate a correlation between the monitored parameter(s) and the PAL pollutant emissions rate at all operating points of the emissions unit, then the Control Officer shall, at the time of permit issuance:*
 - (1) *Establish default value(s) for determining compliance with the PAL based on the highest potential emissions reasonably estimated at such operating point(s); or*
 - (2) *Determine that operation of the emissions unit during operating conditions when there is no correlation between monitored parameter(s) and the PAL pollutant emissions is a*

violation of the PAL.

- i. Revalidation. All data used to establish the PAL pollutant must be revalidated through performance testing or other scientifically valid means approved by the Control Officer. Such testing must occur at least once every five (5) years after issuance of the PART 70 Operating permit containing the PAL conditions.*

13. Recordkeeping Requirements for PALs

- a. The PAL permit shall require an Owner or Operator to retain a copy of all records necessary to determine compliance with any requirement of SECTION 030.300.I and of the PAL, including a determination of each emissions unit's twelve (12) month rolling total emissions, for five (5) years from the date of such record.*
- b. The PAL permit shall require an Owner or Operator to retain a copy of the following records for the duration of the PAL effective period plus five (5) years:*
 - (1) A copy of the PAL provisions in the PART 70 Operating permit application and any applications for revisions to the PART 70 Operating permit; and*
 - (2) Each annual certification of compliance pursuant to the conditions in the affected PART 70 Operating permit and the data relied on in certifying the compliance.*

14. Reporting and Notification Requirements for PALs. The Owner or Operator shall submit semiannual monitoring reports and prompt deviation reports to the Control Officer, in accordance with the conditions in the affected PART 70 Operating permit. The reports shall meet the requirements in paragraphs 030.300.I.14.a through c.

- a. Semiannual Report. The semiannual report shall be submitted to the Control Officer within thirty (30) calendar days of the end of each reporting period. This report shall contain the information required in paragraphs 030.300.I.14.a.(1) through a.(7):*
 - (1) The identification of Owner and Operator and the permit number;*
 - (2) Total annual emissions (in tpy) based on a twelve (12) month rolling total for each month in the reporting period.*
 - (3) All data relied upon, including, but not limited to, any quality assurance or quality control data, in calculating the monthly and annual PAL pollutant emissions;*
 - (4) A list of any emissions units modified or added to the major stationary source during the preceding six (6) month period;*
 - (5) The number, duration, and cause of any deviations or monitoring malfunctions (other than the time associated with zero and span calibration checks), and any corrective action taken;*
 - (6) A notification of a shutdown of any monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, whether the emissions unit monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by method included in the permit, as provided by paragraph 030.300.I.12.g; and*
 - (7) A signed statement by the Responsible official certifying the truth, accuracy, and*

completeness of the information provided in the report.

b. Deviation Report. The major stationary source Owner or Operator shall promptly submit reports of any deviations or exceedance of the PAL conditions, including periods where no monitoring is available. A report submitted pursuant to PART 030.000 shall satisfy this reporting requirement. The deviation reports shall be submitted within the time limits prescribed by the affected PART 70 Operating permit. The reports shall contain the following information:

- (1) The identification of Owner and Operator and the permit number;*
- (2) The PAL requirement that experienced the deviation or that was exceeded;*
- (3) Emissions resulting from the deviation or the exceedance; and*
- (4) A signed statement by the Responsible official certifying the truth, accuracy, and completeness of the information provided in the report.*

c. Revalidation Results. The Owner or Operator shall submit to the Control Officer the results of any revalidation test or method within three (3) months after completion of such test or method.

15. Transition Requirements for PALs

- a. The Control Officer may not issue a PAL that does not comply with the requirements in paragraphs 030.300.I.1 through 030.300.I.15 after the Administrator has approved regulations incorporating these requirements into the Nevada SIP.*
- b. The Control Officer may supersede any PAL which was established prior to the date of approval of the Nevada SIP by the Administrator with a PAL that complies with the requirements of paragraphs 030.300.I.1 through 030.300.I.15.*

SECTION J - POTENTIAL VISIBILITY IMPACTS

The Control Officer shall consult with the Federal Land Manager on a proposed major stationary source or major modification that may impact visibility in any Class I Area, in accordance with 40 CFR PART 51.307.

SECTION K - INVALIDATION

If any provision of PART 030.300, or the application of such provision to any Person or circumstance, is held invalid, the remainder of PART 030.300, or the application of such provision to Persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.400 - PREVENTION OF SIGNIFICANT DETERIORATION (PERMIT REQUIREMENTS FOR MAJOR SOURCES IN ATTAINMENT AREAS)

SECTION A - APPLICABILITY PROCEDURES

1. *Preconstruction Review Requirements.* The preconstruction review requirements of PART 030.400 shall apply to the construction of any new major stationary source, or any project at an existing major stationary source, within the limits set forth in paragraph 030.400.A.4, in an area designated as attainment or unclassifiable under SECTIONS 107(d)(1)(A)(ii) or (iii) of the Act.
2. *Construction of Major Stationary Sources or Modifications.* The requirements of SECTIONS 030.400.I through 030.400.Q apply to the construction of any new major stationary source, or the major modification of any existing major stationary source, except as PART 030.400 otherwise provides.
3. *Permit to Construct (PTC) Requirement.* No new major stationary source or major modification to which the requirements of SECTIONS 030.400.I through 030.400.Q apply shall begin actual construction without a Permit to Construct issued pursuant to PART 030.500 that states that the major stationary source or major modification will meet those requirements.
4. *Projects.* The requirements of PART 030.400 apply to projects at major stationary sources in accordance with the principles set out in paragraphs 030.400.A.4.(a) through (e):
 - a. *Except as otherwise provided in paragraph 030.400.A.5, a project is a major modification for a regulated NSR pollutant if it causes two (2) types of emissions increases: a significant emissions increase, and a significant net emissions increase. The project is not a major modification if it does not cause a significant emissions increase. If the project causes a significant emissions increase, then the project is a major modification only if it also results in a significant net emissions increase.*
 - b. *The procedure for calculating (before beginning actual construction) whether a significant emissions increase will occur depends upon the type of emissions units being added or modified as part of the project, according to paragraphs 030.400.A.4.c through 030.400.A.4.e. The procedure for calculating (before beginning actual construction) whether a significant net emissions increase will occur at the major stationary source is contained in the definition of net emissions increase. Regardless of any such preconstruction projections, a major modification results if the project causes a significant emissions increase and a significant net emissions increase.*
 - c. *Actual-to-Projected-Actual Applicability Test for Projects that only involve Existing Emissions Units.* A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference between the projected actual emissions and the baseline actual emissions for each existing emissions unit equals or exceeds the significant amount for that pollutant.
 - d. *Actual-to-Potential Test for Projects that Only Involve Construction of a New Emissions Unit(s).* A significant emissions increase of a regulated NSR pollutant is projected to occur if the sum of the difference between the potential to emit from each new emissions unit following completion of the project and the baseline actual emissions of these units before the project equals or exceeds the significant amount for that pollutant.
 - e. *Hybrid Test for Projects That Involve Multiple Types of Emissions Units.* A significant

emissions increase of a regulated NSR Pollutant is projected to occur if the sum of the emissions increases for each emissions unit, using the method specified in paragraphs 030.400.A.4.(c) or (d), as applicable with respect to each emissions unit, equals or exceeds the significant amount for that pollutant.

- 5. Major Sources with Plantwide Applicability Limitations. For any major stationary source for a Plantwide Applicability Limitation (PAL) for a regulated NSR pollutant, the major stationary source shall comply with the requirements under SECTION 030.400.S.*
- 6. Existing Emission Unit Projects. The provisions of this paragraph apply when a project occurs at an existing emissions unit at a major stationary source, other than a source with a PAL, and the project is not a part of a major modification, and the owner or operator elects to use the method specified in the definition of projected actual emissions, found in SECTION 030.400.B.*
 - a. Before beginning actual construction of the project, and as a condition of the source's Permit to Construct, the owner or operator shall document and maintain a record of the following information:*
 - (1) A description of the project;*
 - (2) Identification of the emissions unit(s) whose emissions of a regulated NSR pollutant could be affected by the project; and*
 - (3) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including the baseline actual emissions, the projected actual emissions, the amount of emissions excluded under paragraph a.(3) of the definition of projected actual emissions, as found in SECTION 030.400.B and an explanation for why such amount was excluded, and any netting calculations if applicable.*
 - b. If the emissions unit is an existing emissions unit, before beginning actual construction, the owner or operator shall provide a copy of the information set out in paragraph 030.400.A.6.a to the Control Officer. Nothing in this paragraph shall be construed to require the owner or operator of such a unit to obtain any determination from the Control Officer before beginning actual construction.*
 - c. The owner or operator shall monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that are emitted by any emissions unit identified in paragraph 030.400.A.6.a.(2); and calculate and maintain a record of the annual emissions, in tons per year (tpy), for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or potential to emit that regulated NSR pollutant at any emissions unit.*
 - d. If the emissions unit is an existing electric utility steam generating unit, the owner or operator shall submit a report to the Control Officer within sixty (60) calendar days after the end of each calendar year during which records must be generated under paragraph 030.400.A.6.c setting out the unit's annual emissions during the calendar year that preceded submission of the report.*
 - e. If the emissions unit is an existing emissions unit other than an electric utility steam generating unit, the owner or operator shall submit a report to the Control Officer if the annual emissions, in tpy, from the project identified in paragraph 030.400.A.6.a exceed the baseline actual emissions (as documented and maintained pursuant to paragraph 030.400.A.6.a.(3)) by a*

significant amount for that regulated NSR pollutant, and if such emissions differ from the projected actual emissions (prior to exclusion of the amount of emissions under the definition of projected actual emissions) as documented and maintained pursuant to paragraph 030.400.A.6.a.(3). Such report shall be submitted to the Control Officer within sixty (60) calendar days after the end of such year. The report shall contain the following:

- (1) The name, address, and telephone number of the major stationary source;*
 - (2) The annual emissions, as calculated pursuant to paragraph 030.400.A.6.c; and*
 - (3) Any other information that the owner or operator wishes to include in the report (e.g., an explanation as to why the emissions differ from the preconstruction projection).*
- 7. Availability of Information. The owner or operator of the source shall make the information required to be documented and maintained pursuant to paragraph 030.400.A.6 available for review upon a request for inspection by the Control Officer.*
- 8. Secondary Emissions. Secondary emissions shall not be considered in determining whether a stationary source would qualify as a major stationary source. If a stationary source is subject to PART 030.400 on the basis of the direct emissions from the stationary source, the requirements of SECTION 030.400.J, but no other provisions of PART 030.400, must also be met for secondary emissions.*

SECTION B - DEFINITIONS

Unless the context otherwise requires, the following terms shall have the meanings set forth below for the purposes of PART 030.400. When a term is not defined in these paragraphs, it shall have the meaning given in PART 030.000, PARTS 030.100 through 030.510; Nevada Revised Statutes (NRS) § 445B; the Federal Clean Air Act, or common usage, in that order of priority.

ACTUAL EMISSIONS means the actual rate of emissions of a regulated NSR pollutant from an emissions unit, as determined in accordance with this definition.

- a. *In general, actual emissions as of a particular date shall equal the average rate, in tpy, at which the emissions unit actually emitted the regulated NSR pollutant during a consecutive twenty-four (24) month period which precedes the particular date, and which is representative of normal source operation. The Control Officer shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.*
- b. *The Control Officer may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the unit.*
- c. *For any emissions unit that has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.*
- d. *This definition shall not apply for calculating whether a significant emissions increase has occurred, or for establishing a PAL. Instead, projected actual emissions and baseline actual emissions shall apply for those purposes.*

ALLOWABLE EMISSIONS means the emissions rate of a stationary source calculated using the maximum rated capacity of the source (unless the source is subject to practicably enforceable limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

- a. *Any applicable standards set forth in CHAPTER 030 and 40 CFR PARTS 60, 61 or 63;*
- b. *Any applicable emission limitation in the Nevada SIP, including those with a future compliance date; or*
- c. *The emissions rate specified as a practicably enforceable permit condition, including those with a future compliance date.*

BASELINE ACTUAL EMISSIONS means the rate of emissions, in tpy, of a regulated NSR pollutant, as determined in accordance with paragraphs (1) through (4) of this definition.

- a. *For any existing electric utility steam generating unit, baseline actual emissions means the average rate, in tpy, at which the unit actually emitted the pollutant during any consecutive 24-month period selected by the owner or operator within the 5-year period immediately preceding when the owner or operator begins actual construction of the project. The Control Officer shall allow the use of a different time period upon a determination that it is more representative of normal source operation.*
 - (1) *The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.*
 - (2) *The average rate shall be adjusted downward to exclude any noncompliant emissions that*

occurred while the source was operating above any emission limitation that was legally enforceable during the consecutive 24-month period.

- (3) The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must comply as of the particular date, had such major stationary source been required to comply with such limitations during the consecutive 24-month period. For the purposes of determining baseline actual emissions for contemporaneous changes pursuant to paragraph a.(2) of the definition of net emissions increase, the particular date is the date on which the particular change occurred. However, if an emission limitation is part of a Maximum Achievable Control Technology (MACT) standard that the Administrator proposed or promulgated under 40 CFR PART 63, the baseline actual emissions need only be adjusted if the state of Nevada has taken credit for such emissions reductions in an attainment demonstration or maintenance plan, consistent with the requirements of 40 CFR PART 51.165(a)(3)(ii)(G).*
 - (4) For a regulated NSR pollutant, when a project involves multiple emissions units, only one consecutive 24-month period must be used to determine the baseline actual emissions for the emissions units being changed. A different consecutive twenty-four (24) month period can be used for each regulated NSR pollutant.*
 - (5) The average rate shall not be based on any consecutive twenty-four (24) month period for which there is inadequate information for determining annual emissions, in tpy, and for adjusting this amount if required by paragraph a.(3) of this definition.*
- b. For an existing emissions unit (other than an electric utility steam generating unit), baseline actual emissions means the average rate, in tpy, at which the emissions unit actually emitted the pollutant during any consecutive twenty-four (24) month period selected by the owner or operator within the ten (10) year period immediately preceding either the date the owner or operator begins actual construction of the project, or the date a complete permit application is received by the Control Officer for a permit required under these regulations, whichever is earlier, except that the ten (10) year period shall not include any period earlier than November 15, 1990.*
- (1) The average rate shall include fugitive emissions to the extent quantifiable.*
 - (2) The average rate shall include emissions associated with startups, shutdowns, and malfunctions.*
 - (3) The average rate shall be adjusted downward to exclude any noncompliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive twenty-four (24) month period.*
 - (4) The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the major stationary source must comply as of the particular date had such major stationary source been required to comply with such limitations during the consecutive twenty-four (24) month period. For the purposes of determining baseline actual emissions for contemporaneous changes pursuant to paragraph a.(2) of the definition of net emissions increase, the particular date is the date on which the particular change occurred. However, if an emission limitation is part of a MACT standard that the Administrator proposed or promulgated under 40 CFR PART 63, the baseline actual emissions need only be adjusted if the state of Nevada has taken credit for such emissions reductions in an attainment demonstration or maintenance plan, consistent with the requirements of 40 CFR PART 51.165(a)(3)(ii)(G).*
 - (5) For a regulated NSR pollutant, when a project involves multiple emissions units, only one*

consecutive twenty-four (24) month period must be used to determine the baseline actual emissions for all the emissions units being changed. A different consecutive twenty-four (24) month period can be used for each regulated NSR pollutant.

- (6) The average rate shall not be based on any consecutive twenty-four (24) month period for which there is inadequate information for determining annual emissions, in tpy, and for adjusting this amount if required by paragraphs b.(3) and (4) of this definition.*
- c. For a new emissions unit, the baseline actual emissions for purposes of determining the emissions increase that will result from the initial construction and operation of such unit shall equal zero; and thereafter, for all other purposes, shall equal the unit's potential to emit.*
- d. For a PAL for a stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units in accordance with the procedures contained in paragraph a. of this definition, for other existing emissions units in accordance with the procedures contained in paragraph b. of this definition, and for a new emissions unit in accordance with the procedures contained in paragraph c. of this definition.*

BASELINE AREA means any intrastate area (and every part thereof) designated as attainment or unclassifiable under 40 CFR PART 81 and SECTION 107(d)(1)(A)(ii) or (iii) of the Act in which the major stationary source or major modification establishing the minor source baseline date would construct, or in which it would have an air quality impact for the pollutant for which the baseline date is established, as follows: equal to or greater than 1 $\mu\text{g}/\text{m}^3$ (annual average) for SO₂, NO₂, or PM₁₀; or equal to or greater than 0.3 $\mu\text{g}/\text{m}^3$ (annual average) for PM_{2.5}.

- a. Area redesignations under 40 CFR PART 81 and SECTION 107(d)(1)(A)(ii) or (iii) of the Act cannot intersect or be smaller than the area of impact of any major stationary source or major modification which:
 - (1) Establishes a minor source baseline date; or*
 - (2) Is subject to CHAPTER 030.**
- b. Any baseline area established originally for the Total Suspended Particulates (TSP) increments shall remain in effect and shall apply for purposes of determining the amount of available PM₁₀ increments, except that such baseline area shall not remain in effect if the Control Officer rescinds the corresponding minor source baseline date.*

BASELINE CONCENTRATION means:

- a. That ambient concentration level that exists in the baseline area at the time of the applicable minor source baseline date. A baseline concentration is determined for each pollutant for which a minor source baseline date is established, and shall include:
 - (1) The actual emissions, representative of sources in existence on the applicable minor source baseline date, except as otherwise provided in paragraph b. of this definition; and*
 - (2) The allowable emissions of major stationary sources that commenced construction before the major source baseline date, but were not in operation by the applicable minor source baseline date.**
- b. The following will not be included in the baseline concentration and will affect the applicable*

maximum allowable increase(s):

- (1) *Actual emissions from any major stationary source on which construction commenced after the major source baseline date; and*
- (2) *Actual emissions increases and decreases at any stationary source occurring after the minor source baseline date.*

BASIC DESIGN PARAMETER means:

- a. *Except as provided in paragraph c. of this definition, for a process unit at a steam electric generating facility, the owner or operator may select as its basic design parameters either maximum hourly heat input and maximum hourly fuel consumption rate, or maximum hourly electric output rate and maximum steam flow rate. When establishing fuel consumption specifications in terms of weight or volume, the minimum fuel quality based on British thermal units (Btu) content shall be used for determining the basic design parameter(s) for a coal-fired electric utility steam generating unit.*
- b. *Except as provided in paragraph c. of this definition, the basic design parameter(s) for any process unit that is not at a steam electric generating facility are maximum rate of fuel or heat input, maximum rate of material input, or maximum rate of product output. Combustion process units will typically use maximum rate of fuel input. For sources having multiple end products and raw materials, the owner or operator should consider the primary product or primary raw material when selecting a basic design parameter.*
- c. *If the owner or operator believes the basic design parameter(s) in paragraphs a. and b. of this definition is not appropriate for a specific industry or type of process unit, the owner or operator may propose to the Control Officer an alternative basic design parameter(s) for the source's process unit(s). If the Control Officer approves of the use of an alternative basic design parameter(s), the Control Officer shall issue a permit that is legally enforceable that records such basic design parameter(s) and requires the owner or operator to comply with such parameter(s).*
- d. *The owner or operator shall use credible information, such as results of historic maximum capability tests, design information from the manufacturer, or engineering calculations, in establishing the magnitude of the basic design parameter(s) specified in paragraphs a. and b. of this definition.*
- e. *If design information is not available for a process unit, then the owner or operator shall determine the process unit's basic design parameter(s) using the maximum value achieved by the process unit in the 5-year period immediately preceding the planned activity.*
- f. *Efficiency of a process unit is not a basic design parameter.*
- g. *The replacement activity shall not cause the process unit to exceed any emission limitation, or operational limitation that has the effect of constraining emissions, that applies to the process unit and that is legally enforceable.*

BEGIN ACTUAL CONSTRUCTION means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. With respect to a change in method of operating, this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

BEST AVAILABLE CONTROL TECHNOLOGY (BACT) means an emission limitation (including a visible

emissions standard) based on the maximum degree of reduction for each regulated NSR pollutant which would be emitted from any proposed major stationary source or major modification which the Control Officer, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of BACT result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR PART 60, 61, or 63. If the Control Officer determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard, or combination thereof, may be prescribed instead to satisfy the requirement for the application of BACT. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice, or operation, and shall provide for compliance by means which achieve equivalent results.

BUILDING, STRUCTURE, FACILITY, OR INSTALLATION

- a. *Means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same Person (or Persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same SIC or NAICS code) as described in either the Standard Industrial Classification (SIC) manual, 1972, as amended by the 1977 supplement or the North American Industry Classification System (NAICS) manual.*
- b. *Notwithstanding the provisions of paragraph a. of this definition, building, structure, facility, or installation means, for onshore activities under Standard Industrial Classification (SIC) Major Group 13: Oil and Gas Extraction, all of the pollutant-emitting activities included in Major Group 13 that are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant emitting activities shall be considered adjacent if they are located on the same surface site; or if they are located on surface sites that are located within 1/4 mile of one another (measured from the center of the equipment on the surface site) and they share equipment. Shared equipment includes, but is not limited to, produced fluids storage tanks, phase separators, natural gas dehydrators or emissions control devices. Surface site, as used in this paragraph b. of this definition, has the same meaning as in 40 CFR PART 63.761.*

CATEGORICAL STATIONARY SOURCE *means any stationary source of air pollutants that belongs to one of the following categories:*

- a. *Coal cleaning plants (with thermal dryers);*
- b. *Kraft pulp mills;*
- c. *Portland cement plants;*
- d. *Primary zinc smelters;*
- e. *Iron and steel mills;*
- f. *Primary aluminum ore reduction plants;*
- g. *Primary copper smelters;*
- h. *Municipal incinerators capable of charging more than 50 tons of refuse per day;*
- i. *Hydrofluoric, sulfuric, or nitric acid plants;*

- j. Petroleum refineries;
- k. Lime plants;
- l. Phosphate rock processing plants;
- m. Coke oven batteries;
- n. Sulfur recovery plants;
- o. Carbon black plants (furnace process);
- p. Primary lead smelters;
- q. Fuel conversion plants;
- r. Sintering plants;
- s. Secondary metal production plants;
- t. Chemical process plants - The term chemical processing plant shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140;
- u. Fossil-fuel boilers (or combination thereof) totaling more than 250 million Btus per hour heat input;
- v. Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
- w. Taconite ore processing plants;
- x. Glass fiber processing plants;
- y. Charcoal production plants;
- z. Fossil fuel-fired steam electric plants of more than 250 million Btus per hour heat input, and
- aa. Any other stationary source category which, as of August 7, 1980, is being regulated under SECTION 111 or 112 of the Act.

COMMENCE, as applied to construction of a major stationary source or major modification, means that the owner or operator has all necessary preconstruction approvals or permits, including a Permit to Construct, and either has:

- a. Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time; or
- b. Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

COMPLETE means, in reference to an application for a permit, that the application contains all of the information necessary for processing the application. Designating an application complete for purposes of permit processing does not preclude the Control Officer from requesting or accepting any additional information.

CONSTRUCTION means any physical change, or change in the method of operation, including fabrication, erection, installation, demolition, or modification of an emissions unit, that would result in a change in emissions.

CONTINUOUS EMISSIONS MONITORING SYSTEM (CEMS) means all of the equipment that may be required to meet the data acquisition and availability requirements of PART 030.400 to sample, condition (if applicable), analyze, and provide a record of emissions on a continuous basis.

CONTINUOUS EMISSIONS RATE MONITORING SYSTEM (CERMS) means the total equipment required for the determination and recording of the pollutant mass emissions rate (in terms of mass per unit of

time).

CONTINUOUS PARAMETER MONITORING SYSTEM (CPMS) means all of the equipment necessary to meet the data acquisition and availability requirements of PART 030.400, to monitor process and control device operational parameters and other information, and to record average operational parameter value(s) on a continuous basis.

ELECTRIC UTILITY STEAM GENERATING UNIT means any steam electric generating unit that is constructed for the purpose of supplying more than one-third of its potential electric output capacity, and more than twenty-five (25) MW electrical output, to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

EMISSIONS UNIT means any part of a stationary source that emits, or would have the potential to emit, any regulated NSR pollutant and includes an electric utility steam generating unit. For purposes of PART 030.400, there are two types of emissions units, as described in paragraphs a. and b. of this definition:

- a. A "new emissions unit" is any emissions unit which is (or will be) newly constructed and which has existed for less than two (2) years from the date such emissions unit first operated. For the purposes of this definition, the date an emissions unit first operated shall not be extended by any shakedown period established pursuant to paragraph f. in the definition of net emissions increase.
- b. An "existing emissions unit" is any emissions unit that does not meet the requirements in paragraph a. and b. of this definition. A replacement unit is an existing emissions unit.

FEDERALLY ENFORCEABLE means all limitations and conditions which are enforceable by the Administrator.

FEDERAL LAND MANAGER means, with respect to any lands in the United States, the Secretary of the Department with authority over such lands.

FUGITIVE EMISSIONS means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

HIGH TERRAIN means any area having an elevation 900 feet or more above the base of the stack of a source.

INDIAN GOVERNING BODY means the governing body of any tribe, band, or group of Indians subject to the jurisdiction of the United States and recognized by the United States as possessing the power of self-government.

INDIAN RESERVATION means any federally recognized reservation established by treaty, agreement, executive order, or act of Congress.

INNOVATIVE CONTROL TECHNOLOGY means any system of air pollution control that has not been

adequately demonstrated in practice, but would have a substantial likelihood of achieving greater continuous emissions reduction than any control system in current practice or of achieving at least comparable reductions at lower cost in terms of energy, economics, or non-air-quality environmental impacts.

LOWEST ACHIEVABLE EMISSION RATE (LAER) means, for any source, the more stringent rate of emissions based on the following:

- a. *The most stringent emission limitation which is contained in the implementation plan of any state for such class or category of stationary source, unless the owner or operator of the proposed major stationary source demonstrates that such limitations are not achievable; or*
- b. *The most stringent emission limitation which is achieved in practice by such class or category of stationary sources. This limitation, when applied to a modification, means the LAER for the new or modified emissions units within the stationary source. In no event shall the application of the term permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under an applicable new source standard of performance.*

For purposes of this definition only, the term “any state” means a state, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa, and includes the Commonwealth of the Northern Mariana Islands.

LOW TERRAIN means any area other than high terrain.

MAJOR MODIFICATION means any physical change in, or change in the method of operation of, a major stationary source that would result in a significant emissions increase of a regulated NSR pollutant and a significant net emissions increase of that pollutant from the major stationary source.

- a. *Any significant emissions increase or any net emissions increase, from any emissions units, at a major stationary source that is significant for volatile organic compounds or nitrogen oxides shall be considered significant for ozone.*
- b. *A physical change or change in the method of operation shall not include:*
 - (1) *Routine maintenance, repair, and replacement;*
 - (2) *Use of an alternative fuel or raw material by reason of an order under Sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation), or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;*
 - (3) *Use of an alternative fuel by reason of an order or rule under SECTION 125 of the Act;*
 - (4) *Use of an alternative fuel at a steam generating unit, to the extent that the fuel is generated from municipal solid waste;*
 - (5) *Use of an alternative fuel or raw material by a stationary source which:*
 - (a) *The source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any federally enforceable permit condition which was established after December 21, 1976, pursuant to CHAPTER 030 or under regulations approved pursuant to 40 CFR PART 51, Subpart I.*
 - (b) *The source is approved to use under any permit issued under CHAPTER 030.*

- (6) *An increase in the hours of operation or in the production rate, unless such change is prohibited under any Federally enforceable permit condition which was established after December 21, 1976;*
- (7) *Any change in ownership at a stationary source;*
- c. *This definition shall not apply with respect to a particular regulated NSR pollutant when the Major stationary source is complying with the requirements under SECTION 030.400.S for a PAL for that regulated NSR pollutant. Instead, the definition of PAL major modification shall apply.*
- d. *The fugitive emissions of a major stationary source shall be included in determining, for any of the purposes of PART 030.300, whether a particular physical change or change in the method of operation is a major modification.*

MAJOR SOURCE BASELINE DATE means:

- a. *In the case of PM₁₀ and sulfur dioxide, January 6, 1975;*
- b. *In the case of nitrogen dioxide, February 8, 1988; and*
- c. *In the case of PM_{2.5}, October 20, 2010.*

MAJOR STATIONARY SOURCE

a. Means:

- (1) *Any of the categorical stationary sources of air pollutants which emits, or has the potential to emit, 100 tpy or more of any regulated NSR pollutant;*
 - (2) *Notwithstanding the stationary source size otherwise specified in paragraph a.(1) of this definition, any noncategorical stationary source which emits, or has the potential to emit, 250 tpy or more of a regulated NSR pollutant; or*
 - (3) *Any stationary source specified in paragraphs a.(1) or (2) of this definition which emits, or has the potential to emit, greenhouse gases (GHGs) that are subject to regulation as defined in 40 CFR paragraph 52.21(b)(49) as of July 19, 2021; or*
 - (4) *Any physical change that would occur at a stationary source not qualifying under paragraphs a.(1) or (2) of this definition as a major stationary source, if the change would constitute a major stationary source by itself.*
- b. *A major stationary source that is major for volatile organic compounds or nitrogen oxides shall be considered major for ozone.*

MINOR SOURCE BASELINE DATE means the earliest date after the trigger date on which a major stationary source or a major modification subject to CHAPTER 030 submits a complete application under the relevant regulations.

a. The trigger date is:

- (1) *In the case of particulate matter and sulfur dioxide, August 7, 1977;*
- (2) *In the case of nitrogen dioxide, February 8, 1988; and*
- (3) *In the case of PM_{2.5}, October 20, 2011.*

- b. *The baseline date is established for each pollutant for which increments, or other equivalent measures, have been established if:*
 - (1) *The area in which the proposed source or modification would construct is designated as attainment or unclassifiable under 40 CFR PART 81 and SECTION 107(d)(1)(A)(ii) or (iii) of the Act for the pollutant on the date of its complete application under PART 030.400; and*
 - (2) *In the case of a major stationary source, the pollutant would be emitted in significant amounts, or, in the case of a major modification, there would be a significant net emissions increase of the pollutant.*
- c. *Any minor source baseline date established originally for the TSP increments shall remain in effect and shall apply for purposes of determining the amount of available PM₁₀ increments, except that the Control Officer shall rescind a minor source baseline date where it can be shown, to the satisfaction of the Control Officer, that the emissions increase from the major stationary source, or net emissions increase from the major modification, responsible for triggering that date did not result in a significant amount of PM₁₀ emissions.*

NET EMISSIONS INCREASE means, with respect to any regulated NSR pollutant emitted by a major stationary source, the following:

- a. *The amount by which the sum of the following exceeds zero:*
 - (1) *The increase in emissions from a particular physical change, or change in the method of operation, at a stationary source as calculated pursuant to paragraph 030.400.A.4.a through e; and*
 - (2) *Any other increases and decreases in actual emissions at the major stationary source that are contemporaneous with the particular change and are otherwise creditable.*
 - (3) *For the purposes of calculating increases and decreases under paragraph a.(2) of this definition, baseline actual emissions prior to the contemporaneous project shall be determined as provided in the definition of baseline actual emissions, except that paragraphs a.(4) and b.(5) of that definition shall not apply.*
- b. *An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the date five (5) years before construction on the particular change commences and the date that the increase from the particular change occurs.*
- c. *An increase or decrease in actual emissions is creditable only if the Control Officer has not relied on it in issuing a permit for the source under CHAPTER 030, or any other regulation approved by the Administrator pursuant to 40 CFR PART 51 or 40 CFR Part 52.21, which permit is in effect when the increase in actual emissions from the particular change occurs.*
- d. *An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.*
- e. *A decrease in actual emissions is creditable only to the extent that:*
 - (1) *The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;*
 - (2) *It is enforceable as a practical matter at and after the time that actual construction on the particular change begins;*

- (3) *The Control Officer has not relied on it in issuing any permit under CHAPTER 030 or any other regulations approved pursuant to 40 CFR PART 51, SUBPART I, nor has the State of Nevada relied on it in demonstrating attainment or reasonable further progress; and*
- (4) *It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.*

- f. *An increase that results from a physical change at a source occurs when the emissions unit on which construction becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown, or any new emissions unit that replaces an existing emissions unit and that requires shakedown, becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty (180) calendar days.*

POTENTIAL TO EMIT means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the types or amounts of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is enforceable as a practical matter. Secondary emissions do not count in determining the potential to emit of a stationary source.

PREDICTIVE EMISSIONS MONITORING SYSTEM (PEMS) means all of the equipment necessary to monitor process and control device operational parameters and other information and calculate and record the mass emissions rate on a continuous basis.

PREVENTION OF SIGNIFICANT DETERIORATION (PSD) PERMIT means any permit that is issued under a major source preconstruction permit program that has been approved by the Administrator and incorporated into the Nevada SIP to implement the requirements of PART C, Subchapter I of the Act. Any permit issued under such a program is a major NSR permit.

PROJECT means a physical change in, or change in the method of operation of, an existing stationary source.

PROJECTED ACTUAL EMISSIONS means the maximum annual rate, in tpy, at which an existing emissions unit is projected to emit a regulated NSR pollutant in any one of the five (5) years (12-month period) following the date the unit resumes regular operation after the project, or in any one of the ten (10) years following that date if (1) the project involves increasing the design capacity or potential to emit of any emissions unit for that regulated NSR pollutant, and (2) full utilization of the unit would result in a significant emissions increase or a significant net emissions increase at the major stationary source.

- a. *In determining the projected actual emissions (before beginning actual construction), the owner or operator of the major stationary source:*
 - (1) *Shall consider all relevant information, including, but not limited to historical operational data, the company's own representations, the company's expected business activity and highest projections of business activity, the company's filings with the county, state, or federal regulatory authorities, and compliance plans under these regulations;*

- (2) *Shall include fugitive emissions to the extent quantifiable;*
- (3) *Shall include emissions associated with startups, shutdowns, and malfunctions; and*
- (4) *Shall exclude, only for calculating any increase in emissions that results from the particular project, that portion of the unit's emissions following the project that an existing unit could have accommodated during the consecutive twenty-four (24) month period used to establish the baseline actual emissions and that are also unrelated to the particular project, including any increased utilization due to product demand growth.*
- (5) *In lieu of using the method set out in paragraphs a.(1) through (4) of this definition, the owner or operator of the major stationary source may elect to use the emissions unit's potential to emit, in tpy.*

REGULATED NSR POLLUTANT, for purposes of PART 030.400, means the following:

- a. *Any pollutant for which a NAAQS has been promulgated. This includes, but is not limited to, the following:*
 - (1) *PM_{2.5} emissions and PM₁₀ emissions shall include gaseous emissions from a source or activity which condense to form particulate matter at ambient temperatures. On or after January 1, 2011, such condensable particulate matter shall be accounted for in applicability determinations and in establishing emissions limitations for PM_{2.5} and PM₁₀ in PSD permits. Compliance with emissions limitations for PM_{2.5} and PM₁₀ issued prior to this date shall not be based on condensable particulate matter unless required by the terms and conditions of the permit or the applicable implementation plan. Applicability determinations made prior to this date without accounting for condensable particulate matter shall not be considered in violation of this section unless the applicable implementation plan required condensable particulate matter to be included;*
 - (2) *Any pollutant identified as a constituent or precursor to a pollutant for which a NAAQS has been promulgated. The Administrator has identified the following precursors for the purposes of NSR:*
 - (a) *Volatile organic compounds and nitrogen oxides are precursors to ozone in all attainment and unclassifiable areas.*
 - (b) *Sulfur dioxide is a precursor to PM_{2.5} in all attainment and unclassifiable areas.*
 - (c) *Nitrogen oxides are presumed to be precursors to PM_{2.5} in all attainment and unclassifiable areas unless the state or county demonstrates to the Administrator's satisfaction, or EPA demonstrates, that emissions of nitrogen oxides from sources in a specific area are not a significant contributor to that area's ambient PM_{2.5} concentrations.*
 - (d) *Volatile organic compounds are presumed not to be precursors to PM_{2.5} in any attainment or unclassifiable area unless the state or county demonstrates to the Administrator's satisfaction, or EPA demonstrates, that emissions of volatile organic compounds from sources in a specific area are a significant contributor to that area's ambient PM_{2.5} concentrations.*
- a. *Any pollutant that is subject to any standard promulgated under SECTION 111 of the Act;*
- b. *Any Class I or II substance subject to a standard promulgated under or established by Title VI of the Act; or*
- c. *Except as provided in paragraph d. of this definition, any pollutant that otherwise is subject to*

regulation under the Act as defined in 40 CFR PART 52.21(b)(49) as of July 19, 2021,

- d. The term “Regulated NSR Pollutant” shall not include any or all hazardous air pollutants either listed in SECTION 112 of the Act, or added to the list pursuant to SECTION 112(b)(2) of the Act and not delisted pursuant to SECTION 112(b)(3) of the Act, unless the listed HAP is also regulated as a constituent or precursor of a general pollutant listed under Section 108 of the Act.

REPLACEMENT UNIT means an emissions unit for which all the criteria listed in paragraphs a. through d. of this definition are met. No creditable emission reductions shall be generated from shutting down the existing emissions unit that is replaced. The criteria are:

- a. The emissions unit is a reconstructed unit within the meaning of 40 CFR PART 60.15(b)(1), or the emissions unit completely takes the place of an existing emissions unit.
- b. The emissions unit is identical to, or functionally equivalent to, the replaced emissions unit.
- c. The replacement does not alter the basic design parameters of the process unit.
- d. The replaced emissions unit is permanently removed from the major stationary source, otherwise permanently disabled, or permanently barred from operation by a permit that is enforceable as a practical matter. If the replaced emissions unit is brought back into operation, it shall constitute a new emissions unit.

SECONDARY EMISSIONS means emissions which would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For the purpose of PART 030.400, secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification which causes the secondary emissions. Secondary emissions include emissions from any off-site support facility which would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

SHUTDOWN means the cessation of operation of any air pollution control equipment or process equipment for any purpose, except routine phasing out of process equipment.

SIGNIFICANT means:

- a. In reference to a net emissions increase or a source’s potential to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:
 - (1) Carbon monoxide: 100 tpy;
 - (2) NO_x: 40 tpy;
 - (3) Sulfur dioxide: 40 tpy;
 - (4) Particulate matter: 25 tpy;
 - (5) PM₁₀: 15 tpy;
 - (6) PM_{2.5}: 10 tpy of direct PM_{2.5} emissions or 40 tpy of sulfur dioxide emissions or 40 tpy of nitrogen oxide emissions;
 - (7) Ozone: 40 tpy of volatile organic compounds or nitrogen oxides;
 - (8) Lead: 0.6 tpy;
 - (9) Fluorides: 3 tpy;

- (10) *Sulfuric acid mist: 7 tpy;*
- (11) *Hydrogen sulfide (H₂S): 10 tpy;*
- (12) *Total reduced sulfur (including H₂S): 10 tpy;*
- (13) *Reduced sulfur compounds (including H₂S): 10 tpy;*
- (14) *Municipal waste combustor organics (measured as total tetra through octa-chlorinated dibenzo-p-dioxins and dibenzo-furans): 3.2 x 10⁻⁶ megagrams per year (3.5 x 10⁻⁶ tpy).*
- (15) *Municipal waste combustor metals (measured as Particulate Matter): 14 megagrams per year (15 tpy);*
- (16) *Municipal waste combustor acid gases (measured as sulfur dioxide and hydrogen chloride): 36 megagrams per year (40 tpy);*
- (17) *Municipal solid waste landfills emissions (measured as nonmethane organic compounds): 45 megagrams per year (50 tpy); and*
- (18) *Ozone-depleting substances: 100 tpy.*
- (19) *GHG: The sum of the six well-mixed GHGs on a mass basis greater than 0 tpy and the sum of the six well-mixed GHGs equal to or greater than 75,000 tpy CO₂e as defined in 40 CFR PART 52.21(b)(49) as of July 19, 2011.*

- b. *“Significant” means, in reference to a net emissions increase or a source’s potential to emit a regulated NSR pollutant that is not listed in this definition, any emissions rate.*
- c. *Notwithstanding the pollutant-specific significance levels specified in this definition “significant” means any emissions rate or any net emissions increase associated with a major stationary source or major modification which would construct within ten (10) kilometers of a Class I area and have an impact on such area equal to or greater than one (1) microgram per cubic meter (twenty-four (24) hour average).*

SIGNIFICANT EMISSIONS INCREASE means, for a regulated NSR pollutant, an increase in emissions that is significant for that pollutant.

STARTUP means the setting into operation of any air pollution control equipment or process equipment for any purpose except the routine phasing in of process equipment.

STATIONARY SOURCE means any building, structure, facility, or installation which emits or may emit a regulated NSR pollutant.

SECTION C - AMBIENT AIR INCREMENTS

In areas designated as Class I, II or III, increases in pollutant concentration over the baseline concentration shall be limited to the following:

Table 030.400-1 Increment Limits

<i>Pollutant</i>		<i>Maximum allowable increases (µg/m³)</i>
Class I		
<i>Particulate Matter</i>	<i>PM_{2.5}, annual arithmetic mean</i>	<i>1</i>
	<i>PM_{2.5}, 24-hr maximum</i>	<i>2</i>
	<i>PM₁₀, annual arithmetic mean</i>	<i>4</i>
	<i>PM₁₀, 24-hr maximum</i>	<i>8</i>
<i>Sulfur Dioxide</i>	<i>Annual arithmetic mean</i>	<i>2</i>
	<i>24-hr maximum</i>	<i>5</i>
	<i>3-hr maximum</i>	<i>25</i>
<i>Nitrogen Dioxide</i>	<i>Annual arithmetic mean</i>	<i>2.5</i>
Class II		
<i>Particulate Matter</i>	<i>PM_{2.5}, annual arithmetic mean</i>	<i>4</i>
	<i>PM_{2.5}, 24-hr maximum</i>	<i>9</i>
	<i>PM₁₀, annual arithmetic mean</i>	<i>17</i>
	<i>PM₁₀, 24-hr maximum</i>	<i>30</i>
<i>Sulfur Dioxide</i>	<i>Annual arithmetic mean</i>	<i>20</i>
	<i>24-hr maximum</i>	<i>91</i>
	<i>3-hr maximum</i>	<i>512</i>
<i>Nitrogen Dioxide</i>	<i>Annual arithmetic mean</i>	<i>25</i>
Class III		
<i>Particulate Matter</i>	<i>PM_{2.5}, annual arithmetic mean</i>	<i>8</i>
	<i>PM_{2.5}, 24-hr maximum</i>	<i>18</i>
	<i>PM₁₀, annual arithmetic mean</i>	<i>34</i>
	<i>PM₁₀, 24-hr maximum</i>	<i>60</i>
<i>Sulfur Dioxide</i>	<i>Annual arithmetic mean</i>	<i>40</i>
	<i>24-hr maximum</i>	<i>182</i>
	<i>3-hr maximum</i>	<i>700</i>
<i>Nitrogen Dioxide</i>	<i>Annual arithmetic mean</i>	<i>50</i>

For any period, other than an annual period, the applicable maximum allowable increase may be exceeded during one such period per year at any one location.

SECTION D - AMBIENT AIR CEILINGS

No concentration of a pollutant shall exceed the concentration permitted under either a primary or secondary NAAQS, whichever is lowest for the pollutant, for a period of exposure.

SECTION E - RESTRICTIONS ON AREA CLASSIFICATIONS

1. **Class I Areas.** *All the following areas which were in existence on August 7, 1977, shall be Class I areas and may not be redesignated:*
 - a. *International parks,*
 - b. *National wilderness areas which exceed 5,000 acres in size,*
 - c. *National memorial parks which exceed 5,000 acres in size, and*
 - d. *National parks which exceed 6,000 acres in size.*
2. **Redesignation of Class I Areas.** *Areas which were redesignated as Class I under regulations promulgated before August 7, 1977, shall remain Class I, but may be redesignated as provided in 40 CFR PART 51.*
3. **Class II Areas.** *Any other area, unless otherwise specified in the legislation creating such an area, is initially designated Class II, but may be redesignated as provided in 40 CFR PART 51.*
4. **Redesignating Areas.** *The following areas may be redesignated only as Class I or II:*
 - a. *An area which as of August 7, 1977, exceeded 10,000 acres in size and was a national monument, a national primitive area, a national preserve, a national recreational area, a national wild and scenic river, a national wildlife refuge, a national lakeshore or seashore; and*
 - b. *A national park or national wilderness area established after August 7, 1977, which exceeds 10,000 acres in size.*
5. **Exclusions from Increment Consumption.**
 - a. *The following concentrations shall be excluded in determining compliance with a maximum allowable increase:*
 - (1) *Concentrations attributable to the increase in emissions from stationary sources which have converted from the use of petroleum products, natural gas, or both by reason of an order in effect under Section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) over the emissions from such sources before the effective date of such an order;*
 - (2) *Concentrations attributable to the increase in emissions from sources which have converted from using natural gas by reason of natural gas curtailment plan in effect pursuant to the Federal Power Act over the emissions from such sources before the effective date of such plan;*
 - (3) *Concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission related activities of new or modified sources;*
 - (4) *The increase in concentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration; and*
 - (5) *Concentrations attributable to the temporary increase in emissions of sulfur dioxide, particulate matter, or nitrogen oxides from stationary sources which are affected by plan revisions approved by the Administrator as meeting the criteria specified in paragraph 030.400.E.5.(a)(3).*
 - b. *If the plan provides that the concentrations to which paragraphs 030.400.E.5.a(1) or (a)(2) refers shall be excluded, it shall also provide that no exclusion of such concentrations shall apply*

more than five (5) years after the effective date of the order to which paragraph 030.400.E.5.a.(1) refers or the plan to which paragraph 030.400.E.5.a.(2), refers, whichever is applicable. If both such order and plan are applicable, no such exclusion shall apply more than five (5) years after the later of such effective dates.

c. For purposes of excluding concentrations pursuant to paragraph 030.400.E.5.a.(5), the Administrator may approve a plan revision that:

(1) Specifies the time over which the temporary emissions increase of sulfur dioxide, particulate matter, or nitrogen oxides would occur. Such time is not to exceed two (2) years in duration unless a longer time is approved by the Administrator.

(2) Specifies that the time period for excluding certain contributions in accordance with paragraph 030.400.E.5.c.(1), is not renewable;

(3) Allows no emissions increase from a stationary source which would:

*(a) Impact a Class I area or an area where an applicable increment is known to be violated;
or*

(b) Cause or contribute to the violation of a NAAQS.

d. Requires limitations to be in effect the end of the time period specified in accordance with paragraph 030.400.E.5.c.(1), which would ensure that the emissions levels from stationary sources affected by the plan revision would not exceed those levels occurring from such sources before the plan revision was approved.

SECTION F - REDESIGNATION

1. *Washoe County, through the state of Nevada, may submit to the Administrator a proposal to redesignate areas of the County Class I or Class II provided that:*
 - a. *At least one public hearing has been held in accordance with the procedures established in SECTION 030.400.P;*
 - b. *Other states, Indian Governing Bodies, and Federal Land Managers whose lands may be affected by the proposed redesignation were notified at least thirty (30) calendar days prior to the public hearing;*
 - c. *A discussion of the reasons for the proposed redesignation, including a satisfactory description and analysis of the health, environmental, economic, social and energy effects of the proposed redesignation, was prepared and made available for public inspection at least thirty (30) calendar days prior to the hearing and the notice announcing the hearing contained appropriate notification of the availability of such discussion;*
 - d. *Prior to the issuance of notice respecting the redesignation of an area that includes any federal lands, the County, through the state of Nevada, has provided written notice to the appropriate Federal Land Manager and afforded adequate opportunity (not in excess of sixty (60) calendar days) to confer with the County respecting the redesignation and to submit written comments and recommendations. In redesignating any area with respect to which any Federal Land Manager had submitted written comments and recommendations, the County shall have published a list of any inconsistency between such redesignation and such comments and recommendations (together with the reasons for making such redesignation against the recommendation of the Federal Land Manager); and*
 - e. *The County, through the state of Nevada, has proposed the redesignation after consultation with the elected leadership of local and other substate general purpose governments in the area covered by the proposed redesignation.*

2. *Any area other than an area to which SECTION 030.400.E refers may be redesignated as Class III if:*
 - a. *The redesignation would meet the requirements of paragraph 030.400.F.2;*
 - b. *The redesignation, except any established by an Indian Governing Body, has been specifically approved by the County and the governor, after consultation with the appropriate committees of the legislature, if it is in session, or with the leadership of the legislature, if it is not in session (unless state law provides that the redesignation must be specifically approved by state legislation), and if general purpose units of local government representing a majority of the residents of the area to be redesignated enact legislation or pass resolutions concurring in the redesignation;*
 - c. *The redesignation would not cause or contribute to a concentration of any air pollutant which would exceed any maximum allowable increase permitted under the classification of any other area or any NAAQS; and*
 - d. *Any permit application for any major stationary source or major modification, subject to review under SECTION 030.400.K, which could receive a permit under PART 030.400 only if the area in question were redesignated as Class III, and any material submitted as part of that application, were available in so far as was practicable for public inspection prior to any public hearing on redesignation of the area as Class III.*

3. **Administrator Approval.** *The Administrator will disapprove, within ninety (90) calendar days of*

submission, a proposed redesignation of any area only if they find, after notice and opportunity for public hearing, that such redesignation does not meet the procedural requirements of SECTION 030.400.F or is inconsistent with SECTION 030.400.E. If any such disapproval occurs, the classification of the area shall be that which was in effect prior to the redesignation which was disapproved.

- 4. Resubmitting Disapproved Proposal. If the Administrator disapproves any proposed redesignation, the County may resubmit the proposal after correcting the deficiencies noted by the Administrator.*

SECTION G - STACK HEIGHTS

1. *Emission Limitation. The degree of emission limitation required for control of any air pollutant under PART 030.400 shall not be affected in any manner by:*
 - a. *So much of the stack height of any source as exceeds good engineering practice; or*
 - b. *Any other dispersion technique.*
2. *Time Frame. Paragraph 030.400.G.1 shall not apply with respect to stack heights in existence before December 31, 1970, or to dispersion techniques implemented before then.*
3. *Stack Height Limitation*
 - a. *The limitations set forth herein shall not apply to stacks or dispersion techniques used by the owner or operator prior to December 31, 1970, for which the owner or operator had:*
 - (1) *Begun, or caused to begin, a continuous program of physical on-site construction of the stack;*
 - (2) *Entered into building agreements or contractual obligations, which could not be cancelled or modified without substantial loss to the owner or operator, to undertake a program of construction of the stack, to be completed in a reasonable time; or*
 - (3) *Coal-fired steam electric generating units, subject to the provisions of SECTION 118 of the Act, which commenced operation before July 1, 1975, with stacks constructed under a construction contract awarded before February 8, 1974.*
 - b. *Good engineering practice stack height is calculated as the greater of the four numbers in paragraphs 030.400.G.3.b.(1) through (b)(4):*
 - (1) *213.25 feet (65 meters);*
 - (2) *For stacks in existence on January 12, 1979, and for which the owner or operator had obtained all applicable preconstruction permits or approvals required under 40 CFR PART 51 or 52, $H_g = 2.5H$;*
 - (3) *For all other stacks, $H_g = H + 1.5L$, where:*
 - H_g = Good engineering practice stack height, measured from the ground-level elevation at the base of the stack;*
 - H = Height of nearby structure, measured from the ground-level elevation at the base of the stack;*
 - L = Lesser dimension (height or projected width) of nearby structure;*
 - provided that the EPA, the Control Officer, or a local control agency may require the use of a field study or fluid model to verify good engineering practice (GEP) stack height for the source; or*
 - (4) *The height demonstrated by a fluid model or a field study approved by the reviewing agency, which ensures that the emissions from a stack do not result in excessive concentrations of any air pollutant as a result of atmospheric downwash, wakes, or eddy effects created by the source itself, nearby structures, or nearby terrain obstacles.*
 - (5) *For a specific structure or terrain feature, "nearby" shall be:*
 - (a) *For purposes of applying the formulae in paragraphs 030.400.G.3.b.(2) and (b)(3), that distance up to five (5) times the lesser of the height or the width dimension of a structure, but not greater than 0.8 km (1/2 mile);*

(b) *For conducting demonstrations under paragraph 030.400.G.3.b.(4), not greater than 0.8 km (1/2 mile). An exception is that the portion of a terrain feature may be considered to be nearby which falls within a distance of up to ten (10) times the maximum height (H+) of the feature, not to exceed two (2) miles if such feature achieved a height (H+) 0.8 km from the stack. The height shall be at least forty (40) percent of the GEP stack height as determined by the formula provided in paragraph 030.400.G.3.b.(3) or eighty five (85) feet (26 meters), whichever is greater, as measured from the ground-level elevation at the base of the stack.*

(6) *“Excessive concentrations” means, for the purpose of determining GEP stack height under paragraph 030.400.G.3.b.(4):*

(a) *For sources seeking credit for stack height exceeding that established under paragraphs 030.400.G.3.b.(2) and b.(3), a maximum ground-level concentration due to emissions from a stack due in whole or in part to downwash, wakes, and eddy effects produced by nearby structures or nearby terrain features which individually is at least forty (40) percent in excess of the maximum concentration experienced in the absence of such downwash, wakes, or eddy effects, and which contributes to a total concentration due to emissions from all sources that is greater than a NAAQS. For sources subject to the requirements for permits or permit revisions under paragraph 030.400.G.3, an excessive concentration alternatively means a maximum ground-level concentration due to emissions from a stack due in whole or part to downwash, wakes, or eddy effects produced by nearby structures or nearby terrain features which individually is at least forty (40) percent in excess of the maximum concentration experienced in the absence of such downwash, wakes, or eddy effects, and greater than the applicable maximum allowable increase contained in SECTION 030.400.C. The allowable emissions rate to be used in making demonstrations under paragraph 030.400.G.3.b.(4) shall be prescribed by the new source performance standard which is applicable to the source category unless the owner or operator demonstrates that this emission rate is infeasible. Where such demonstrations are approved by the Control Officer, an alternative emission rate shall be established in consultation with the source owner or operator;*

(b) *For sources seeking credit after October 11, 1983, for increases in existing stack heights up to the heights established under paragraphs 030.400.G.3.b.(2) and b.(3), either:*

- i. A maximum ground-level concentration due in whole or in part to downwash, wakes, or eddy effects as provided in paragraph 030.400.G.3.b.(4), except that the emission rate specified by any applicable SIP shall be used; or*
- ii. The actual presence of a local nuisance caused by the existing stack, as determined by the Control Officer.*

(c) *For sources seeking credit after January 12, 1979, for a stack height determined under paragraphs 030.400.G.3.b.(2) and b.(3), where the Control Officer requires the use of a field study or fluid model to verify GEP stack height; for sources seeking stack height credit after November 9, 1984, based on the aerodynamic influence of cooling towers; and for sources seeking stack height credit after December 31, 1970, based on the aerodynamic influence of structures not adequately represented by the equations in*

paragraphs 030.400.G.3.b.(2) and b.(3), a maximum ground-level concentration due in whole or in part to downwash, wakes, or eddy effects that is at least forty (40) percent in excess of the maximum concentration experienced in the absence of such downwash, wakes, or eddy effects.

- c. The degree of emission limitation required of any source after the respective date given in paragraph 030.400.G.3.a. for control of any pollutant shall not be affected by so much of any source's stack height that exceeds good engineering practice, or by any other dispersion technique.*
- d. Before the Control Officer issues a Permit to Construct or permit revision under PART 030.400 to a source based on a good engineering practice stack height that exceeds the height allowed by paragraph 030.400.G.3.b, the Control Officer shall notify the public of the availability of the demonstration study and provide the opportunity for a public hearing in accordance with the requirements of SECTION 030.400.P.*

SECTION H - EXEMPTIONS

1. *The requirements of SECTIONS 030.400.I through Q shall not apply to a particular major stationary source or major modification if:*
 - a. *The major stationary source or major modification would be a nonprofit health or nonprofit educational institution, or the major modification would occur at such an institution; or*
 - b. *The source is a portable stationary source which has previously received a permit, and:*
 - (1) *The owner or operator proposes to relocate the major stationary source, and emissions of the major stationary source at the new location would be temporary;*
 - (2) *The emissions from the major stationary source would not exceed its allowable emissions;*
 - (3) *The emissions from the major stationary source would impact no Class I area and no area where an applicable increment is known to be violated; and*
 - (4) *Reasonable notice is given to the Control Officer prior to the relocation identifying the proposed new location and the probable duration of operation at the new location. Such notice shall be given to the Control Officer not less than ten (10) business days in advance of the proposed relocation unless a different time duration is previously approved by the Control Officer.*
2. *Nonattainment Areas. The requirements of SECTIONS 030.400.I through Q shall not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that, as to that pollutant, the major stationary source or major modification is located in an area designated as nonattainment under 40 CFR PART 81.329.*
3. *Class I Areas. The requirements of SECTIONS 030.400.J, L, and N shall not apply to a major stationary source or major modification with respect to a particular pollutant if the allowable emissions of that pollutant from the major stationary source or the net emissions increase of that pollutant from the major modification:*
 - a. *Would impact no Class I area and no area where an applicable increment is known to be violated; and*
 - b. *Would be temporary.*
4. *Class II Areas. The requirements of SECTIONS 030.400.J, L, and N as they relate to any maximum allowable increase for a Class II area shall not apply to a major modification at a stationary source that was in existence on March 1, 1978, if the net increase in allowable emissions of each regulated NSR pollutant from the modification after the application of BACT would be less than fifty (50) tpy.*
5. *Threshold Limits. The Control Officer may exempt a major stationary source or major modification from the requirements of SECTION 030.400.L, with respect to monitoring for a particular pollutant, if:*
 - a. *The emissions increase of the pollutant from the new source, or the net emissions increase of the pollutant from the modification, would cause, in any area, air quality impacts less than the following amounts.*

Table 030.400-2 Air Quality Impact Limits

Pollutant	Emissions Increase ($\mu\text{g}/\text{m}^3$)
Carbon monoxide, 8-hour average	575
Nitrogen dioxide, annual average	14
PM_{2.5},	<i>0 (in accordance with Sierra Club vs EPA, 706 F.3d 428 D.C. Circuit 2013, no exemption is available with regard to PM_{2.5})</i>
PM₁₀, 24-hour average	10
Sulfur dioxide, 24-hour average	13
Ozone	<i>No de minimis air quality level is provided for ozone. However, any net increase of 100 tpy or more of VOCs or NO_x subject to PSD would require an ambient impact analysis, including the gathering of ambient air quality data.</i>
Lead, 3-month average	0.1
Fluorides, 24-hour average	0.25
Total reduced sulfur, 1-hour average	10
Hydrogen sulfide, 1-hour average	0.2
Reduced sulfur compounds, 1-hour average	10

- b. The concentrations of the pollutant in the area that the major stationary source or major modification would affect are less than the concentrations listed in paragraph 030.400.H.5.a; or*
- c. The pollutant is not listed in paragraph 030.400.H.5.a.*

SECTION I - CONTROL TECHNOLOGY REVIEW

- 1. A major stationary source or major modification shall meet each applicable requirement.**
- 2. Major Stationary Sources.** *A new major stationary source shall apply BACT for each regulated NSR pollutant that it would have the potential to emit in significant amounts.*
- 3. Major Modifications.** *A major modification shall apply BACT for each regulated NSR pollutant for which it would result in a significant net emissions increase at the stationary source. This requirement applies to each proposed emissions unit at which a net emissions increase in the pollutant would occur as a result of a physical change, or change in the method of operation, in the emissions unit.*
- 4. Phased Construction Projects.** *For phased construction projects, the determination of BACT shall be reviewed and modified as appropriate at the latest reasonable time which occurs no later than eighteen (18) months prior to commencement of construction of each independent phase of the project. At such time, the owner or operator of the applicable stationary source may be required to demonstrate the adequacy of any previous determination of BACT for the source.*

SECTION J - SOURCE IMPACT ANALYSIS

1. *Demonstration of Impact. The owner or operator of the proposed major stationary source or major modification shall demonstrate that allowable emissions increases from the proposed source or modification, in conjunction with all other applicable emissions increases or reductions (including secondary emissions), would not cause or contribute to air pollution in violation of:*
 - a. *Any NAAQS in any air quality control region; or*
 - b. *Any applicable maximum allowable increase over the baseline concentration in any area.*

2. *Violation of Standard. A major stationary source or major modification will be considered to cause or contribute to a violation of a NAAQS when such source or modification would, at a minimum, exceed the significance levels listed in Table 030.400-3 at any locality that does not (or would not) meet the applicable national standard.*

Table 030.400-3. Significance Levels

Pollutant	Annual	Significance Levels Averaging Time (hours)			
		24	8	3	1
SO ₂	1.0 µg/m ³	5 µg/m ³		25 µg/m ³	
PM ₁₀	1.0 µg/m ³	5 µg/m ³			
NO ₂	1.0 µg/m ³				
CO			0.5 mg/m ³		2 mg/m ³

SECTION K - AIR QUALITY MODELS

1. *Model Applicability. All estimates of ambient concentrations required under PART 030.400 shall be based on applicable air quality models, databases, and other requirements specified in 40 CFR PART 51, Appendix W (“Guideline on Air Quality Models”).*
2. *Model Modifications and Substitutions. Where an air quality model specified in 40 CFR PART 51, Appendix W (“Guideline on Air Quality Models”) is inappropriate, the model may be modified or another model substituted. Such a modification or substitution of a model may be made on a case-by-case basis or, where appropriate, on a generic basis. Written approval of the Administrator must be obtained for any modification or substitution. In addition, use of a modified or substituted model must be subject to notice and opportunity for public comment under procedures developed in accordance with SECTION 030.400.P.*

SECTION L - AIR QUALITY ANALYSIS

1. Preapplication Analysis.

- a. Any application for a Permit to Construct under PART 030.400 shall contain an analysis of ambient air quality in the area that the major stationary source or major modification would affect for each of the following:
 - (1) For the source, each pollutant that it would have the potential to emit in a significant amount; or
 - (2) For the modification, each pollutant for which it would result in a significant net emissions increase.
- b. With respect to any such pollutant for which no NAAQS exists, the analysis shall contain such air quality monitoring data as the Control Officer determines is necessary to assess ambient air quality for that pollutant in any area that the emissions of that pollutant would affect.
- c. With respect to any such pollutant (other than nonmethane hydrocarbons) for which such a standard does exist, the analysis shall contain continuous air quality monitoring data gathered for purposes of determining whether emissions of that pollutant would cause or contribute to a violation of the standard or any maximum allowable increase.
- d. In general, the continuous air quality monitoring data that is required shall have been gathered over a period of at least one (1) year and shall represent at least the year preceding receipt of the application; except that, if the Control Officer determines that a complete and adequate analysis can be accomplished with monitoring data gathered over a period shorter than one (1) year (but not to be less than four (4) months), the data that is required shall have been gathered over at least that shorter period.
- e. The owner or operator of a proposed new stationary source or modification of an existing stationary source of volatile organic compounds who satisfies all conditions of 40 CFR PART 51, Appendix S, Section IV may provide post-approval monitoring data for ozone in lieu of providing preconstruction data as required under paragraph 030.400.L.1.
- f. With respect to any requirements for air quality monitoring of PM₁₀, the owner or operator of the major stationary source or major modification shall use a monitoring method approved by the Administrator and shall estimate the ambient concentrations of PM₁₀ using the data collected by such approved monitoring method in accordance with estimating procedures approved by the Control Officer.

2. **Post-Construction Monitoring.** The owner or operator of a major stationary source or major modification shall, after construction of the major stationary source or major modification, conduct such ambient monitoring as the Control Officer determines is necessary to determine the effect emissions from the major stationary source or major modification may have, or are having, on air quality in any area.
3. **Operations of Monitoring Stations.** The owner or operator of a major stationary source or major modification shall meet the requirements of 40 CFR PART 58, Appendix B during the operation of monitoring stations for purposes of satisfying SECTION 030.400.L.

SECTION M - SOURCE INFORMATION

- 1. The owner or operator of a proposed major stationary source or major modification shall submit all information necessary to perform any analysis or make any determination required under SECTION 030.400.M.**
 - a. Required Information. With respect to a major stationary source or major modification to which SECTIONS 030.400.I, K, M, and O apply, such information shall include:**
 - (1) A description of the nature, location, design capacity, and typical operating schedule of the major stationary source or major modification, including specifications and drawings showing its design and plant layout;**
 - (2) A detailed schedule for construction of the major stationary source or major modification;**
 - (3) A detailed description as to what system of continuous emission reduction is planned for the major stationary source or major modification, emission estimates, and any other information necessary to determine that BACT would be applied.**
 - b. Information on Air Quality Impacts. Upon request of the Control Officer, the owner or operator shall also provide information on:**
 - (1) The air quality impact of the major stationary source or major modification, including meteorological and topographical data necessary to estimate such impact; and**
 - (2) The air quality impacts, and the nature and extent of any or all general commercial, residential, industrial, and other growth which has occurred since the major source baseline date in the area the major stationary source or major modification would affect.**

SECTION N - ADDITIONAL IMPACT ANALYSES

- 1. Visibility, Soils, and Vegetation. The owner or operator shall provide an analysis of the impairment to visibility, soils, and vegetation that would occur as a result of the proposed major stationary source or major modification, and general commercial, residential, industrial and other growth associated with the major stationary source or major modification. The owner or operator need not provide an analysis of the impact on vegetation having no significant commercial or recreational value.**
- 2. Commercial, Residential, Industrial, and Other Growth. The owner or operator shall provide an analysis of the air quality impact projected for the area as a result of general commercial, residential, industrial, and other growth associated with the source or modification.**

SECTION O - ADDITIONAL REQUIREMENTS FOR SOURCES IMPACTING CLASS I AREAS

1. **Notice to EPA.** The Control Officer shall transmit to the Administrator a copy of each permit application relating to a major stationary source or major modification and provide notice to the Administrator of every action related to the consideration of such permit.
2. **Federal Land Manager.** The Federal Land Manager and the federal official charged with direct responsibility for management of Class I lands have an affirmative responsibility to protect the air quality-related values (including visibility) of any such lands and to consider, in consultation with the Administrator, whether a proposed source or modification would have an adverse impact on such values. The Control Officer shall consult with the Federal Land Manager on a proposed major stationary source or major modification that may impact visibility in any Class I Area, in accordance with 40 CFR PART 51.307.
3. **Impact of Denial on Air Quality-Related Values.** A Federal Land Manager of any Class I lands may present to the County, after the Control Officer's preliminary determination (required under procedures developed in accordance with SECTION 030.400.P), a demonstration that the emissions from the proposed source or modification would have an adverse impact on the air quality-related values (including visibility) of any federal mandatory Class I lands, notwithstanding that the change in air quality resulting from emissions from such source or modification would not cause or contribute to concentrations which would exceed the maximum allowable increases for a Class I area. If the County, through the state of Nevada, concurs with such demonstration, the Control Officer shall not issue the permit.
4. **Class I Variances.** The owner or operator of a proposed source or modification may demonstrate to the Federal Land Manager that the emissions from such source would have no adverse impact on the air quality-related values of such lands (including visibility), notwithstanding that the change in air quality resulting from emissions from such source or modification would cause or contribute to concentrations which would exceed the maximum allowable increases for a Class I area. If the Federal Land Manager concurs with such demonstration and so certifies to the state of Nevada, the Control Officer may, provided that applicable requirements are otherwise met, issue the permit with such emission limitations as may be necessary to assure that emissions of sulfur dioxide and particulate matter would not exceed the following maximum allowable increases over baseline concentration for such pollutants.

Table 030.400-4 Maximum Allowable Pollutant Increases

Pollutant	Maximum allowable Increase ($\mu\text{g}/\text{m}^3$)
Particulate Matter:	
PM_{2.5}, annual arithmetic mean	4
PM_{2.5}, 24-hr maximum	9
PM₁₀, annual arithmetic mean	17
PM₁₀, 24-hour maximum	30
Sulfur dioxide:	
Annual arithmetic mean	20
24-hour maximum	91
3-hr maximum	325
Nitrogen dioxide:	
Annual arithmetic mean	25

5. Sulfur Dioxide Variance by Governor with Federal Land Manager's Concurrence

- a. *The owner or operator of a proposed source or modification which cannot be approved under procedures developed pursuant to SECTION 030.400.P may demonstrate to the governor, through the Control Officer, that the source or modification cannot be constructed by reason of any maximum allowable increase for sulfur dioxide for periods of twenty-four (24) hours or less applicable to any Class I area and, in the case of federal mandatory Class I areas, that a variance under this clause would not adversely affect the air quality related values of the area (including visibility).*
- b. *The Control Officer, through the governor, after consideration of the Federal Land Manager's recommendation (if any) and subject to his concurrence, may grant, after notice and an opportunity for a public hearing, a variance from such maximum allowable increase.*
- c. *If such variance is granted, the Control Officer may issue a permit to such source or modification in accordance with provisions developed pursuant to SECTION 030.400.P, provided that the applicable requirements of the Nevada SIP are otherwise met.*

6. Variance by the Governor with the President's Concurrence

- a. *The recommendations of the Control Officer, through the governor, and the Federal Land Manager shall be transferred to the president in any case where the governor recommends a variance in which the Federal Land Manager does not concur.*
- b. *The president may approve the governor's recommendation if he finds that such variance is in the national interest.*
- c. *If such a variance is approved, the Control Officer may issue a permit in accordance with provisions developed pursuant to the requirements of SECTION 030.400.P, provided that the applicable requirements of the Nevada SIP are otherwise met.*

7. Emission Limitations for Presidential or Gubernatorial Variance. *In the case of a permit issued under procedures developed pursuant to SECTION 030.400.P, the source or modification shall comply with emission limitations as may be necessary to assure that emissions of sulfur dioxide from the source or modification would not (during any day on which the otherwise applicable maximum allowable increases are exceeded) cause or contribute to concentrations which would exceed the maximum allowable increases over the baseline concentration shown in Table 030.400-5, and to assure that such emissions would not cause or contribute to concentrations which exceed the otherwise applicable maximum allowable increases for periods of exposure of twenty-four (24) hours or less for more than eighteen (18) days, not necessarily consecutive, during any annual period.*

Table 030.400-5. Maximum Allowable Increase ($\mu\text{g}/\text{m}^3$)

Period of exposure	Low Terrain	High Terrain
24-hr maximum	36	62
3-hr maximum	130	221

SECTION P - PUBLIC PARTICIPATION

1. Notice of Proposed Action

- a. *An application shall be deemed to be complete unless, within sixty (60) calendar days of receipt, the Control Officer notifies the applicant by certified mail that the application is deficient and not complete. In the event of a deficiency, the date of receipt of the application shall be the date on which the Control Officer received all required information.*
- b. *Within one (1) year after receipt of a complete application, the Control Officer shall:*
 - (1) *Make a preliminary determination whether construction should be approved, approved with conditions, or disapproved; and*
 - (2) *Make available in at least one (1) location in each region in which the proposed source would be constructed a copy of all materials the applicant submitted, a copy of the preliminary determination, and a copy or summary of other materials, if any, considered in making the preliminary determination.*
- c. *After receipt of a complete application for a Permit to Construct under PARTS 030.300, 030.400, and 030.500, the Control Officer shall post a Notice of Proposed Action on the application to a website maintained by the agency and establish a list of persons interested in receiving air quality information and notifying those people, by email or other means. A Notice of Proposed Action on the application shall contain the following:*
 - (1) *The date of the department's receipt of the completed application;*
 - (2) *The location where documents relevant to the application will be available;*
 - (3) *For a Permit to Construct reviewed pursuant to PART 030.400, a summary of the following:*
 - (a) *The results of air quality modeling and any other air quality impact analyses;*
 - (b) *The results of the analysis of alternatives;*
 - (c) *The determination of BACT; and*
 - (d) *The level of PSD increments to be consumed by the source, as determined under SECTION 030.400.C.*
 - (4) *For a Permit to Construct reviewed pursuant to PART 030.300, a summary of the following:*
 - (a) *Statewide compliance demonstration;*
 - (b) *Air quality impact analysis;*
 - (c) *Determination of the LAER; and*
 - (d) *Description of the emissions offsets relied upon in the application.*
 - (5) *The department's preliminary determination of whether the application should be approved or disapproved;*
 - (6) *The proposed Permit to Construct conditions;*
 - (7) *A determination by the Control Officer that the approval of the construction will not cause or contribute to a violation of a NAAQS, a PSD increment identified in SECTION 030.400.C, or otherwise violate any provisions of the Nevada SIP;*
 - (8) *The total PTE of each regulated NSR pollutant, as applicable;*
 - (9) *An opportunity for any person to submit written comments on the application and any documents relevant to the application; and*

- (10)An opportunity for any person to request a public hearing at which oral and written comments on the application will be received or notice of such a hearing if one has been scheduled.*
- d. All written comments must be received by the Control Officer within thirty (30) calendar days from the publication date of the Notice of Proposed Action.*
- 2. Distribution of Notice. The Control Officer shall send a copy of the Notice of Proposed Action to the applicant and to officials and agencies having jurisdiction over the location where the proposed construction would occur, including:*
- a. Any other state or local air pollution control agencies;*
 - b. The chief executives of the city and county where the source would be located;*
 - c. Any comprehensive regional land use planning agency;*
 - d. Any state, Federal Land Manager, and Indian governing body whose lands may be affected by emissions from the source or modification;*
 - e. The Regional Administrator for EPA’s Region 9; and*
 - f. Any other person who requests such notice.*
- 3. Public Hearings. During the Notice of Proposed Action public comment period specified in paragraph 030.400.P.1, any person may petition the Control Officer, in writing, for a public hearing. All such petitions shall contain the petitioner’s name, address, daytime telephone number, and the reason for requesting a hearing.*
- 4. Time Frame. If a proper petition is filed, and the Control Officer determines that there is a significant degree of public interest, the Control Officer shall hold a public hearing no sooner than thirty (30) calendar days after the date of the Notice of Proposed Action but no later than seventy (70) calendar days, after the date of the Notice of Proposed Action. In determining if a significant degree of public interest exists, the Control Officer shall consider all relevant factors, including, but not limited to, the number of petitioners, the nature of their concerns as stated in their petitions, the type and quantity of pollutants emitted by the source and the proximity of the source to sensitive areas like parks, schools, hospitals, residential areas, low income and disadvantaged communities (LIDACs), or Class 1 air sheds.*

The petitioner and the applicant shall receive no less than seven (7) calendar days prior written notice of the date and location of the public hearing. Any notice of hearing shall also be posted on the department’s website no less than seven (7) calendar days prior to the public hearing.

- 5. Comments and Approvals. The Control Officer shall also:*
- a. Consider all written comments submitted within a time specified in the notice of public comment, and all comments received at any public hearing(s), in making a final decision on the approvability of the application. The Control Officer shall make all comments available for public inspection in the same locations where the Control Officer made available preconstruction information relating to the proposed source or modification;*
 - b. Make a final determination whether construction should be approved, approved with conditions, or disapproved; and*
 - c. Notify the applicant in writing of the final determination and make such notification available for public inspection at the same location where the Control Officer made available*

preconstruction information and public comments relating to the source.

6. *Enhanced Public Participation Procedures. If the terms and conditions of a Permit to Construct are to be incorporated into a Part 70 Operating Permit, as provided in paragraph 030.510.B.14.a.(1)(e), in addition to the foregoing public participation procedures, the applicant shall comply with the requirements of paragraph 030.510.B.17.*

SECTION Q - SOURCE OBLIGATION

- 1. Enforcement. Any owner or operator who constructs or operates a source or modification not in accordance with the application submitted pursuant to PART 030.400 and with any changes to the application as required by the Control Officer, or with the terms of its Permit to Construct, or any owner or operator of a source or modification subject to PART 030.400 who begins actual construction after the effective date of CHAPTER 030 without applying for and receiving a Permit to Construct, shall be subject to enforcement action.*
- 2. Termination. A Permit to Construct shall terminate if construction is not commenced within eighteen (18) months after receipt of such permit if construction is discontinued for a period of eighteen (18) months or more, or if construction is not completed within a reasonable time. The Control Officer may extend the 18-month period upon written request and a satisfactory showing of good cause why an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within eighteen (18) months of the projected and approved commencement date.*
- 3. Compliance. The issuance of a Permit to Construct shall not relieve any owner or operator of the responsibility to comply fully with applicable provisions of the Nevada SIP and any other requirements under local, state, or federal law.*
- 4. Relaxation in Enforceable Limitations. At such time that a particular stationary source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the stationary source or modification otherwise to emit a pollutant, then the requirements of SECTIONS 030.400.I through 030.400.Q shall apply to the stationary source or modification as though construction had not yet commenced on the stationary source or modification.*

SECTION R - INNOVATIVE CONTROL TECHNOLOGY

- 1. Request for Approval.** *An owner or operator of a proposed major stationary source or major modification may request the Control Officer to approve a system of innovative control technology.*
- 2. Requirements for Approval.** *The Control Officer may, with the consent of the governor of the state of Nevada and the governors of other affected states, determine that the major stationary source or major modification may employ a system of innovative control technology if:*
 - a. The proposed control system would not cause or contribute to an unreasonable risk to public health, welfare, or safety in its operation or function;*
 - b. The owner or operator agrees to achieve a level of continuous emissions reduction equivalent to that which would have been required under paragraph 030.400.I.2 by a date specified by the Control Officer. Such date shall not be later than four (4) years from the time of startup or seven (7) years from permit issuance;*
 - c. The major stationary source or major modification would meet the requirements of SECTIONS 030.400.I and 030.400.J, based on the emissions rate that the stationary source employing the system of innovative control technology would be required to meet on the date specified by the Control Officer;*
 - d. The major stationary source or major modification would not, before the date specified by the Control Officer:*
 - (1) Cause or contribute to a violation of an applicable NAAQS; or*
 - (2) Impact any area where an applicable increment is known to be violated.*
 - e. All other Applicable Requirements, including those for public participation, have been met; and*
 - f. The provisions of SECTION 030.400.O (relating to Class I areas) have been satisfied with respect to all periods during the life of the major stationary source or major modification.*
- 3. Withdrawal of Approval.** *The Control Officer shall withdraw any approval to employ a system of innovative control technology made under paragraph 030.400.R.2 if:*
 - a. The proposed system fails by the specified date to achieve the required continuous emissions reduction rate;*
 - b. The proposed system fails before the specified date so as to contribute to an unreasonable risk to public health, welfare, or safety; or*
 - c. The Control Officer decides at any time that the proposed system is unlikely to achieve the required level of control or to protect the public health, welfare, or safety.*
- 4. BACT Extension for Failure or Withdrawal.** *If a major stationary source or major modification fails to meet the required level of continuous emission reduction within the specified time period, or the approval is withdrawn in accordance with paragraph 030.400.R.3, the Control Officer may allow the major stationary source or major modification up to an additional three (3) years to meet the requirement for the application of BACT through use of a demonstrated system of control.*

SECTION S - PLANTWIDE APPLICABILITY LIMITS

The provisions in paragraphs 030.400.S.1 through 030.400.S.15 govern actuals PALs.

1. Applicability

- a. The Control Officer may approve the use of an actuals Plantwide Applicability Limits (PAL) for any existing major stationary source if the PAL meets the requirements in paragraphs 030.400.S.1 through 030.400.S.15. The term "PAL" shall mean "actuals PAL" throughout SECTION 030.400.S.
- b. Any physical change in, or change in the method of operation of, a major stationary source that maintains its total source-wide emissions below the PAL level, meets the requirements of SECTION 030.400.S, and complies with the Permit to Construct:
 - (1) Is not a major modification for the PAL pollutant;
 - (2) Does not have to be approved through the PSD program; and
 - (3) Is not subject to the provisions in paragraph 030.400.Q.4.
- c. Except as provided under paragraph 030.400.S.1.b.(3), a major stationary source shall continue to comply with all applicable federal, state or county requirements, emission limitations, and work practice requirements that were established prior to the effective date of the PAL.

2. Definitions

- a. Unless the context otherwise requires, the following terms shall have the meanings set forth below for the purposes of SECTION 030.400.S. When a term is not defined in these paragraphs, it shall have the meaning given in SECTION 030.400.B, PART 030.000, PART 030.500, or the Act.

Actuals PAL for a major stationary source means a PAL based on the baseline actual emissions of all emissions units at the source that emit, or have the potential to emit, the PAL pollutant.

Allowable emissions means allowable emissions as defined in paragraph c. of the definition of Actual Emissions in SECTION 030.400.B, except as that definition is modified according to paragraph a. of this definition:

- a. The allowable emissions for any emissions unit shall be calculated considering any emission limitations that are enforceable as a practical matter on the emissions unit's potential to emit.

Major emissions unit means:

- a. Any emissions unit that emits, or has the potential to emit, 100 tpy or more of the PAL pollutant in an attainment area; or
- b. Any emissions unit that emits, or has the potential to emit, the PAL pollutant in an amount that is equal to or greater than the major source threshold for the PAL pollutant as defined by the Act for nonattainment areas.

PAL means an emission limitation, expressed in tpy, for a pollutant at a major stationary source that is enforceable as a practical matter and established source-wide in accordance with paragraphs 030.400.S.1 through 030.400.S.15.

PAL effective date generally means the date of issuance of the Permit to Construct. However, the PAL effective date for an increased PAL is the date any emissions unit which is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.

PAL effective period means the period beginning with the PAL effective date and ending ten (10) years later.

PAL major modification means, notwithstanding the definitions for major modification and net emissions increase, any physical change in, or change in the method of operation of, the PAL source that causes it to emit the PAL pollutant at a level equal to or greater than the PAL.

PAL pollutant means the pollutant for which a PAL is established at a major stationary source.

Significant emissions unit means an emissions unit that emits, or has the potential to emit, a PAL pollutant in an amount that is equal to or greater than the significant level as defined in CHAPTER 030 or the Act, whichever is lower, for that PAL pollutant, but less than the amount that would qualify the unit as a major emissions unit.

Small emissions unit means an emissions unit that emits, or has the potential to emit, the PAL pollutant in an amount less than the significant level for that PAL pollutant as defined in CHAPTER 030 or the Act, whichever is lower.

3. **Permit Application Requirements.** As part of an application for a Part 70 Operating Permit requesting a PAL, the owner or operator of a major stationary source shall submit the following information to the Control Officer for approval:

- a. A list of all emissions units at the source designated as small, significant, or major based on their potential to emit. In addition, the owner or operator of the source shall indicate which, if any, federal, state or county applicable requirements, emission limitations, or work practices apply to each unit;
- b. Calculations of the baseline actual emissions (with supporting documentation). Baseline actual emissions are to include emissions associated not only with operation of the unit, but also emissions associated with startup, shutdown, and malfunction; and
- c. The calculation procedures that the major stationary source owner or operator proposes to use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total for each month as required by paragraph 030.400.S.13.a.

4. **General Requirements for Establishing PALs**

- a. The Control Officer may establish a PAL at a major stationary source, provided that, at a minimum, the requirements in paragraphs 030.400.S.4.a.(1) through 030.400.S.4.a.(7) are met.

(1) The PAL shall impose an annual emission limitation, in tpy, that is enforceable as a practical matter for the entire major stationary source. For each month during the PAL effective period after the first twelve (12) months of establishing a PAL, the major stationary source owner or operator shall show that the sum of the monthly emissions from each emissions unit under the PAL for the previous twelve (12) consecutive months is less than

the PAL (a 12-month average, rolled monthly). For each month during the first eleven (11) months from the PAL effective date, the major stationary source owner or operator shall show that the sum of the preceding monthly emissions from the PAL effective date for each emissions unit under the PAL is less than the PAL.

- (2) The PAL shall be established in a Permit to Construct that meets the public participation requirements in paragraph 030.400.S.5.*
 - (3) The Permit to Construct shall contain all the requirements of paragraph 030.400.S.7.*
 - (4) The PAL shall include fugitive emissions, to the extent quantifiable, from all emissions units that emit, or have the potential to emit, the PAL pollutant at the major stationary source.*
 - (5) Each PAL shall regulate emissions of only one pollutant.*
 - (6) Each PAL shall have a PAL effective period of ten (10) years.*
 - (7) The owner or operator of the major stationary source with a PAL shall comply with the monitoring, recordkeeping, and reporting requirements provided in paragraphs 030.400.S.12 through 030.400.S.14 for each emissions unit under the PAL through the PAL effective period.*
- b. At no time during or after the PAL effective period are emissions reductions of a PAL pollutant which occur during the PAL effective period creditable as decreases for purposes of offsets under SECTION 030.300.F unless the level of the PAL is reduced by the amount of such emissions reductions and such reductions would be creditable in the absence of the PAL.*
- 5. Public Participation Requirements for PALs. PALs for existing major stationary sources shall be established, renewed, or increased through the public participation procedures in SECTION 030.400.P.*
 - 6. Setting the 10-year Actuals PAL Level.*
 - a. Except as provided in paragraph 030.400.S.6.b, the actuals PAL level for a major stationary source shall be established as the sum of the baseline actual emissions of the PAL pollutant for each emissions unit at the source plus an amount equal to the applicable significant level for the PAL pollutant under CHAPTER 030 or under the Act, whichever is lower. When establishing the actuals PAL level for a PAL pollutant, only one consecutive 24-month period must be used to determine the baseline actual emissions for all existing emissions units. However, a different consecutive 24-month period may be used for each different PAL pollutant. Emissions associated with units that were permanently shut down after this 24-month period must be subtracted from the PAL level. The Control Officer shall specify a reduced PAL level(s) (in tpy) in the Permit to Construct, to become effective on the future compliance date(s) of any applicable federal or state regulatory requirement(s) that the Control Officer is aware of prior to issuance of the permit.*
 - b. For newly constructed units (this does not include modifications to existing units) on which actual construction began after the 24-month period, in lieu of adding the baseline actual emissions as specified in paragraph 030.400.S.6.a, the emissions must be added to the PAL level in an amount equal to the PTE of the units.*
 - 7. Contents of a Part 70 Operating Permit Containing a PAL. The contents shall include the information in paragraphs 030.400.S.7.a through j as listed below:*
 - a. The PAL pollutant and the applicable source-wide emission limitation in tpy.*

- b. *The effective date and the expiration date of the PAL conditions (i.e., PAL effective period).*
 - c. *Specification in the permit that if a major stationary source owner or operator applies to renew the PAL conditions in accordance with paragraph 030.400.S.10 before the end of the PAL effective period, then the PAL conditions shall not expire at the end of the PAL effective period. It shall remain in effect until a revised Part 70 Operating Permit is issued by the Control Officer;*
 - d. *A requirement that emission calculations for compliance purposes include emissions from startups, shutdowns, and malfunctions;*
 - e. *A requirement that, once the PAL conditions expire, the major stationary source is subject to the requirements of paragraph 030.400.S.9;*
 - f. *The calculation procedures that the major stationary source owner or operator shall use to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total, as required by paragraph 030.400.S.13.a;*
 - g. *A requirement that the major stationary source owner or operator monitor all emissions units in accordance with the provisions under paragraph 030.400.S.12;*
 - h. *A requirement to retain the records required under paragraph 030.400.S.13 on-site. Such records may be retained in an electronic format;*
 - i. *A requirement to submit the reports required under paragraph 030.400.S.14 by the required deadlines; and*
 - j. *Any other requirements that the Control Officer deems necessary to implement and enforce the PAL conditions.*
8. *PAL Effective Period and Reopening of the PAL Conditions in a Part 70 Operating Permit. The conditions in a Part 70 Operating Permit that contain a PAL shall include the following information:*
- a. *PAL Effective Period. The Control Officer shall specify a PAL effective period of ten (10) years from the date of issuance.*
 - b. *Reopening of the PAL Conditions in a Part 70 Operating Permit*
 - (1) *During the PAL effective period, the permit shall require the Control Officer to reopen the PAL conditions in a Part 70 Operating Permit to:*
 - (a) *Correct typographical/calculation errors made in setting the PAL, or reflect a more accurate determination of emissions used to establish the PAL;*
 - (b) *Reduce the PAL if the owner or operator of the major stationary source creates creditable emissions reductions for use as offsets under CHAPTER 030.300; or*
 - (c) *Revise the PAL to reflect an increase in the PAL, as provided under paragraph 030.400.S.11.*
 - (2) *The Control Officer may reopen the conditions of a Part 70 Operating Permit authorizing a PAL for the following:*
 - (a) *Reduce the PAL to reflect newly applicable federal requirements with compliance dates after the PAL effective date.*
 - (b) *Reduce the PAL consistent with any other requirement that is enforceable as a practical matter, and that the Control Officer may impose on the major stationary source under the Nevada SIP.*

- (c) *Reduce the PAL if the Control Officer determines that a reduction is necessary to avoid causing or contributing to a NAAQS or PSD increment violation, or to an adverse impact on an air quality-related value that has been identified for a federal Class I area by a Federal Land Manager and for which information is available to the general public.*
- (3) *Except for the permit reopening in paragraph 030.400.S.8.b.(1)(a) for the correction of typographical/calculation errors that do not increase the PAL level, all other reopening's shall be carried out as significant permit revisions to a Part 70 Operating Permit.*
9. *Expiration of a PAL. Any PAL which is not renewed in accordance with the procedures in paragraph 030.400.S.10 shall expire at the end of the PAL effective period, and the requirements in paragraphs 030.400.S.9.a through 030.400.S.9.e shall apply.*
- a. *Each emissions unit (or each group of emissions units) that existed under the PAL shall comply with an allowable emission limitation under a revised Part 70 Operating Permit established according to the procedures in paragraphs 030.400.S.9.a.(1) and (2):*
 - (1) *Within the time frame specified for PAL renewals in paragraph 030.400.S.10.b, the major stationary source shall submit a proposed allowable emission limitation for each emissions unit (or each group of emissions units, if such a distribution is more appropriate as decided by the Control Officer) by distributing the PAL allowable emissions for the affected major stationary source among each of the emissions units that existed under the PAL. If the PAL had not yet been adjusted for an applicable requirement that became effective during the PAL effective period, as required under paragraph 030.400.S.10.e, such distribution shall be made as if the PAL had been adjusted.*
 - (2) *The Control Officer will decide whether and how the PAL allowable emissions will be distributed and issue a revised Part 70 Operating Permit incorporating allowable limits for each emissions unit, or each group of emissions units, as the Control Officer determines is appropriate.*
 - b. *Each emissions unit(s) shall comply with the allowable emission limitation on a 12-month rolling basis. The Control Officer may approve the use of monitoring systems other than CEMS, CERMS, PEMS, or CPMS to demonstrate compliance with the allowable emission limitation.*
 - c. *Until the Control Officer issues the revised Part 70 Operating Permit incorporating allowable limits for each emissions unit, or each group of emissions units, as required under paragraph 030.400.S.9.a.(2), the source shall continue to comply with a source-wide, multi-unit emissions cap equivalent to the level of the PAL emission limitation.*
 - d. *Any physical change in, or change in the method of operation at, the major stationary source will be subject to major NSR requirements if such change meets the definition of major modification.*
 - e. *The major stationary source owner or operator shall continue to comply with any federal, state or county applicable requirements that may have applied either during the PAL effective period or prior to the PAL effective period, except for those limitations that were eliminated by the PAL in accordance with the provisions of paragraph 030.400.S.1.b.(3).*

10. *Renewal of a PAL*

- a. *The Control Officer will follow the procedures specified in paragraph 030.400.S.5 and PART*

030.500 in approving any request to renew the PAL conditions in a Part 70 Operating Permit and will provide both the proposed PAL level and a written rationale for the proposed PAL level to the public for review and comment. During such public review, any person may propose a PAL level for the source for consideration by the Control Officer.

- b. **Application Deadline.** A major stationary source owner or operator shall submit a timely application to the Control Officer to request renewal of the PAL conditions in a Part 70 Operating Permit. A timely application is one that is submitted at least six (6) months prior to, but not earlier than eighteen (18) months prior to, the date of expiration of the Part 70 Operating Permit containing the PAL. This deadline for application submittal is to ensure that the permit will not expire before the permit is renewed. If the owner or operator of a major stationary source submits a complete application to renew the PAL conditions in a Part 70 Operating Permit within this time period, then the PAL conditions shall continue to be effective until the revised permit with the renewed PAL conditions is issued.
- c. **Application Requirements.** The application to renew PAL conditions shall be incorporated into the application for renewal of the affected Part 70 Operating Permit and shall contain the information required in paragraphs 030.400.S.10.c.(1) through 030.400.S.10.c.(4):
 - (1) The information required in paragraphs 030.400.S.3.a through 030.400.S.3.c;
 - (2) A proposed PAL level;
 - (3) The sum of the PTE of all emissions units under the PAL (with supporting documentation); and
 - (4) Any other information the owner or operator wishes the Control Officer to consider in determining the appropriate level for renewing the PAL conditions.
- d. **PAL Adjustment.** In determining whether and how to adjust the PAL, the Control Officer will consider the options outlined in paragraphs 030.400.S.10.d.(1) and 030.400.S.10.d.(2). However, in no case may any such adjustment fail to comply with paragraph 030.400.S.10.d.(3).
 - (1) If the emissions level calculated in accordance with paragraph 030.400.S.6 is equal to or greater than eighty (80) percent of the PAL level, the Control Officer may renew the PAL at the same level without considering the factors set forth in paragraph 030.400.S.10.d.(2); or
 - (2) The Control Officer may set the PAL at a level that he determines to be more representative of the source's baseline actual emissions, or that he or she determines to be appropriate considering air quality needs, advances in control technology, anticipated economic growth in the area, desire to reward or encourage the source's voluntary emissions reductions, or other factors as specifically identified by the Control Officer in his or her written rationale.
 - (3) Notwithstanding paragraphs 030.400.S.10.d.(1) and (2):
 - (a) If the PTE of the major stationary source is less than the PAL, the Control Officer shall adjust the PAL to a level no greater than the PTE of the source; and
 - (b) The Control Officer shall not approve a renewed PAL level higher than the current PAL, unless the major stationary source has complied with the provisions of paragraph 030.400.S.11.
- e. **If the compliance date for a federal or state requirement that applies to the PAL source occurs during the PAL effective period, and if the Control Officer has not already adjusted for such**

requirement, the PAL shall be adjusted at the time of the PAL permit renewal or Part 70 Operating Permit renewal, whichever occurs first.

11. Increasing a PAL during the PAL Effective Period

- a. *The Control Officer may increase a PAL emission limitation only if the major stationary source complies with the provisions in paragraph 030.400.S.11.a.(1) through 030.400.S.11.a.(4):*
 - (1) *The owner or operator of the major stationary source shall submit a complete application to request an increase in the PAL limit as a significant revision to the affected Part 70 Operating Permit. Such application shall identify the emissions unit(s) contributing to the increase in emissions so as to cause the major stationary source's emissions to equal or exceed its PAL.*
 - (2) *As part of this application, the major stationary source owner or operator shall demonstrate that the sum of the baseline actual emissions of the small emissions units, plus the sum of the baseline actual emissions of the significant and major emissions units (assuming application of BACT-equivalent controls), plus the sum of the allowable emissions of the new or modified emissions unit(s), exceeds the PAL. The level of control that would result from BACT-equivalent controls on each significant or major emissions unit shall be determined by conducting a new BACT analysis at the time the application is submitted, unless the emissions unit is currently required to comply with a BACT or LAER requirement that was established within the preceding ten (10) years. In such a case, the assumed control level for that emissions unit shall be equal to the level of BACT or LAER with which that emissions unit must currently comply.*
 - (3) *The owner or operator obtains a Permit to Construct pursuant to PART 030.500 for all emissions unit(s) identified in paragraph 030.400.S.11.a.(1), regardless of the magnitude of the emissions increase resulting from them. The emissions unit(s) shall comply with any emissions requirements resulting from the Permit to Construct issuance process, even though it has also become subject to the PAL or continues to be subject to the PAL.*
 - (4) *The PAL conditions in a Part 70 Operating Permit shall require that the increased PAL level be effective on the day any emissions unit that is part of the significant permit revision becomes operational and begins to emit the PAL pollutant.*
- b. *The Control Officer shall calculate the new PAL as the sum of the allowable emissions for each modified or new emissions unit, plus the sum of the baseline actual emissions of the significant and major emissions units (assuming application of BACT-equivalent controls as determined in accordance with paragraph 030.400.S.11.a.(2)), plus the sum of the baseline actual emissions of the small emissions units.*
- c. *The PAL conditions in a Part 70 Operating Permit shall be revised to reflect the increased PAL level pursuant to the public notice requirements of paragraph 030.400.S.5.*

12. Monitoring Requirements for PALs

a. General Requirements

- (1) *The PAL conditions in a Part 70 Operating Permit must include enforceable requirements for the monitoring system that accurately determines plantwide emissions of the PAL pollutant in terms of mass per unit of time. Any monitoring system authorized for use in the*

PAL conditions must be based on sound science and meet generally acceptable scientific procedures for data quality and manipulation. Additionally, the information generated by such system must meet minimum legal requirements for admissibility in a judicial proceeding to enforce the PAL conditions.

- (2) The PAL monitoring system must employ one (1) or more of the four (4) general monitoring approaches meeting the minimum requirements set forth in paragraphs 030.400.S.12.b.(1) through 030.400.S.12.b.(4) and must be approved by the Control Officer.*
 - (3) Notwithstanding paragraph 030.400.S.12.a.(2), the PAL monitoring system may also employ an alternative monitoring approach that meets paragraph 030.400.S.12.a.(1) if approved by the Control Officer.*
 - (4) Failure to use a monitoring system that meets the requirements of SECTION 030.400.S renders the PAL invalid.*
- b. Minimum Performance Requirements for Approved Monitoring Approaches. The following are acceptable general monitoring approaches when conducted in accordance with the minimum requirements in paragraphs 030.400.S.12.c through 030.400.S.12.i:*
- (1) Mass balance calculations for activities using coatings or solvents;*
 - (2) CEMS;*
 - (3) CPMS or PEMS; and*
 - (4) Emission factors.*
- c. Mass Balance Calculations. An owner or operator using mass balance calculations to monitor PAL pollutant emissions from activities using coatings or solvents shall meet the following requirements:*
- (1) Provide a demonstrated means of validating the published content of the PAL pollutant that is contained in, or created by all materials used in or at, the emissions unit;*
 - (2) Assume that the emissions unit emits all of the PAL pollutant that is contained in or created by any raw material or fuel used in or at the emissions unit, if it cannot otherwise be accounted for in the process; and*
 - (3) Where the vendor of a material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material, the owner or operator must use the highest value of the range to calculate the PAL pollutant emissions unless the Control Officer determines there is site-specific data or a site-specific monitoring program to support another content within the range.*
- d. CEMS. An owner or operator using CEMS to monitor PAL pollutant emissions shall meet the following requirements:*
- (1) The CEMS must comply with applicable performance specifications found in 40 CFR PART60, Appendix B; and*
 - (2) The CEMS must sample, analyze, and record data at least every fifteen (15) minutes while the emissions unit is operating.*
- e. CPMS or PEMS. An owner or operator using a CPMS or PEMS to monitor PAL pollutant emissions shall meet the following requirements:*

- (1) *The CPMS or PEMS must be based on current site-specific data demonstrating a correlation between the monitored parameter(s) and the PAL pollutant emissions across the range of operation of the emissions unit; and*
 - (2) *Each CPMS or PEMS must sample, analyze, and record data at least every fifteen (15) minutes, or at another, less frequent interval approved by the Control Officer, while the emissions unit is operating.*
- f. *Emission Factors. An owner or operator using emission factors to monitor PAL pollutant emissions shall meet the following requirements:*
- (1) *All emission factors shall be adjusted, if appropriate, to account for the degree of uncertainty or limitations in the factors' development;*
 - (2) *The emissions unit shall operate within the designated range of use for the emission factor, if applicable; and*
 - (3) *If technically practicable, the owner or operator of a significant emissions unit that relies on an emission factor to calculate PAL pollutant emissions shall conduct validation testing to determine a site-specific emission factor within six (6) months of permit issuance unless the Control Officer determines that testing is not required.*
- g. *A source owner or operator must record and report maximum potential emissions without considering enforceable emission limitations or operational restrictions for an emissions unit during any period of time that there is no monitoring data, unless another method for determining emissions during such periods is specified in the Permit to Construct.*
- h. *Notwithstanding the requirements in paragraphs 030.400.S.12.c through 030.400.S.12.g, where an owner or operator of an emissions unit cannot demonstrate a correlation between the monitored parameter(s) and the PAL pollutant emissions rate at all operating points of the emissions unit, the Control Officer shall, at the time of permit issuance:*
- (1) *Establish default value(s) for determining compliance with the PAL based on the highest potential emissions reasonably estimated at such operating point(s); or*
 - (2) *Determine that operation of the emissions unit during operating conditions when there is no correlation between monitored parameter(s) and the PAL pollutant emissions is a violation of the PAL.*
- i. *Revalidation. All data used to establish the PAL pollutant must be revalidated through performance testing or other scientifically valid means approved by the Control Officer. Such testing must occur at least once every five (5) years after issuance of the Part 70 Operating Permit containing the PAL conditions.*

13. Recordkeeping Requirements

- a. *The PAL conditions in a Part 70 Operating Permit shall require an owner or operator to retain a copy of all records necessary to determine compliance with any requirement of SECTION 030.400.S and of the PAL, including a determination of each emissions unit's 12-month rolling total emissions, for five (5) years from the date of such record.*
- b. *The PAL conditions in a Part 70 Operating Permit shall require an owner or operator to retain a copy of the following records for the duration of the PAL effective period plus five (5) years:*

- (1) A copy of the PAL provisions in a permit application for a Part 70 Operating Permit and any applications for revisions to the affected Part 70 Operating Permit relevant to the PAL; and
- (2) Each annual certification of compliance pursuant to the conditions in the affected Part 70 Operating Permit and the data relied on in certifying the compliance.

14. **Reporting and Notification Requirements.** The owner or operator shall submit semiannual monitoring reports and prompt deviation reports to the Control Officer, in accordance with the conditions in the affected Part 70 Operating Permit. The reports shall meet the requirements in paragraphs 030.400.S.14.a through 030.400.S.14.c.

a. **Semiannual Report.** The semiannual report shall be submitted to the Control Officer within thirty (30) calendar days of the end of each reporting period. This report shall contain the information required in paragraphs 030.400.S.14.a.(1) through 030.400.S.14.a.(7):

- (1) The identification of the owner and operator and the permit number;
- (2) Total annual emissions (in tpy), based on a 12-month rolling total for each month in the reporting period recorded pursuant to paragraph 030.400.S.14.a;
- (3) All data relied upon, including, but not limited to, any quality assurance or quality control data, in calculating the monthly and annual PAL pollutant emissions;
- (4) A list of any emissions units modified or added to the major stationary source during the preceding 6-month period;
- (5) The number, duration, and cause of any deviations or monitoring malfunctions (other than the time associated with zero and span calibration checks), and any corrective action taken;
- (6) A notification of a shutdown of any monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, whether the emissions unit monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by method included in the permit, as provided by paragraph 030.400.S.12.g; and
- (7) A signed statement by the responsible official certifying the truth, accuracy, and completeness of the information provided in the report.

b. **Deviation Report.** The major stationary source owner or operator shall promptly submit reports of any deviations or exceedance of the PAL conditions, including periods where no monitoring was available. A report submitted pursuant to 40 CFR 70.6(a)(3)(iii)(B) shall satisfy this reporting requirement. The deviation reports shall be submitted within the time limits prescribed by the affected Part 70 Operating Permit. The reports shall contain the following information:

- (1) The identification of owner and operator and the permit number;
- (2) The PAL requirement that experienced the deviation or that was exceeded;
- (3) Emissions resulting from the deviation or the exceedance; and
- (4) A signed statement by the responsible official certifying the truth, accuracy, and completeness of the information provided in the report.

c. **Revalidation Results.** The owner or operator shall submit to the Control Officer the results of any revalidation test or method within three (3) months after completion of such test or

method.

15. Transition Requirements.

- a. The Control Officer may not issue a PAL that does not comply with the requirements in paragraphs 030.400.S.1 through 030.400.S.15 after the Administrator has approved regulations incorporating these requirements into the Nevada SIP.*
- b. The Control Officer may supersede any PAL which was established prior to the date of approval of the Nevada SIP by the Administrator with a PAL that complies with the requirements of paragraphs 030.400.S.1 through 030.400.S.15.*

SECTION T - INVALIDATION

- 1. If any provision of SECTION 030.400.S, or the application of such provision to any person or circumstance, is held invalid, the remainder of SECTION 030.400.S, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.*

CHAPTER 030 - SOURCE PERMITTING AND OPERATION

PART 030.500 – PART 70 PERMIT TO CONSTRUCT REQUIREMENTS

SECTION A - PERMIT TO CONSTRUCT REQUIRED; DURATION

1. Commencement of Construction: Timing Requirement and Preconstruction Review Applicability Criteria

- a. *Except as provided in paragraph 030.500.C.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 Permit to Construct from the Control Officer before beginning actual construction or continuing to operate any of the following:*
 - (1) *A new PART 70 source;*
 - (2) *A “Major Modification” as defined in PARTS 030.300 or 030.400;*
 - (3) *A modification that increases the PART 70 source’s PTE by an amount equal to or greater than the minor NSR significant level in SECTION 030.500.B;*
 - (4) *Construction, modification, or reconstruction of an affected facility that becomes newly subject to a standard, limitation, or other requirement under 40 CFR PART 60;*
 - (5) *Construction or reconstruction of a new source or of 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*
 - (6) *A modification to a solid waste incinerator unit as defined by an applicable standard under 40 CFR PART 60.*

- b. *Unless the Control Officer receives and grants a written request to extend the eighteen (18) month period referenced in paragraphs 030.500.A.1.b.(1) or b.(2) at least thirty (30) calendar days before the deadline, a Permit to Construct issued under PART 030.500 or a Permit to Construct authorization issued under PART 030.510 shall remain in effect only if:*
 - (1) *The owner or operator commences the construction, modification, or reconstruction of the PART 70 source within eighteen (18) months of the issuance date of a Permit to Construct or authorization to construct;*
 - (2) *Such activity is not discontinued for a period greater than eighteen (18) months; and*
 - (3) *The Control Officer does not revoke and reissue, or terminate, the Permit to Construct for cause.*

- c. *Notwithstanding the provisions of paragraphs 030.500.A.1.a or 030.500.A.1.b, if an existing PART 70 Operating Permit would prohibit such construction, modification, or reconstruction, the owner or operator of the PART 70 source must obtain a PART 70 Operating Permit revision pursuant to paragraphs 030.510.B.13 or 030.510.B.14, as appropriate, before commencing operation.*

SECTION B - DEFINITIONS

Use of Terms. The following definitions apply to terms used in PART 030.500. Unless the context requires otherwise, the following terms shall have the meanings set forth for the purposes of PART 030.500. When a term is not defined, it shall have the meaning provided in PART 030.000, 40 CFR PART 70.2, the Act, or common usage, in that order of priority.

AFFECTED EMISSIONS UNIT means any PART or activity of a stationary source that increases emissions due to construction, modification, or reconstruction at the PART 70 source and emits, or has the potential to emit, any regulated air pollutant, but is not constructed, modified, or reconstructed.

CONSTRUCTED EMISSIONS UNIT means any PART or activity of a stationary source that is newly constructed, modified, or reconstructed and emits, or has the potential to emit, any regulated air pollutant.

EXISTING PART 70 SOURCE means a PART 70 source that either has a valid PART 70 Operating Permit issued prior to the effective date of PART 030.500 or has an application for a PART 70 Operating Permit deemed complete prior to the effective date of PART 030.500.

MINOR NSR SIGNIFICANT LEVELS means an increase in the potential to emit that equals or exceeds the following rates for the pollutants listed:

POLLUTANT	PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO₂	40
LEAD	0.6
H₂S	5
TOTAL REDUCED SULFUR (TRS), including H₂S	5

MODIFICATION OR MODIFY means a project which meets any of the preconstruction review applicability criteria in the definition of preconstruction or that requires a minor or significant permit revision pursuant to paragraph 030.510.B.14.

NEW PART 70 SOURCE means a PART 70 source that is not an existing PART 70 source.

PRECONSTRUCTION REVIEW APPLICABILITY CRITERIA means any of the following:

- a. At an existing major stationary source, a project that will result in a “major modification” as defined in PARTS 030.300 or 030.400;
- b. A new PART 70 source or a modification to an existing PART 70 source that is subject to

paragraph 030.500.C.2;

- c. Any project that is subject to a standard, limitation, or other requirement under 40 CFR PART 60;*
- d. Any project that is subject to a standard under 40 CFR PART 63, including, but not limited to, construction or reconstruction that requires preconstruction review under 40 CFR PART 63.5; or*
- e. For a solid waste incineration unit, a project that will result in a modification for purposes of SECTION 129(g)(3) of the Act.*

PROJECT means a physical change in, or change in the method of operation of, a PART 70 source. For purposes of this definition, a physical change or change in the method of operation shall not include:

- a. Routine maintenance, repair, and replacement.*
- b. Use of an alternative fuel or raw material by reason of any order under SECTION 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act.*
- c. Use of an alternative fuel by reason of an order or rule under SECTION 125 of the Act.*
- d. Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.*
- e. Use of an alternative fuel or raw material by a stationary source which:*
 - (1) The source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51 Subpart I; or*
 - (2) The source is approved to use under any permit issued under 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51, Subpart I.*
- f. An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51, Subpart I or 40 CFR PART 51.166.*
- g. Any change in ownership at a stationary source.*

RESPONSIBLE OFFICIAL means one of the following:

- a. For a corporation: a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:*
 - (1) The operating facilities employ more than two hundred and fifty (250) persons or have gross annual sales or expenditures exceeding \$25 million in second quarter 1980*

- dollars; or
- (2) *The delegation of authority to such representative is approved in advance by the Control Officer.*
- b. *For a partnership or sole proprietorship: a general partner or the proprietor, respectively;*
 - c. *For a municipality, state, federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this definition, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency; or*
 - d. *For Title IV affected sources:*
 - (1) *The designated representative, as defined in 40 CFR PART 72.2, in so far as actions, standards, requirements, or prohibitions under Title IV of the Act, "Acid Deposition Control," or the regulations promulgated there under are concerned; or*
 - (2) *The responsible official as defined above for any other purposes under PART 030.500.*

SECTION C - PERMIT TO CONSTRUCT FOR PART 70 SOURCES

1. Application Submission Requirements

- a. *Application Requirements. The owner or operator of the PART 70 source shall submit an application for a Permit to Construct on a form provided by the Control Officer. The application shall contain the following information related to the construction, modification, or reconstruction:*
- (1) A description of all emissions of regulated air pollutants from all affected emissions units and a projected operating schedule for each emissions unit;*
 - (2) An identification and a description of all points of emissions and a process description of all activities, including design capacity, which may generate emissions of the regulated air pollutants described pursuant to paragraph 030.500.C.1.a.(1) in sufficient detail to establish the basis for the applicability of standards and fees;*
 - (3) The emission rates of all regulated air pollutants, including fugitive emission rates. The emission rates must be described in tons per year (tpy) and for such shorter-term averages as are necessary to establish compliance using the applicable standard reference test method or other methodology specified in paragraph 030.500.C.1.a.(7);*
 - (4) A description of any new or modified air pollution control equipment to be operated at the stationary source;*
 - (5) The calculations on which the information described in paragraph 030.500.C.1 are based, including a fuel description and specifications;*
 - (6) Citations to and a description of all applicable requirements;*
 - (7) The applicable test method or other methodology used for determining compliance with each applicable requirement;*
 - (8) A control technology demonstration for Best System of Control (BSC) shall be submitted for a modification to an existing PART 70 source that requires a Permit to Construct because:
 - (a) The modification will increase the source's potential to emit by an amount that is equal to or greater than the minor NSR significant level found in the definition of minor NSR significant level in SECTION 030.500.B;*
 - (b) A control technology demonstration is not otherwise required by PARTS 030.300 or 030.400; or*
 - (c) The modification will be major for one pollutant and will increase the source's potential to emit by an amount equal to or greater than the minor NSR significant level for one or more pollutants that are not PART of or precursors to the pollutant associated with the major modification. The BSC control technology demonstration shall only apply to the pollutant(s) exceeding the minor NSR significant level. The application shall describe how BSC was determined and how compliance with BSC is to be measured, including, if applicable, material usage limits, performance testing, and continuous emissions monitoring.**
 - (9) If applicable, a description of how performance testing will be conducted, including test methods and a general description of testing protocols;*
 - (10) If applicable, the information necessary to establish a basic design parameter;*
 - (11) If applicable, a description of how the permittee proposes to comply with the*

- compliance assurance monitoring requirements in 40 CFR PART 64, including a plan describing how the applicant will comply with the monitoring design criteria in 40 CFR PART 64.3;*
- (12) If any information or data in the application is proposed to be treated as confidential, a demonstration of compliance with SECTION 020.000.D;*
- (13) If the applicant wishes to be subject to the enhanced public participation procedures in paragraph 030.400.P.6, a declaration to that effect; and*
- (14) For construction, modification, or reconstruction that increases the PART 70 source's PTE by an amount equal to or greater than the minor NSR significant level defined in SECTION 030.500.B for a regulated air pollutant, but less than the major source or major modification threshold in PARTS 030.300 or 030.400, a demonstration that the construction will not cause an exceedance of the National Ambient Air Quality Standards (NAAQS) or an exceedance of the ambient air increments specified in SECTION 030.400.C.*
- b. Additional Application Requirements for Sources Subject to PART 030.400 (Major Source PSD). If the new or modified PART 70 source is subject to the Prevention of Significant Deterioration preconstruction review provisions of PART 030.400, the application shall also contain the following:*
- (1) The control technology review required by SECTION 030.400.I;*
- (2) The source impact analysis required by SECTION 030.400.J;*
- (3) The air quality analysis required by SECTION 030.400.L;*
- (4) The source information required by SECTION 030.400.M;*
- (5) The additional impact analyses required by SECTION 030.400.N; and*
- (6) Any other information that the Control Officer determines is necessary to process the application in accordance with PARTS 030.300 and 030.400.*
- c. Additional Application Requirements for Sources Subject to PART 030.300 (Major Source Nonattainment NSR). If the new or modified PART 70 source is subject to the nonattainment area preconstruction review provisions of PART 030.300, the application shall also contain the following:*
- (1) The statewide compliance demonstration required by SECTION 030.300.C;*
- (2) The alternatives analysis required by SECTION 030.300.D;*
- (3) The LAER demonstration and draft permit conditions required to ensure compliance with LAER required by paragraph 030.300.E.2;*
- (4) An air impact analysis, including dispersion modeling;*
- (5) The information necessary to demonstrate that the applicant has satisfied or will satisfy the emissions offset requirements in SECTION 030.300.F; and*
- (6) Any other information that the Control Officer determines is necessary to process the application in accordance with PARTS 030.300 and 030.400.*
- d. Additional Requirements for Construction, or Requirements for Construction or Reconstruction of a PART 70 Source Subject to a Standard under Sections 112(d), (f), or (h) of the Act (MACT Source).*

- (1) *In addition to any other application requirements in PART 030.500, if the construction of a new PART 70 source, or the construction or reconstruction of an existing PART 70 source, creates a “new affected source” or “reconstructed affected source” that is a major source under 40 CFR PART 63, the owner or operator shall comply with the application requirements under 40 CFR PART 63.5 and paragraph 030.500.C.1.a. The Permit to Construct for such a source shall comply with the requirements in 40 CFR PART 63.5(e).*

2. Application Processing Procedures.

- a. *For construction or modifications subject to PARTS 030.300 or 030.400, the Control Officer shall follow the procedures in either SECTION 030.400.P or paragraph 030.500.C.2.d to process the application and to provide for public participation.*
- b. *When an owner or operator of a PART 70 source must revise the PART 70 Operating Permit before construction, modification, or reconstruction (as specified in paragraph 030.500.A.1.c), the Control Officer shall follow the procedures in paragraphs 030.510.B.13 or 030.510.B.14, as applicable, to process the application for a Permit to Construct and revise the PART 70 Operating Permit.*
- c. *For construction, modification, and reconstruction not subject to paragraphs 030.500.C.2.a or 030.500.C.2.b, and except as provided in paragraphs 030.500.C.2.e or 030.500.C.2.d, the Control Officer shall determine whether the application is complete and issue the Permit to Construct in accordance with the following procedures:*

- (1) *Within one hundred (100) calendar days of receiving an application for a Permit to Construct, the Control Officer shall determine if the application is complete. If substantial additional information is required, the Control Officer shall determine the application is incomplete and return it to the applicant. If substantial additional information is not required, the Control Officer shall determine the application is complete. If the Control Officer does not make a determination on application completeness within one hundred (100) calendar days, the application is automatically deemed complete on the one hundred first (101st) calendar day after the date of receipt.*
- (2) *If the Control Officer discovers, after the date the application is determined to be complete, that additional information is required to act on it, the Control Officer may request the additional information needed to determine whether the proposed project will comply with all applicable requirements. The applicant must provide in writing any additional information requested within the time specified in the Control Officer's written request. A delay in submitting the requested information may result in a corresponding delay in Control Officer action on the application, or the Control Officer may withdraw the previous completeness determination and declare the application incomplete.*
- (3) *When paragraph 030.500.A.1.a.(3) requires a Permit to Construct, the Control Officer shall follow the public participation procedures in paragraph 030.500.C.3 before issuing the permit.*
- (4) *When paragraphs 030.500.A.1.a.(4) or 030.500.A.1.a.(6) require a Permit to Construct, the owner or operator of the PART 70 source shall follow the notification requirements in 40 CFR PART 60, Subpart A, and the Control Officer shall follow the applicable procedures in 40 CFR PART 60, Subpart A before issuing the Permit to Construct.*

- (1) *A request to establish or revise a voluntarily accepted emission limitation.*
 - (2) *An application subject to the BSC control technology demonstration requirement in paragraph 030.500.C.1.a.(8).*
 - (3) *An application subject to paragraph 030.500.C.1.a.(14) requirements to demonstrate that the construction will not cause an exceedance of the NAAQS or an exceedance of the ambient air increments specified in SECTION 030.400.C.*
 - (4) *Any action for which the Control Officer determines that public participation would better inform a decision on the application.*
- b. *The Notice of Proposed Action required by paragraph 030.500.C.3.a shall be published on the department website at least thirty (30) calendar days before the Control Officer issues a final decision on the Permit to Construct application or on the relocation of a portable source.*
- (1) *The Notice of Proposed Action shall contain all of the following:*
 - (a) *The name and address of the owner or operator and, if different, of the PART 70 source.*
 - (b) *If the Notice of Proposed Action involves relocation of a portable source, the current address of the portable source and the address to which the portable source proposes to relocate;*
 - (c) *The date the Control Officer received the complete application for a Permit to Construct or the notice of proposed relocation;*
 - (d) *The nature of the construction, reconstruction, or modification proposed in a Permit to Construct application;*
 - (e) *The pollutants to be emitted by the PART 70 source and their projected quantities;*
 - (f) *The name, address, and telephone number of the department representative interested persons may contact for instructions on how to obtain additional information;*
 - (g) *The location of the administrative record, the times at which the record will be open for public inspection, and a statement that all information in the administrative record for the action (except confidential information, in accordance with NRS 445B.570 and SECTION 020.000.D) is available for public inspection;*
 - (h) *The Control Officer's preliminary determination whether the application for a Permit to Construction Permit or the relocation of a portable source should be approved or disapproved;*
 - (i) *Directions on how any person may submit written comments on the Notice of Proposed Action and documents in the administrative record, including the date by which the Control Officer must receive comments; and*
 - (j) *Directions on how any person may request a public hearing on the Notice of Proposed Action, including the date by which the Control Officer must receive the request; or, if the Control Officer has already scheduled a public hearing, the date and location of the hearing and directions for requesting to speak at the hearing.*
 - (2) *The Control Officer shall send a copy of the Notice of Proposed Action and Final Action to the applicant, EPA (if requested), and any other person who requests such notice.*

c. Public Hearing on Notice of Proposed Action.

- (1) During the thirty (30) calendar day public comment period, any person may petition the Control Officer in writing for a public hearing. All such petitions shall contain the petitioner's name, address, daytime telephone number, email address, and reason for requesting a hearing.*
- (2) The Control Officer shall notify petitioners whether the request will be granted or denied within thirty (30) calendar days of receipt.*
- (3) The hearing request shall be granted if the Control Officer determines there is a significant degree of public interest in the Notice of Proposed Action after considering all relevant factors, including, but not limited to, the number of petitioners, the nature of the concerns stated in the petitions, and the type and quantity of emissions emitted by the PART 70 source.*
- (4) If the request is granted, the Control Officer shall publish the hearing date, time, and location on the department website for at least thirty (30) calendar days prior and provide directions in the notice for requesting to speak at the hearing.*

d. Final Action on Permit to Construct Application or Proposed Relocation.

- (1) The Control Officer shall consider all relevant written and oral comments, and all other documents in the administrative record, before taking final action on a Permit to Construct application.*
- (2) The Control Officer shall send a written notice to the owner or operator of the PART 70 Source approving or disapproving the relocation of a portable source after considering public comments received on the Notice of Proposed Action.*
 - (a) The Control Officer may disapprove the relocation based on information received during the public comment period.*
 - (b) The Control Officer may disapprove the relocation upon finding that operations in the new location would cause or contribute to a new violation of a NAAQS or cause an unreasonable risk to public health, welfare, or the safety of any person.*
 - (c) Before approving operations in the new location, the Control Officer may issue an order to limit emissions or operations at the new location as necessary to prevent the source from causing or contributing to a new violation of a NAAQS or causing an unreasonable risk to public health, welfare, or the safety of any person at the new location, or to establish enforceable restrictions agreed to by the source owner or operator.*

4. Permit Content.

- a. A Permit to Construct issued pursuant to PART 030.500 shall contain each of the following conditions:*
 - (1) The permittee shall retain records of all required monitoring and performance demonstration data and supporting information for five (5) 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).*
- (2) Each of the conditions and requirements of the permit is severable and, if any are held invalid, the remaining conditions and requirements continue in effect;*
 - (3) The permittee shall comply with all conditions contained in the permit. Any noncompliance constitutes a violation and is grounds for:
 - (a) An action for noncompliance;*
 - (b) Revocation and reissuance or the termination of the permit by the Control Officer; or*
 - (c) The reopening or revising of the permit by the permittee as directed by the Control Officer.**
 - (4) The need to halt or reduce activity to maintain compliance with the conditions of the permit is not a defense to noncompliance with any condition of the permit;*
 - (5) The Control Officer may revise, revoke and reissue, reopen and revise, or terminate the permit for cause;*
 - (6) The permit does not convey any property rights or any exclusive privilege;*
 - (7) The permittee shall provide the Control Officer, within a reasonable time, with any information that the Control Officer requests in writing 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 required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality;*
 - (8) The permittee shall allow the Control Officer, or any authorized representative of the Control Officer, upon presentation of credentials, to enter the permittee's premises where the source is located or emissions related activity is conducted and to:
 - (a) Have access to and copy, during normal business hours, any records that are kept pursuant to the conditions of the permit;*
 - (b) Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;*
 - (c) Sample or monitor substances or parameters to determine compliance with the conditions of the permit or applicable requirements; and*
 - (d) Document alleged violations using devices such as cameras or video equipment.**
 - (9) A responsible official of the source shall certify that, based on information and belief formed after a reasonable inquiry, the statements made in any document required to be submitted by any condition of the permit are true, accurate, and complete;*
 - (10) The permit must contain:
 - (a) All applicable requirements, emission limits, and standards, provided, however, that applicable requirements that are not required by the Act or implementing federal regulations, and that are not in the Nevada State Implementation Plan (SIP), may be included in the permit but shall be specifically designated as being not federally enforceable and not enforceable by a citizen's suit pursuant to the Act, and shall be**

designated as “county only requirements.” Terms and conditions so designated are not subject to the requirements that apply to permit review by EPA and affected states;

- (b) *Monitoring, recordkeeping, and reporting requirements sufficient to meet the requirements of 40 CFR PART 64 or paragraph 030.510.B.6.d, as deemed necessary by the Control Officer;*
 - (c) *Such other conditions as necessary to demonstrate compliance with the requirements in PARTS 030.300 and 030.400 for construction, subject to those sections.*
 - (d) *A condition that states that the approval of a Permit to Construct or Permit to Operate shall not affect the responsibility of the permittee to comply with the applicable requirements of the Nevada State Implementation Plan or any other applicable requirements.*
 - (e) *A statement, consistent with paragraph 030.500.E.2.(a), that where the terms and conditions of the Permit to Construct conflict with applicable requirement(s) in a subsequently issued or revised PART 70 Operating Permit, such terms and conditions are superseded by or appended to the PART 030.500 applicable requirement in the PART 70 Operating Permit.*
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- (11) *The permittee shall maintain documentation of the records required by paragraph 030.400.A.6.a or paragraph 030.300.A.6.a, if applicable.*
 - (12) *The permittee shall report start of construction, construction interruptions exceeding nine (9) months, and completion of construction. The report shall be given to the Control Officer not later than fifteen (15) calendar days after occurrence of the event;*
 - (13) *The permittee shall provide written notification of the actual date of commencing operation, received by the Control Officer, within fifteen (15) calendar days after such date;*
 - (14) *The permittee shall provide separate written notification for commencing operation for each unit of phased construction, which may involve a series of units commencing operation at different times;*
 - (15) *A source that is a new PART 70 source or a major modification to an existing PART 70 source shall, within sixty (60) calendar days after achieving the maximum rate of production of the new source or modification, but not later than one hundred eighty (180) calendar days after commencing operation, conduct performance tests and furnish the Control Officer a written report of the results of the tests. The Control Officer may require such testing to occur sooner than the one hundred eighty (180) calendar day limit if there are adequate grounds to do so. The performance tests required by a Permit to Construct shall be conducted in accordance with the applicable test method; and*
 - (16) *The permittee shall post the permit in a location which is clearly visible and accessible to the facility’s employees and representatives of the department.*
 - (17) *The permittee shall pay all fees assessed pursuant to PART 020.200.*
 - (18) *If the permittee owns or operates a portable source, the permittee shall:*
 - (a) *Provide the Control Officer with advance notice of the proposed relocation on a form specified by the Control Officer, and give notice to the Control Officer with enough time to allow for public Participation before relocation.*

- i. At a minimum, the notice shall identify the proposed new location, the proposed relocation date, the probable duration of operation at the new location, and the potential to emit each air pollutant at that location; and*
- ii. If the portable source would relocate to within one thousand (1,000) feet of the outer boundary of a school, hospital, or residential area, the permittee shall notify the Control Officer at least sixty (60) calendar days before the proposed relocation date.*
- iii. For all other relocation requests, the permittee shall submit advance notice to the Control Officer at least thirty (30) calendar days before the proposed relocation date.*

- (b) Not relocate to a proposed location until the Control Officer notifies the permittee that operations in the new location are approved;*
- (c) Not relocate to the proposed location if the Control Officer disapproves the relocation; and*
- (d) Comply with any order issued under the authority of CHAPTER 020 and paragraph 030.500.C.3.d.(2).(c) that restricts operations or emissions at a specific location.*

5. Application, Submission, and Processing Requirements for PART 70 Sources Not Subject to PART 030.300, PART 030.400, or paragraph 030.500.C.3

- a. In order to obtain a Permit to Construct, the owner or operator of a proposed new PART 70 source that is not subject to PARTS 030.300 and 030.400, or the owner or operator of an existing PART 70 source proposing a modification that increases the source's potential to emit by an amount equal to or greater than the minor NSR significant level, but that is not a major modification under PARTS 030.300 and 030.400, shall submit an application on a form prescribed by the Control Officer.*

- (1) The application shall contain the information specified in paragraph 030.500.C.1.a and a "Control Technology Review" that meets the requirements of SECTION 030.400.I, except that BSC shall be the technology standard instead of Best Available Control Technology. The BSC Technology Review shall be submitted for any pollutant for which the source's potential to emit increases by an amount equal to or greater than the minor NSR significant level, but less than the major source or major modification thresholds. The applicant shall also include a demonstration that the new PART 70 source or modification does not cause an exceedance of the ambient air quality standards as defined in 40 CFR PART 50 or an exceedance of the ambient air increments specified in SECTION 030.400.C.*
- (2) The determination of completeness and the procedures for processing the application shall be those in paragraph 030.500.C.2.(c).*
- (3) The public Participation procedures specified in paragraph 030.200.E.3 shall apply to a permit revision processed under paragraph 030.500.C.2.a.*
- (4) The contents of the Permit to Construct issued pursuant to paragraph 030.500.C.2.a shall be those in paragraph 030.500.C.4.*

- b. In order to obtain a Permit to Construct, the owner or operator of an existing PART 70*

source that is proposing a modification that increases the source's potential to emit by an amount less than the minor NSR significance level shall comply with the minor revision process listed in paragraph 030.510.B.14, including the application procedures listed in paragraph 030.510.B.14.a.(3).

SECTION D - PERMIT TO CONSTRUCT REVISIONS

1. Permit Revision Procedures

a. *The Control Officer may revise a Permit to Construct only through:*

- (1) An administrative or significant permit revision, as specified in paragraph (b) and (c) of this section;*
- (2) The PART 70 Operating Permit procedures specified in SECTION 030.510.B.14; or*
- (3) A revision of PART 030.500 applicable requirements in a PART 70 Operating Permit using the procedures in paragraphs 030.510.B.13 or 030.510.B.14. Revising applicable requirements of, or adding terms and conditions to, the PART 70 Operating Permit may supersede or append certain terms and conditions to the Permit to Construct, as specified in paragraph 030.500.E.2.a.*

b. *Administrative Permit Revisions.*

(1) An administrative permit revision is a revision that:

- (a) Corrects typographical errors;*
- (b) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change;*
- (c) Requires more frequent monitoring or reporting by the permittee;*
- (d) Allows for a change in ownership or operational control of a source when the Control Officer determines that no other change in the permit is necessary, 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 are complied with;*
- (e) Incorporates PART 030.500 terms and conditions governing construction or operation of an emissions unit at the PART 70 source that are first recorded as terms and conditions in a PART 70 Operating Permit and that supersede, or are omitted from, the terms and conditions of the Permit to Construct, as provided in paragraph 030.500.E.2.a;*
- (f) Revises an existing Permit to Construct before the construction, modification, or reconstruction becomes operational (following a reasonable shakedown period, if necessary, not to exceed 180 days) if such a revision would not result in an increase in the amount or type of emissions authorized under the permit, relocate stack emissions closer to a property boundary, change any control technology requirement, change the applicability of PARTS 030.300 and 030.400, or reduce the amount of record-keeping, reporting, or monitoring of emissions at an emissions unit; or*
- (g) Incorporates any other type of change the Administrator has determined are similar to those in paragraphs 030.500.D.1.b.(1)(a) through (f) of this section.*

(2) An administrative permit revision may be made by the Control Officer consistent with the following:

- (a) The Control Officer shall take no more than 30 days from receiving an administrative*

permit revision request to take final action. The Control Officer may incorporate the revision without providing notice to the public or affected states, provided the revised permit designates all revisions as having been made pursuant to this section.

(b) The Control Officer shall provide a copy of the revised permit to the Administrator.

(c) The source may implement the changes in the request immediately upon submittal. However, if the Control Officer determines the change does not qualify as an administrative revision, the source may be subject to enforcement proceedings for violation of existing permit terms and conditions.

c. Significant Permit Revision. A significant permit revision to a Permit to Construct is any revision that is not an administrative permit revision. A significant permit revision shall be subject to the same application, determination of completeness, processing procedures, public Participation, notification, and timetables as the original Permit to Construct, except that the scope of procedures shall be limited to the revision and issues relevant to that revision; the procedures specified in paragraphs 030.510.B.18.c and 030.510.B.18.d do not apply.

2. Administrative Permit Revisions for Title IV Acid Rain Sources. Administrative revisions to permit conditions governed by the federal Clean Air Act Title IV Acid Rain Program shall comply with 40 CFR PART 72.

SECTION E - PART 030.500 APPLICABLE REQUIREMENTS IN PART 70 OPERATING PERMITS

The provisions of this section apply to all PART 030.500 applicable requirements and associated periodic monitoring requirements in PART 70 Operating Permits and to all Permits to Construct.

1. Permit to Construct and Issuance or Revision of the PART 70 Operating Permit

- a. *Except as provided in paragraph 030.500.E.2.b, the Permit to Construct serves as the Permit to Construct and operate the affected and constructed emissions units during the period before a PART 70 Operating Permit is granted or denied, or until the Permit to Construct is incorporated into a PART 70 Operating Permit through a permit revision.*
 - (1) *After the Control Officer issues or revises the PART 70 Operating Permit, the owner or operator may not operate the affected or constructed emissions units without both a valid PART 70 (or, alternatively, PART 71) Operating Permit and valid Permit to Construct, except as provided in paragraph 030.500.C.2.f.*
 - (2) *If the Control Officer denies issuance of the PART 70 Operating Permit, or subsequently revokes the PART 70 Operating Permit without reissuing it (or, alternatively, without EPA issuing a PART 70 Operating Permit), the owner or operator may no longer operate any element of the PART 70 source under the Permit to Construct.*
- b. *The Control Officer shall list PART 030.500 as an authority citation in the PART 70 Operating Permit when incorporating applicable requirements of a Permit to Construct in a PART 70 Operating Permit, or when recording an authorization to construct and operate under PART 030.500 directly in a PART 70 Operating Permit.*

2. Reconciling PART 030.500 Requirements in the PART 70 Operating Permit with a Permit to Construct

- a. *The PART 70 Operating Permit shall govern the construction and/or operations of the affected and constructed emissions units at the PART 70 source; it shall supersede and/or append to the applicable requirements of a previously issued Permit to Construct, but only with respect to any conflicting or omitted terms and conditions in the Permit to Construct, when:*
 - (1) *The PART 030.500 applicable requirements, as written in the PART 70 Operating Permit, differ from a previously issued Permit to Construct;*
 - (2) *The Control Officer revises the terms of an issued Permit to Construct only by revising the PART 70 Operating Permit, as authorized under paragraph 030.500.D.1.a.(3); or*
 - (3) *The PART 70 Operating Permit contains additional terms and conditions, such as paragraphs 030.510.B.6.d.(1)(a)-(b) or 030.510.B.8.a monitoring requirements, that are related to construction or operation of the affected or constructed emissions units.*
- b. *When the Control Officer records or revises an Permit to Construct and operate under PART 030.500 directly in the PART 70 Operating Permit without issuing a separate Permit to Construct, as authorized under paragraphs 030.500.C.2.f and 030.500.D.1.a.(3), then the PART 70 Operating Permit serves as both the PART 70 Operating Permit and the Permit to Construct for the affected and constructed emissions units at the PART 70 source.*

3. *Survival of PART 030.500 Requirements Following Expiration or Termination of the PART 70 Operating Permit*
- a. *When a PART 70 Operating Permit includes terms and conditions that supersede and/or append to the Permit to Construct under paragraph 030.500.E.2.a, or when a PART 70 Operating Permit includes terms and conditions that serve as the Permit to Construct as provided under paragraph 030.500.E.2.b, and the PART 70 Operating Permit subsequently expires or terminates, any such terms or conditions in the permit shall survive expiration or termination if:*
- (1) *The PART 70 Operating Permit expires only because the owner or operator failed to submit a timely renewal application under paragraph 030.510.B.1; or*
- (2) *The PART 70 Operating Permit terminates because the stationary source no longer qualifies as a PART 70 source but it will continue to operate as a minor source, as defined in PART 030.200.*
- b. *If the terms and conditions survive termination in accordance with paragraph (a)(1) of this section, they remain applicable requirements; the owner or operator may not operate the PART 70 source until the applicable requirements are incorporated into a new or reissued PART 70 Operating Permit or, alternatively, PART 71 Operating Permit.*
- c. *If terms and conditions survive termination in accordance with paragraph (a)(2) of this section, the Control Officer shall issue a new Minor Source Permit (as defined in PART 030.200) that includes the terms and conditions surviving termination by following the procedures in paragraph 030.510.B.1. The Control Officer need not follow the public participation procedures in paragraph 030.200.E.3 to incorporate the terms and conditions surviving termination of the PART 70 Operating Permit into a Minor Source Permit. The minor source may continue to operate the affected and constructed emissions units under the authority of paragraph (a) of this section until the new permit authorizes continued operation, or until the Control Officer denies issuance of a Minor Source Permit.*

PART 030.510 - PART 70 OPERATING PERMIT REQUIREMENTS

SECTION A - DEFINITIONS

The following definitions apply to defined terms used in PART 030.510. Unless the context requires otherwise, the following terms shall have the meanings set forth for the purposes of PART 030.510. When a term is not defined, it shall have the meaning provided in CHAPTER 030, PART 030.500, 40 CFR PART 70.2, the Act, or common usage, in that order of priority.

DEVIATION means a variation from any permit terms, including terms that establish emission limitations, operating conditions, or work practice standards, and those terms intended to show compliance with those limitations, conditions, or standards, including monitoring, recordkeeping, and reporting requirements. A deviation is not necessarily a violation.

EXEMPT SOURCE means that the following source categories are exempted from the obligation to obtain a PART 70 Operating Permit:

- a. Any source that has obtained a voluntarily accepted emission limit, pursuant to SECTION 030.200.G, to avoid having to obtain a PART 70 Operating Permit, unless a PART 70 Operating Permit is required by some other provision or requirement of the Act;
- b. Any source that would be required to obtain a permit solely because it is subject to “Standards of Performance for New Residential Wood Heaters” (40 CFR 60.530, Subpart AAA); or
- c. Any source that would be required to obtain a permit solely because it is subject to “Emission Standard for Asbestos” (40 CFR 61.145, Subpart M).

EXISTING PART 70 SOURCE means a PART 70 source that either has a valid PART 70 Operating Permit issued prior to the effective date of PART 030.510 or has an application for a PART 70 Operating Permit deemed complete prior to the effective date of PART 030.510.

MINOR NSR SIGNIFICANT LEVELS means an increase in the potential to emit that would equal or exceed the following rates for the pollutants listed:

POLLUTANT	PTE THRESHOLD, TPY
PM10	15
PM2.5	10
CO	100
VOC	20
NOx	20
SO₂	40
LEAD	0.6
H₂S	5
TOTAL REDUCED SULFUR (TRS), including H₂S	5

MODIFICATION OR MODIFY means a project which meets any of the preconstruction review applicability criteria reflected in the definition of preconstruction review applicability criteria in SECTION 030.510.A or that requires a minor or significant permit revision pursuant to paragraph

030.510.B.14.

NEW PART 70 SOURCE means a PART 70 source that is not an existing PART 70 source.

PRECONSTRUCTION REVIEW APPLICABILITY CRITERIA means any of the following:

- a. At an existing major stationary source, a project that will result in a major modification as defined in PART 030.300 or 030.400;
- b. A new PART 70 source or a modification to an existing PART 70 source that is subject to paragraph 030.500.C.2;
- c. Any project that is subject to a standard, limitation, or other requirement under 40 CFR PART 60;
- d. Any project that is subject to a standard under 40 CFR PART 63, including, but not limited to, construction or reconstruction that requires preconstruction review under 40 CFR PART 63.5; or
- e. For a solid waste incineration unit, a project that will result in a modification for purposes of SECTION 129(g)(3) of the Act.

PROJECT means a physical change in, or change in the method of operation of, a major stationary source. For purposes of this definition, a physical change or change in the method of operation shall not include:

- a. Routine maintenance, repair and replacement.
- b. Use of an alternative fuel or raw material by reason of any order under SECTION 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act.
- c. Use of an alternative fuel by reason of an order or rule under SECTION 125 of the Act.
- d. Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.
- e. Use of an alternative fuel or raw material by a stationary source which:
 - (1) The source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51 Subpart I; or
 - (2) The source is approved to use under any permit issued under 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51 Subpart I.
- f. An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR PART 52.21 or under regulations approved pursuant to 40 CFR PART 51, Subpart I.
- g. Any change in ownership at a stationary source.

RESPONSIBLE OFFICIAL means one of the following:

- a. For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such

person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

- (1) The operating facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million in second quarter 1980 dollars; or*
- (2) The delegation of authority to such representative is approved in advance by the Control Officer.*

- b. For a Partnership or sole proprietorship: a general Partner or the proprietor, respectively;*
- c. For a municipality, state, federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this definition, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency; or*
- d. For affected sources:*

- (1) The designated representative in so far as actions, standards, requirements, or prohibitions under title IV of the Act or the regulations promulgated thereunder are concerned; and*
- (2) The designated representative for any other purposes under PART 70.*

SECTION B - PART 70 OPERATING PERMIT REQUIREMENTS

1. Permit Applications: Timely and Complete Applications. For each PART 70 source, the owner or operator shall submit a timely and complete permit application. A pre-application conference may be held at the request of the owner or operator of the PART 70 source to assist a source in submitting a complete permit application.

a. Timely application.

- (1) A timely application for a source applying for a PART 70 Operating Permit for the first time is one that is submitted within twelve (12) months after the source becomes subject to the permit program. If a source submits a timely application under this provision, it may continue operating under its Permit to Construct until final action is taken on its application for a new PART 70 Operating Permit.**
- (2) For purposes of permit renewal, a timely application is a complete application that is submitted at least twelve (12) months and not greater than eighteen (18) months prior to the date of permit expiration. If a source submits a timely application under this provision, it may continue operating under its current PART 70 Operating Permit until final action is taken on its application for a renewed PART 70 Operating Permit.**
- (3) A timely application for an existing PART 70 source that has obtained a Permit to Construct is one that is submitted within twelve (12) months after commencing operation of the modification or reconstruction authorized by the permit, or on or before such 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 paragraph 030.510.B.14 before commencing operation.**
- (4) In order to be deemed a timely application, the application must also meet the complete application provisions listed in paragraph 030.510.B.1.b.**

b. Complete application.

- (1) To be deemed complete, an application must provide all information necessary to evaluate the subject source and its application and to determine all applicable requirements, including the emission rates information required by paragraph 030.500.C.1.a.(3). Applications for permit revisions need supply only such information as is related to the proposed change. A responsible official shall certify the submitted information consistent with paragraph 030.510.B.4.**
- (2) Unless the Control Officer notifies the source in writing within one hundred (100) calendar days of receipt of the application that an application is not complete, such application shall be deemed to be complete.**
- (3) If, while processing an application that has been determined or deemed to be complete, the Control Officer determines that additional information is necessary to evaluate or take final action on that application, the Control Officer may request such information in writing and set a reasonable deadline for a response. The applicant must provide in writing any additional information that the Control Officer requests within the time specified in the written request of the Control Officer. Any delay in the submittal of the requested information may result in a corresponding delay in the action of the Control Officer on the application or a determination of incompleteness.**
- (4) The submittal of a complete application shall not affect the requirement that any source**

shall have a Permit to Construct issued pursuant to SECTION 030.500.C prior to construction.

c. Area source-specific requirements.

- (1) *If a regulation promulgated by the administrator under SECTION 111 or 112 of the Act (42 U.S.C. 7411 or 7412) requires area sources to submit an application for a PART 70 Operating Permit, each area source covered by the requirement must submit an application in accordance with that regulation.*
 - (2) *Confidential Information. Claims of confidentiality as to information submitted to EPA shall be made pursuant to applicable federal requirements in 40 CFR PART 2. Claims of confidentiality as to information submitted to the department shall be made pursuant to SECTION 020.000.D. In the case where a source has submitted information to the Control Officer under a claim of confidentiality that also must be submitted to EPA, the Control Officer shall either submit the information to EPA or require the source to submit a copy of such information directly to EPA.*
 - (3) *Late applications. An application submitted after the deadlines established for timeliness shall be accepted for processing, but shall not be considered a timely application. Submitting an application shall not relieve a source of any enforcement actions resulting from submitting a late application.*
- 2. Permit Applications: Duty to Supplement or Correct Application.** *Any applicant who fails to submit any relevant facts, or who has submitted incorrect information in a permit application, shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed a complete application but prior to release of a draft permit. A responsible official shall certify the additional information consistent with the requirements of paragraph 030.510.B.4.*
- 3. Permit Applications: Standard Requirements.** *Information as described below for each emissions unit at a PART 70 source shall be included in the application. The application shall be submitted on a form provided by the Control Officer.*
- a. *Identifying information, including company name, company address, plant name and address if different from company name and address, owner's name and agent, and telephone number and name of the responsible official, plant site manager, or contact;*
 - b. *A description of the source's processes and products by Standard Industrial Classification Code (SIC) or the North American Industry Classification System (NAICS), including any associated with each alternate scenario identified by the source;*
 - c. *The following emissions-related information:*
 - (1) *The potential to emit of all air pollutants for which the source is major, and the potential to emit of all regulated air pollutants, including HAPs, from any emissions unit;*
 - (2) *Identification and description of all points of emissions described in paragraph 030.510.B.3.c.(1) in sufficient detail to establish the basis for an air impact analysis and applicability of applicable requirements;*
 - (3) *Emissions rates in tons per year, including fugitive emission rates, and in such terms as are necessary to establish compliance with applicable requirements, consistent with the results of performance tests conducted pursuant to the source's PART 70 Operating Permit*

- or the source's Permit to Construct, whichever is more current;*
- (4) The following information to the extent it is needed to determine or regulate emissions: fuels, fuel use, raw materials, production rates, and operating schedules;*
 - (5) Identification and description of air pollution control equipment and compliance monitoring devices or activities; and*
 - (6) Limitations on source operation affecting emissions or any work practice standards, where applicable, for all regulated air pollutants and HAPs at the PART 70 source.*
- d. Other information required by any applicable requirement, including:*
- (1) Information related to stack height limitations developed pursuant to paragraph 030.400.G.3; and*
 - (2) The calculations on which the information in paragraphs 030.510.B.3.c.(1) through 030.510.B.3.c.(6) is based.*
- e. The following air pollution control requirements:*
- (1) Citation and description of all applicable requirements, and*
 - (2) Description of or reference to any applicable test method for determining compliance with each applicable requirement.*
- f. Other specific information that may be necessary to implement and enforce applicable requirements or to determine the applicability of such requirements;*
- g. An explanation of any proposed exemptions from otherwise applicable requirements;*
- h. If alternative operating scenarios are to be identified in the permit pursuant to paragraph 030.510.B.6.j, such information as is necessary for the Control Officer to define those scenarios and determine the applicable requirements for each proposed scenario;*
- i. If emissions trading is proposed, the legal authority for the trading and a description of the proposed conditions for determining compliance with the trading requirements, including replicable procedures that ensure that the emissions trades are quantifiable and enforceable.*
- j. A compliance plan that contains all of the following:*
- (1) A description of the compliance status of the source with respect to all applicable requirements;*
 - (2) A compliance statement and compliance schedule, as follows:*
 - (a) For applicable requirements with which the source is in compliance, a statement that the source will continue to comply with such requirements;*
 - (b) For applicable requirements that will become effective during the permit term, a statement that the source will meet such requirements on a timely basis. A statement that the source will meet, in a timely manner, applicable requirements that become effective during the permit term shall satisfy this provision, unless a more detailed schedule is expressly required by the applicable requirement; and*
 - (c) A schedule of compliance for any emissions unit at the source that will not be in compliance with any applicable requirement at the time of permit issuance. Such a schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with the applicable requirements. This compliance schedule shall resemble and be at least as stringent as*

that contained in any judicial consent decree or administrative order to which the source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.

- (3) *A schedule for submission of certified progress reports no less than every six (6) months for sources required to have a schedule of compliance to remedy a violation.*
 - (4) *The compliance plan content requirements specified in paragraphs 030.510.B.3.j.(1) through 030.510.B.3.j.(3) shall apply and be included in the “acid rain” portion of a compliance plan for a Title IV affected source, except as specifically superseded by regulations promulgated under Title IV of the Act, “Acid Deposition Control,” with regard to the schedule and methods the source will use to achieve compliance with the acid rain emission limitations.*
- k. Requirements for compliance certification, including all of the following:*
 - (1) *A certification of compliance with all applicable requirements by a responsible official consistent with paragraph 030.510.B.4 and SECTION 114(a)(3) of the Act, “Enhanced Monitoring and Compliance Certification”;*
 - (2) *A statement of methods used for determining compliance, including a description of monitoring, recordkeeping, and reporting requirements and test method; and*
 - (3) *A statement indicating the source’s compliance status with any applicable enhanced monitoring and compliance certification requirements of the Act.*
- l. For acid rain portions of permit applications and compliance plans, submit a current EPA Acid Rain Permit Application or New Unit Exemption form, as applicable.*
- m. If a PAL is requested, the information required by SECTION 030.400.S for establishing a PAL.*
- 4. Permit Applications: Certification.** *Any application form, report, or compliance certification submitted pursuant to PART 030.510 shall contain certification by a responsible official of truth, accuracy, and completeness. This certification, and any other certification required under PART 030.510, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.*
- 5. Permit Applications: Insignificant Activities and Emissions.** *An application may not omit information needed to determine the applicability of, or to impose, any applicable requirement.*
 - a. The following types of activities and emissions units may be presumptively omitted from a permit application for a PART 70 Operating Permit. Certain of these listed activities include qualifying statements intended to exclude many similar activities:*
 - (1) *Combustion emissions from propulsion of mobile sources;*
 - (2) *Air-conditioning units used for human comfort that do not have applicable requirements under Title VI of the Act;*
 - (3) *Ventilating units used for human comfort that do not exhaust air pollutants into the ambient air from any manufacturing/industrial or commercial process;*
 - (4) *Noncommercial food preparation;*
 - (5) *Consumer use of office equipment and products, not including printing establishments or businesses primarily involved in photographic reproduction;*
 - (6) *Janitorial services and consumer use of janitorial products;*

- (7) *Internal combustion engines used for landscaping purposes;*
- (8) *Laundry activities, except for dry-cleaning and steam boilers;*
- (9) *Bathroom/toilet vent emissions;*
- (10) *Emergency (backup) electrical generators at residential locations;*
- (11) *Tobacco smoking rooms and areas;*
- (12) *Blacksmith forges;*
- (13) *Plant maintenance and upkeep activities (e.g., groundskeeping, general repairs, cleaning, painting, welding, plumbing, re-tarring roofs, installing insulation, and paving parking lots), provided these activities are not conducted as PART of a manufacturing process, are not related to the source's primary business activity, and not otherwise triggering a permit revision. Cleaning and painting activities qualify as insignificant activities if they are not subject to VOC or HAP control requirements. Asphalt batch plant owners/operators must still get a permit if otherwise required.*
- (14) *Repair or maintenance shop activities not related to the source's primary business activity, not including emissions from surface coating or degreasing (solvent metal cleaning) activities, and not otherwise triggering a permit revision;*
- (15) *Portable electrical generators that can be moved by hand from one location to another;*
- (16) *Hand-held equipment for buffing, polishing, cutting, drilling, sawing, grinding, turning, or machining wood, metal, or plastic;*
- (17) *Brazing, soldering, and welding equipment, and cutting torches related to manufacturing and construction activities that do not result in emission of HAP metals;*
- (18) *Air compressors and pneumatically operated equipment, including hand tools;*
- (19) *Batteries and battery charging stations, except at battery manufacturing plants;*
- (20) *Storage tanks, vessels, and containers holding or storing liquid substances that will not emit any VOCs or HAPs;*
- (21) *Storage tanks, reservoirs, and pumping and handling equipment of any size containing soaps, vegetable oil, grease, animal fat, and nonvolatile aqueous salt solutions, provided appropriate lids and covers are utilized;*
- (22) *Equipment used to mix and package soaps, vegetable oil, grease, animal fat, and nonvolatile aqueous salt solutions, provided appropriate lids and covers are utilized;*
- (23) *Drop hammers or hydraulic presses for forging or metalworking;*
- (24) *Equipment used exclusively to slaughter animals, but not including other equipment at slaughterhouses, such as rendering cookers, boilers, heating plants, incinerators, and electrical power generating equipment;*
- (25) *Vents from continuous emissions monitors and other analyzers;*
- (26) *Natural gas pressure regulator vents, excluding venting at oil and gas production facilities;*
- (27) *Hand-held applicator equipment for hot melt adhesives with no VOCs in the adhesive formulation;*
- (28) *Equipment used for surface coating, painting, dipping, or spraying operations, except those that will emit VOCs or HAPs;*
- (29) *CO₂ lasers, used only on metals and other materials which do not emit HAPs in the process;*
- (30) *Consumer use of paper trimmers/binders;*
- (31) *Electric or steam-heated drying ovens and autoclaves, but not the emissions from the articles or substances being processed in the ovens or autoclaves or the boilers delivering the steam;*
- (32) *Salt baths using nonvolatile salts that do not result in emissions of any regulated air pollutants;*

- (33) Laser trimmers using dust collection to prevent fugitive emissions;
- (34) Bench-scale laboratory equipment used for physical or chemical analysis, but not lab fume hoods or vents;
- (35) Routine calibration and maintenance of laboratory equipment or other analytical instruments;
- (36) Equipment used for quality control/assurance or inspection purposes, including sampling equipment used to withdraw materials for analysis;
- (37) Hydraulic and hydrostatic testing equipment;
- (38) Environmental chambers not using HAP gases;
- (39) Shock chambers;
- (40) Humidity chambers;
- (41) Solar simulators;
- (42) Fugitive emissions related to movement of passenger vehicles, provided the emissions are not counted for applicability purposes and any required fugitive dust control plan or its equivalent is submitted;
- (43) Process water filtration systems and demineralizers;
- (44) Demineralized water tanks and demineralizer vents;
- (45) Boiler water treatment operations, not including cooling towers;
- (46) Oxygen scavenging (deaeration) of water;
- (47) Ozone generators;
- (48) Fire suppression systems;
- (49) Emergency road flares;
- (50) Steam vents and safety relief valves;
- (51) Steam leaks;
- (52) Steam cleaning operations; and
- (53) Steam sterilizers.

b. Any person may petition the Control Officer for a rule to be adopted to add an activity or emission unit to this list of insignificant activities and emissions which may be excluded from a PART 70 Operating Permit application. The petition shall include the following information:

- (1) A complete description of the activity or emission to be added to the list;
- (2) A complete description of all air contaminants that may be emitted by the activity or emission, including emission rate, air pollution control equipment, and calculations used to determine emissions; and
- (3) An explanation of why the activity or emission should be exempted from the application requirements for an operating permit.

c. The Control Officer shall review, on a case-by-case basis, insignificant activities for an individual PART 70 source that are listed in the application but do not require a detailed description. No activity with the potential to emit greater than two (2) tpy of any criteria pollutant, five (5) tpy of a combination of criteria pollutants, five hundred (500) pounds per year of any HAP, or one (1) tpy of a combination of HAPs shall be eligible to be determined an insignificant activity under paragraph 030.510.B.5.

6. **Permit Content: Standard Requirements.** Each PART 70 Operating Permit shall include the following elements:

- a. *Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of permit issuance or that become effective within the term of the permit:*
- (1) *The permit shall specify, and reference the origin of and authority for, each term or condition, and identify any difference in form as compared to the applicable requirement upon which the term or condition is based.*
 - (2) *Where an applicable requirement is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, "Acid Deposition Control," both provisions shall be incorporated into the permit.*
 - (3) *If the Nevada SIP allows a determination of an alternative emissions limit at a PART 70 source, equivalent to that contained in the SIP, to be made during the permit issuance, renewal, or significant revision process, and the Control Officer elects to use such process, any permit containing such equivalency determination shall contain provisions to ensure that any resulting emissions limit has been demonstrated to be quantifiable, accountable, enforceable, and based on replicable procedures.*
- b. *All terms and conditions of any Permit to Construct, to the extent that such terms and conditions apply to operations. The permit shall identify those terms and conditions and the authority upon which they are based, and shall contain a statement that any changes to any such terms and conditions must be processed in accordance with the applicable permit revision procedures in PART 030.500, paragraph 030.510.B.13 or paragraph 030.510.B.14, and applicable SIP requirements;*
- c. *Permit duration.*
- (1) *The Control Officer shall issue permits for a fixed term of five (5) years in the case of "acid rain" sources, and for a term not to exceed five (5) years in the case of all other sources.*
 - (2) *Notwithstanding paragraph 030.510.B.6.c.(1), the Control Officer shall issue permits for solid waste incineration units combusting municipal waste and subject to a standard under SECTION 129(e) of the Act shall be issued for a period not to exceed twelve (12) years and shall review such permits at least every five (5) years.*
 - (3) *A condition or requirement in a PART 70 Operating Permit that incorporates conditions from a Permit to Construct derived from PARTS 030.300 and 030.400 requirements shall remain in effect and enforceable after expiration or termination of the PART 70 Operating Permit in which they are contained;*
- d. *Monitoring and related recordkeeping and reporting requirements.*
- (1) *Each permit shall contain the following requirements with respect to monitoring:*
 - (a) *All monitoring and analysis procedures or test methods required under applicable monitoring and testing requirements, including 40 CFR PART 64, and any other procedures and methods that may be promulgated pursuant to SECTIONS 114(a)(3) or 504(b) of the Act. If more than one monitoring or testing requirement applies, the permit may specify a streamlined set of monitoring or testing provisions provided the specified monitoring or testing is adequate to assure compliance at least to the same extent as the monitoring or testing applicable requirements that are not included in the permit as a result of such streamlining;*

- ii. *The permittee shall maintain records of the beginning date and time, ending date and time, and cause (including unknown cause, if applicable) for monitoring downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable).*
 - iii. *The permittee shall use all data collected during all periods other than those identified in paragraph 030.510.B.6.d.(3)(c) in assessing the operation of the control device and associated control system.*
 - iv. *A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures caused in PART by poor maintenance or careless operation are not malfunctions and shall be considered deviations.*
- (d) *All incidents of monitoring downtime recorded under paragraph 030.510.B.6.d.(3)(c) shall be reported pursuant to paragraph 030.510.B.6.d.(4).*
 - (e) *The permittee shall comply with the requirements of an approved CAM quality improvement plan, if required by the Control Officer.*
- (4) *With respect to reporting, the permit shall incorporate all applicable reporting requirements, including those in 40 CFR PART 64.9(a), if applicable, and require all of the following:*
- (a) *Submittal of reports of any required monitoring every six (6) months, or more frequently if specified by an applicable requirement or by the Control Officer. All instances of deviations from permit requirements, including monitoring downtime, must be clearly identified in such reports. All required monitoring reports submitted must be certified by a responsible official pursuant to paragraph 030.510.B.4;*
 - (b) *Reporting of deviations from permit requirements, including those attributable to malfunction, startup, or shutdown. Deviations shall be reported promptly. All reports of deviations shall identify the probable cause of the deviations and any corrective actions or preventative measures taken. "Promptly," for purposes of reporting, shall mean as follows:*
 - i. *A deviation caused by excess emissions shall be reported according to the requirements of SECTION 030.040.A*
 - ii. *The owner or operator of any source shall report to the Control Officer emissions that are in excess of an applicable requirement or emission limit that pose a potential imminent and substantial danger to public health, safety or the environment as soon as possible, but in no case later than twelve (12) hours after the deviation is discovered, with a written report submitted within two (2) business days of the occurrence.; and*
 - iii. *All other deviations shall be reported within six (6) months of the date the permittee first learns of the deviation.*
 - (c) *Written Report of Deviations. A written report must be submitted at the time specified in paragraph 030.510.B.6.d.(4)(b). This form does not provide an exemption from reporting all malfunctions or emergencies, which shall be reported according to PART 030.040. All deviation reports submitted must be certified by a responsible official.*

- (5) *Claims of confidentiality shall be governed by SECTION 020.000.D*
- e. *Acid Rain Allowances. For Title IV affected sources, a permit condition prohibiting emissions exceeding any allowances that the source lawfully holds under Title IV of the Act or the regulations promulgated thereunder:*
- (1) *No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program, provided that such increases do not require a permit revision under any other applicable requirement.*
 - (2) *No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.*
 - (3) *Any such allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Act.*
- f. *A severability clause to ensure the continued validity of the various permit requirements in the event of a challenge to any portions of the permit;*
- g. *Standard provisions stating the following:*
- (1) *The permittee must comply with all conditions of the PART 70 Operating Permit. Any permit noncompliance may constitute a violation of CHAPTER 030, Nevada law, and the Act, and is grounds for any of the following: enforcement action; permit termination; revocation and re-issuance; revision; or denial of a permit renewal application.*
 - (2) *The need to halt or reduce activity is not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.*
 - (3) *The permit may be revised, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.*
 - (4) *The permit does not convey any property rights of any sort, or any exclusive privilege.*
 - (5) *The permittee shall 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 revising, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Control Officer copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.*
 - (6) *On a timely basis, the permittee shall meet all applicable requirements that become effective during the permit term.*
- h. *Emission Fee. A provision to ensure that the source pays fees consistent with PART 020.200.*
- i. *Emissions Programs. A provision stating that no permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes, for changes that are provided for in the permit;*
- j. *Alternative Operating Scenarios. Terms and conditions for reasonably anticipated operating scenarios identified by the source in its application as approved by the Control Officer. Such terms and conditions:*

- (1) *Shall require the source, contemporaneously with making a change from one operating scenario to another, to record in a log at the permitted facility a record of the scenario under which it is operating;*
 - (2) *Shall extend the permit shield to all terms and conditions under each such operating scenario; and*
 - (3) *Must ensure that the terms and conditions of each such alternative scenario meet all applicable requirements and the requirements of PART 030.510.*
- k. Emissions Trading. Terms and conditions, if the permit applicant requests them, for the trading of emissions increases and decreases in the permitted facility, to the extent that the applicable requirements and the Nevada SIP provide for trading such increases and decreases without a case-by-case approval by the Control Officer and the trading is necessary solely for the purpose of complying with a federally enforceable emissions cap that is established in the permit independent of any otherwise applicable requirements. Such terms and conditions:*
- (1) *Shall include all terms required to determine compliance, including replicable procedures and permit terms that ensure that emissions trades are quantifiable and enforceable;*
 - (2) *Shall extend the permit shield to all terms and conditions that allow such increases and decreases in emissions; and*
 - (3) *Shall ensure that the terms and conditions meet all applicable requirements and that the permitting of affected sources occurs in accordance with the deadlines in Title IV of the Act and the regulations promulgated thereunder.*
- l. Any application form, report, or compliance certification submitted pursuant to CHAPTER 030 shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this PART shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete; and*
- m. The permit shall specify that any person who has been issued a permit under PART 030.510 shall post such permit in a location which is clearly visible and accessible to the facility's employees and representatives of the department.*

7. Permit Content: Federally Enforceable Requirements

- a. Except as provided in paragraph 030.510.B.7.b, all terms and conditions in a PART 70 Operating Permit, including any provisions designed to limit a source's PTE, are enforceable by EPA and by citizens pursuant to a citizen's suit filed under the Act.*
- b. Notwithstanding paragraph 030.510.B.7.a, applicable requirements that are not required by the Act or implementing federal regulations shall be included in the permit, but shall be specifically designated as being not federally enforceable and not enforceable by a citizen's suit pursuant to the Act and shall be designated as "county-only requirements." Terms and conditions so designated are not subject to the requirements that apply to permit review by EPA and affected states.*
- c. The Control Officer shall determine which conditions are "county-only requirements" in each PART 70 Operating Permit.*

8. Permit Content: Compliance Requirements. All PART 70 Operating Permits shall contain all of the

following elements with respect to compliance:

- a. *Compliance certification, testing, monitoring, reporting, and recordkeeping requirements sufficient to assure compliance with the terms and conditions of the permit. Any document, including any report, required to be submitted pursuant to SECTION 030.510.B shall contain a certification by a responsible official that meets the requirements of paragraph 030.510.B.4;*
- b. *Inspection and entry requirements that require that, upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Control Officer or an authorized representative to enter the permittee's premises where a PART 70 source is located or emissions related activity is conducted and to:*
 - (1) *Have access to and copy any records that must be kept under the conditions of the permit;*
 - (2) *Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;*
 - (3) *Sample or monitor substances or parameters for the purpose of assuring compliance with the permit or applicable requirements; and*
 - (4) *Document alleged violations using devices such as cameras or video equipment.*
- c. *A schedule of compliance consistent with paragraph 030.510.B.3.j and 40 CFR PART 70.5(c)(8);*
- d. *Progress reports consistent with an applicable schedule of compliance to be submitted semiannually, or at a more frequent period if specified in the applicable requirement or by the Control Officer. Such progress reports shall contain all of the following:*
 - (1) *Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones, or compliance were achieved; and*
 - (2) *An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.*
- e. *Requirements for compliance certification with terms and conditions contained in the permit, including emission limitations, standards, or work practices. Permits shall include all of the following:*
 - (1) *Annual submission of compliance certification, or more frequently if specified in the applicable requirement or by the Control Officer;*
 - (2) *In accordance with paragraph 030.510.B.6.d, a means for monitoring the compliance of the source with its emission limitations, standards, and work practices;*
 - (3) *A requirement that the compliance certification include all of the following (provided that the identification of applicable information may reference the permit or previous reports, as applicable):*
 - (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 owner or operator for determining the compliance status with each term and condition during the certification period. The methods and means shall include, at a minimum, the monitoring and related recordkeeping and reporting requirements described in 40 CFR PART 70.6(a)(3). If necessary, the owner or operator also shall identify any other*

material information that must be included in the certification to comply with SECTION 113(c)(2) of the Act, which prohibits knowingly making a false certification or omitting material information;

(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 method or means designated in paragraph 030.510.B.8.e.(3)(b). The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify, as possible exceptions to compliance, any periods during which compliance is required and in which an excursion or exceedance (as defined under 40 CFR PART 64) occurred; and

(d) Such other facts as the Control Officer may require to determine the compliance status of the source.

(4) A requirement that all compliance certifications be submitted to EPA as well as to the Control Officer.

f. Such additional requirements as may be specified pursuant to SECTION 114(a)(3) of the Act, "Enhanced Monitoring and Compliance Certification," and SECTION 504(b) of the Act, "Monitoring and Analysis."

9. Permit Content: Permit Shield

a. Except as otherwise provided in paragraph 030.510.B.9, the Control Officer may include in each PART 70 Operating Permit a permit shield provision stating that compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:

- (1) Such applicable requirements are included and are specifically identified in the permit; or*
- (2) The Control Officer, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.*

b. A PART 70 Operating Permit that does not expressly state that a permit shield exists shall be presumed not to provide such a shield.

c. Nothing in this paragraph or in any operating permit shall alter or affect any of the following:

- (1) The provisions of SECTION 303 of the Act, "Emergency Orders," including the authority of the Administrator under that section;*
- (2) The applicable requirements of the Acid Rain Program, consistent with SECTION 408(a) of the Act;*
- (3) The ability of the Control Officer to obtain information from a source, and the ability of EPA to obtain information from a source, under SECTION 114 of the Act, "Inspection, Monitoring, and Entry"; and*
- (4) The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance.*

10. Permit Issuance: Action on Application

- a. *A permit, permit revision, or permit renewal may be approved only if all of the following conditions have been met:*
 - (1) *The Control Officer has received a complete application for a permit, permit revision, or permit renewal, except that a complete application need not be received before a PART 70 general permit is issued pursuant to paragraph 030.510.B.20;*
 - (2) *Except for revisions qualifying as administrative, the Control Officer has complied with the applicable requirements for public Participation in paragraph 030.510.B.17;*
 - (3) *The Control Officer has complied with the requirements for notifying and responding to EPA and affected states under paragraph 030.510.B.18.b;*
 - (4) *The conditions of the permit provide for compliance with all applicable requirements and the requirements of PART 030.510; and*
 - (5) *EPA has received a copy of the proposed permit or permit revision and any notices required under paragraphs 030.510.B.18.a and 030.510.B.18.b, and has not objected to issuance of the permit under paragraph 030.510.B.18.c within the time period specified therein.*
- b. *Except as provided under regulations promulgated under Title IV of the Act for the permitting of Title IV affected sources under the Acid Rain Program, the Control Officer shall take final action on each permit application, including a request for permit revision or renewal, within eighteen (18) months after the date the application is determined to be complete.*
- c. *The Control Officer shall provide a statement that sets forth the legal and factual basis for the draft permit conditions, including references to the applicable statutory or regulatory provisions or conditions in an applicable Permit to Construct. The Control Officer shall send this statement to EPA along with each proposed PART 70 Operating Permit and to any other person who requests it.*
- d. *Upon issuance of a PART 70 Operating Permit or revision to that permit, any Permit to Construct issued for an emissions unit subject to that permit or revision is terminated for that emissions unit. However, the terms and conditions of the Permit to Construct remain in effect, in accordance with paragraph 030.510.B.6.*
- e. *The submittal of a complete application shall not affect the requirement that any source have a preconstruction permit under Title I of the Act.*

11. Permit Renewal and Expiration

- a. *Permits being renewed are subject to the same procedural requirements, including those for public Participation and affected state and EPA review, that apply to initial permit issuance.*
- b. *Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted.*
- c. *If a timely and complete renewal application is submitted and the Control Officer fails to issue or deny the renewal permit before the end of the term of the current permit, then all of the terms and conditions of the current permit, including the permit shield, shall remain in effect until renewal or denial.*
- d. *Except as provided in paragraph 030.510.B.12.b and paragraphs 030.510.B.14.a and 030.510.B.14.b, no PART 70 source may operate after the time that it is required to submit a timely and complete application under SECTION 030.510.B except in compliance with a permit issued thereunder. If a PART 70 source submits a timely and complete application for permit*

issuance (including for renewal), the source's failure to have a PART 70 Operating Permit is not a violation of PART 030.510 until the Control Officer takes final action on the permit application. This protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit, by the deadline specified in writing by the Control Officer, any additional information identified as being needed to process the application.

12. Permit Revision: Changes that Do Not Require a Permit Revision

- a. A PART 70 source may make changes that are not addressed or prohibited by the permit without a permit revision, unless such changes are subject to any requirements under Title IV of the Act or are modifications under any provisions of Title I of the Act.*
 - (1) Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition.*
 - (2) Sources must provide at least seven (7) days written notice to the Control Officer and EPA of each such change, except for changes that qualify as insignificant under paragraph 030.510.B.5. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change.*
 - (3) The change shall not qualify for a permit shield.*
 - (4) The permittee shall keep a record describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.*
- b. A PART 70 source may make changes without requiring a permit revision if the changes are defined as SECTION 502(b)(10) changes under the Act, are not modifications under any provisions of Title I of the Act, and do not exceed the emissions allowable under the permit (whether expressed in the permit as a rate of emissions or in terms of total emissions). For each such change, the written notification required by paragraph 030.510.B.12.a.(2) shall apply. The change shall not qualify for a permit shield.*

13. Permit Revision: Administrative Permit Revision

- a. An administrative permit revision is a permit revision that:*
 - (1) Corrects typographical errors;*
 - (2) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source;*
 - (3) Requires more frequent monitoring or reporting by the permittee;*
 - (4) Allows for a change in ownership or operational control of a source if the Control Officer determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Control Officer;*
- b. Administrative permit revisions for purposes of the "acid rain" portion of the permit shall be governed by regulations promulgated under Title IV of the Act.*
- c. Administrative Permit Revisions Procedures. An administrative permit revision may be made by the Control Officer consistent with the following:*

- (1) *The Control Officer shall take no more than thirty (30) calendar days from receipt of a request for an administrative permit revision to take final action on such request, and may incorporate such changes without providing notice to the public or affected states, provided that the Control Officer designates any such permit revisions as having been made pursuant to an administrative permit revision.*
 - (2) *The Control Officer shall submit a copy of the revised permit to EPA.*
- d. *The source may implement the changes addressed in the request for an administrative revision immediately upon submittal of the request.*
 - e. *The Control Officer shall, upon taking final action for an administrative permit revision, allow coverage by the permit shield for administrative permit revisions which meet the relevant requirements of paragraph 030.510.B.13.c and paragraph 030.510.B.14.c for significant permit revisions.*
14. *Permit Revisions: Minor and Significant. A significant permit revision is any revision to a PART 70 Operating Permit that cannot be accomplished under paragraph 030.510.B.14 for minor or administrative permit revisions. Any permit revision for purposes of the “acid rain” portion of the permit shall be governed by regulations promulgated by the Administrator under Title IV of the Act and shall require a significant permit revision.*
- a. *Minor Permit Revision Procedures.*
 - (1) *Criteria. Minor permit revision procedures may be used only for those permit revisions that:*
 - (a) *Do not violate any applicable requirement, including any provision of the Nevada SIP (including specific control strategies);*
 - (b) *Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;*
 - (c) *Do not require or change a case-by-case determination of an emission limitation or other standard, or a source specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;*
 - (d) *Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement, and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such term or condition would include a federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I of the Act, or an alternative emissions limit approved pursuant to regulations promulgated under SECTION 112(i)(5) of the Act, “Early Reduction”;*
 - (e) *Incorporates into the permit the terms and conditions of a Permit to Construct for a modification if the terms and conditions were subject to the procedures prescribed by paragraph 030.400.P.6; or*
 - (f) *Incorporates into the permit the terms and conditions in a Permit to Construct issued pursuant to paragraphs 030.500.C.3 or 030.500.C.4 if the terms and conditions were adopted under the procedures prescribed by 030.400.P.6.*
 - (g) *Are not modifications under any provision of Title I of the Act; and*
 - (h) *Are not modifications subject to paragraph 030.500.C.1.a.(8).*

- (2) *Emissions Trading. Minor permit revision procedures may be used for permit revisions involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor PART 70 Operating Permit revision procedures are explicitly provided for in the Nevada SIP or an applicable requirement.*
 - (3) *Application. A permittee shall submit a standard application form provided by the department requesting a minor permit revision. The form shall include all of the following:*
 - (a) *A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;*
 - (b) *The source's suggested draft minor permit revision language;*
 - (c) *Certification by a responsible official that the proposed revision meets the criteria for a minor permit revision; and*
 - (d) *The information the Control Officer needs in order to notify EPA and affected states.*
 - (4) *EPA and Affected State Notification. Within five (5) working days of receipt of a complete minor permit revision application, the Control Officer shall notify EPA and affected states of the requested permit revision.*
 - (5) *Timetable for Approval. The Control Officer may not issue a final permit revision approval until after EPA's 45-day review period or until EPA has notified the Control Officer that EPA will not object to issuance of the permit revision, whichever is first. Within ninety (90) calendar days after the date the application is determined to be complete or fifteen (15) calendar days after the end of EPA's 45-day review period under this paragraph, whichever is later, the Control Officer shall:*
 - (a) *Issue the permit revision as proposed;*
 - (b) *Deny the permit revision;*
 - (c) *Determine that the requested revision does not meet the minor permit revision criteria and should be reviewed under the significant revision procedures; or*
 - (d) *Revise the draft minor permit revision and transmit to EPA the new proposed revision. Transmittal to EPA initiates the approval process described in paragraph 030.510.B.18.a.*
 - (6) *Permit Shield. A permit shield shall not extend to minor permit revisions.*
- b. *Group Processing of Minor Permit Revisions. Consistent with this paragraph, the Control Officer may modify the procedure outlined in paragraph 030.510.B.14.a to process groups of a source's applications for certain modifications eligible for minor permit revision processing.*
- (1) *Criteria. Group processing of modifications may be used only for those permit revisions:*
 - (a) *That are minor permit revisions; and*
 - (b) *That collectively are below the following threshold levels: ten (10) percent of the emissions allowed by the permit for the emissions unit for which the change is requested, twenty (20) percent of the applicable definition of major stationary source in PART 030.300, PART 030.400, and PART 030.510, five (5) tpy, whichever is less.*
 - (2) *Application. An application requesting the use of group processing procedures shall*

include the following:

- (a) *A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;*
 - (b) *The source's suggested draft permit revision language;*
 - (c) *Certification by a responsible official that the proposed revision meets the criteria for use of group processing procedures, and a request that such procedures be used;*
 - (d) *A list of the source's other pending applications awaiting group processing, and a determination of whether the requested revision, aggregated with these other applications, equals or exceeds the threshold set under paragraph 030.510.B.14.b.(1)(b);*
 - (e) *Certification that the source has notified EPA of the proposed revision. Such notification need only contain a brief description of the requested revision; and*
 - (f) *Completed forms for the Control Officer to use to notify EPA and affected states of the revisions for which group processing is sought.*
- (3) *EPA and Affected State Notification. On a quarterly basis or within five (5) business days of receipt of an application demonstrating that the aggregate of a source's pending applications equals or exceeds the threshold level set under paragraph 030.510.B.14.b.(1)(b), whichever is earlier, the Control Officer shall notify EPA and affected states of the requested permit revisions.*
- (4) *Timetable for Issuance. The provisions of paragraph 030.510.B.14.a.(5) shall apply to modifications eligible for group processing, except that the Control Officer shall take one of the specified actions within one hundred eighty (180) days of receipt of the application or fifteen (15) days after the end of EPA's 45-day review period under paragraph 030.510.18.c.*
- (5) *Permit Shield. Revisions eligible for group processing shall not be entitled to the permit shield.*

c. Significant Permit Revision Procedures.

- (1) *Criteria. Significant permit revision procedures shall be used for applications requesting permit modifications that do not qualify as minor permit revisions or as administrative permit revisions, including the creation of a PAL pursuant to SECTION 030.400.S. At a minimum, every significant change in existing monitoring permit terms or conditions, and every relaxation of reporting or recordkeeping permit terms or conditions, shall be considered significant. Nothing herein shall be construed to preclude the permittee from making changes consistent with this PART that would render existing permit compliance terms and conditions irrelevant.*
- (2) *Significant permit revisions shall meet all requirements for issuance and renewal of a PART 70 Operating Permit under paragraph 030.510.B.10 and paragraph 030.510.B.11, including those for applications, public Participation, review by affected states, and review by EPA, as they apply to permit issuance and permit renewal. The Control Officer shall complete review of significant permit revisions within twelve (12) months after the date the application is determined to be complete.*

15. Permit Revision: Reopening for Cause

- a. *Each PART 70 Operating Permit shall include provisions specifying the conditions under which the permit will be reopened prior to the expiration of the permit. A permit shall be reopened and revised under any of the following circumstances:*
 - (1) *New applicable requirements become applicable to a PART 70 source that is a major stationary source under PART 030.300, PART 030.400, or 40 CFR PART 70.3(a)(1) with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire unless the original permit or its terms and conditions has been extended pursuant to paragraph 030.510.B.11.c;*
 - (2) *Additional requirements (including excess emissions requirements) become applicable to an affected source under the Acid Rain Program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;*
 - (3) *The Control Officer or EPA 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; or*
 - (4) *The Administrator or the Control Officer determines that the permit must be revised or revoked to assure compliance with the applicable requirements.*
- b. *PAL conditions are to be revised under paragraph 030.300.I.8 or paragraph 030.400.S.8.b.*
- c. *Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance, and shall affect only those PARTs of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.*
- d. *Reopenings under paragraph 030.510.B.15.a.(1) shall not be initiated before a notice of such intent is provided to the source by the Control Officer at least thirty (30) days in advance of the date that the permit is to be reopened, except that the Control Officer may provide a shorter time period in the case of an emergency.*

16. Permit Revision: Reopenings for Cause by EPA

- a. *The Control Officer shall, within ninety (90) days after receipt of notification that EPA finds that cause exists to terminate, revise, or revoke and reissue a permit, forward to EPA a proposed determination of termination, revision, or revocation and reissuance, as appropriate. The Control Officer may request a 90-day extension if a new or revised permit application is necessary or if the Control Officer determines that the permittee must submit additional information.*
- b. *The Administrator will review the proposed determination from the permitting authority within ninety (90) days of receipt.*
- c. *The Control Officer shall have ninety (90) days from receipt of an EPA objection to resolve the objection and to terminate, revise, or revoke and reissue the permit in accordance with the Administrator's objection.*
- d. *If the Control Officer fails to submit a proposed determination pursuant to paragraph 030.510.B.16.a, or fails to resolve the Administrator's objection pursuant to paragraph 030.510.B.16.b, the Administrator will terminate, modify, or revoke and reissue the permit after taking the following actions:*
 - (1) *Providing at least thirty (30) days notice to the permittee in writing of the reasons for any*

such action. This notice may be given during the procedures in paragraph 030.510.B.16.a through paragraph 030.510.B.16.c; and

- (2) Providing the permittee an opportunity for comment on the Administrator's proposed action and an opportunity for a hearing.*

17. Public Participation. The Control Officer shall provide for public notice, comment, and an opportunity for a hearing on initial permit issuance, significant revisions, reopenings for cause, and renewals in accordance with the following procedures.

- a. Notice shall be given by one of the following methods: By publishing the notice in a newspaper of general circulation in the area where the source is located (or in a State publication designed to give general public notice) or by posting the notice, for the duration of the public comment period, on a public Web site identified by the permitting authority, if the permitting authority has selected Web site noticing as its "consistent noticing method."*
- b. The notice shall identify the PART 70 source; the name and address of the permittee; the activity or activities involved in the permit action; the emissions change involved in any permit revision; the name, address, and telephone number of a person from whom interested persons may obtain additional information, including copies of the permit draft, the application, all relevant supporting materials (including any compliance plan or compliance and monitoring certifications), and all other materials available to the Control Officer that are relevant to the permit decision; a brief description of the comment procedures; and the time and place of any hearing that may be held, including a statement of procedures to request a hearing, unless a hearing has already been scheduled.*
- c. The Control Officer shall provide such notice and opportunity for Participation by affected states as provided for by paragraph 030.510.B.18.*
- d. Timing. The Control Officer shall provide at least thirty (30) days for public comment and shall give notice of any public hearing at least thirty (30) days in advance of the hearing.*
- e. The Control Officer shall keep a record of the commenters and also of the issues raised during the public Participation process, and such records shall be available to the public and to EPA.*

18. Permit Review by EPA and Affected States

- a. Transmission of Information to EPA.*

- (1) The Control Officer shall provide to EPA a copy of each permit application, including any application for permit revision, each proposed permit, and each final operating permit, unless the Administrator has waived this requirement for a category of sources, including any class, type, or size within such category. The applicant may be required by the Control Officer to provide a copy of the permit application, including the compliance plan, directly to EPA. Upon agreement with EPA, the Control Officer may submit to EPA a permit application summary form and any relevant portion of the permit application and compliance plan, in place of the complete permit application and compliance plan. To the extent practicable, the preceding information shall be provided in a computer-readable format compatible with EPA's national database management system.*
- (2) The Control Officer shall keep for five (5) years such records and submit to EPA such information as EPA may reasonably require to ascertain whether the Operating Permit Program complies with the requirements of the Act or of 40 CFR PART 70.*

b. Review by Affected States

- (1) The Control Officer shall give notice of each draft permit to any affected state on or before the time that the Control Officer provides this notice to the public under paragraph 030.510.B.17.a, except to the extent that paragraphs 030.510.B.14.a or 030.510.B.14.b requires the timing of the notice to be different.*
- (2) The Control Officer, as PART of the submittal of the proposed permit to EPA, or as soon as possible after the submittal for minor permit revision application, shall notify EPA and any affected state in writing of any refusal by the Control Officer to accept all recommendations for the proposed permit that the affected state submitted during the public or affected state review period. The notice shall include the Control Officer's reasons for not accepting any such recommendation. The Control Officer is not required to accept recommendations that are not based on applicable requirements or the provisions of SECTION 030.510.B.*

c. EPA Objection

- (1) If EPA objects to the issuance of a permit in writing within forty-five (45) days of receipt of the proposed permit and all necessary supporting information, then the Control Officer shall not issue the permit.*
- (2) Failure of the Control Officer to do any of the following shall constitute grounds for an objection by EPA:
 - (a) Comply with paragraphs 030.510.B.18.a or 030.510.B.18.b;*
 - (b) Submit any information necessary to adequately review the proposed permit; or*
 - (c) Process the permit under the procedures in paragraph 030.510.B.17.**
- (3) If the Control Officer fails, within ninety (90) days after the date of an objection by EPA, to revise and submit a proposed permit in response to the objection, EPA may issue or deny the permit in accordance with the requirements of the federal program promulgated under 40 CFR PART 71.*

- d. Public Petitions to EPA.** *If EPA does not object in writing under paragraph 030.510.B.18.c, any person may petition EPA under the provisions of 40 CFR PART 70.8(d) within sixty (60) days after the expiration of EPA's 45-day review period to make such objection. If EPA objects to the permit as a result of a petition, the Control Officer shall not issue the permit until EPA's objection has been resolved, except that a petition for review does not stay the effectiveness of a permit or its requirements if the permit was issued after the end of the 45-day review period and prior to an EPA objection. Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in paragraph 030.510.B.17, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. If the Control Officer has issued a permit prior to receipt of an EPA objection under this paragraph, EPA may modify, terminate, or revoke such permit consistent with the procedures in 40 CFR PART 70.7(g), except in unusual circumstances, and the Control Officer may thereafter issue only a revised permit that satisfies EPA's objection. In any case, the source will not be in violation of the requirement to have submitted a timely and complete application.*

- e. *Prohibition on Default Issuance. The Control Officer shall not issue an operating permit, including a permit renewal or revision, until affected states and EPA have had an opportunity to review the proposed permit as required under paragraph 030.510.B.18.*

19. Temporary Sources

- a. *The Control Officer may issue a single permit authorizing emissions from similar operations by the same source owner or operator at multiple temporary locations. The operation must be temporary and involve at least one (1) change of location during the term of the permit. No acid rain source or a source subject to the provisions of SECTION 112 of the Act shall be permitted as a temporary source. Permits for temporary sources shall include the following:*
 - (1) *Conditions that will assure compliance with all applicable requirements at all authorized locations;*
 - (2) *Requirements that the owner or operator notify the Control Officer at least ten (10) days in advance of each change in location; and*
 - (3) *Conditions that assure compliance with all other provisions of CHAPTER 030.*

20. PART 70 General Permit

- a. *The Control Officer may, after notice and opportunity for public Participation provided under 40 CFR PART 70.7(h), issue a PART 70 general permit covering numerous similar PART 70 sources.*
- b. *Any general permit shall comply with all requirements applicable to other PART 70 Operating Permits and shall identify criteria by which sources may qualify for the general permit. To sources that qualify, the Control Officer shall grant the conditions and terms of the general permit. Notwithstanding the shield provisions of paragraph 030.510.B.9, the source shall be subject to enforcement action for operation without a PART 70 Operating Permit if the source is later determined not to qualify for the conditions and terms of the general permit. General permits shall not be authorized for affected sources under the Acid Rain Program unless otherwise provided in regulations under Title IV of the Act.*
- c. *PART 70 sources that would qualify for a general permit must apply to the Control Officer for coverage under the terms of the general permit, or must apply for an individual PART 70 Operating Permit. The Control Officer may, in the general permit, provide for applications which deviate from the requirements of paragraph 030.510.B.3, provided that such applications meet the requirements of paragraph 030.510.B.20 and include all information necessary to determine qualification of, and to assure compliance with, the general permit. Without repeating the public Participation procedures required under paragraph 030.510.B.17, the Control Officer may grant a source's request for authorization to operate under a general permit, but such a grant shall not be a final permit action for purposes of judicial review.*
- d. *If the Administrator does not object within forty-five (45) calendar days after receiving a proposed PART 70 general permit which covers stationary Sources that would otherwise be required to apply for individual PART 70 Operating Permits, the general permit becomes effective at the end of the forty-five (45) calendar day period. If the Administrator objects to the general permit, the PART 70 general permit becomes effective only when the objection is resolved.*
- e. *After the effective date of a PART 70 general permit, the owner or operator of any stationary*

source that meets the criteria set forth in the PART 70 general permit may request authority to operate under the PART 70 general permit. The request must be in writing and must include all information required by the PART 70 general permit.

SOURCE PERMITTING AND OPERATION

~~30.00 SOURCE PERMITTING AND OPERATION (Amended 10/20/93)~~

~~It is unlawful for any person to:~~

- ~~A. Construct any new source;~~
- ~~B. Make any modifications affecting the emissions of any existing source; or~~
- ~~C. Operate any new source, within the meaning of these regulations, except those sources in Section 030.003,~~

~~without first submitting an application to the Control Officer and obtaining an Authorization to Construct.~~

~~30.02 CONSTRUCTION OR MODIFICATION OF PERMITTED OPERATIONS (Amended 4/89, 10/20/93)~~

~~A written Authority to Construct shall be required to construct, erect, alter or replace any equipment which may cause, potentially cause, reduce, control or eliminate the issuance of air contaminants. A single Authority to Construct may be issued for all components of an integrated system or process. Plans and specifications drawn in accordance with acceptable engineering practices shall be required before issuance of an Authority to Construct. The applicant for any Authority to Construct must notify the Control Officer in the application of any source which is or will become subject to 40 CFR Part 70 upon completion of the proposed construction. An Authority to Construct is not needed for routine operation and maintenance. This includes maintenance prescribed by the manufacturer, replacement of worn or broken components with like equipment, etc.~~

~~30.03 EXEMPT SOURCES (Amended 10/20/93, Revised 10/25/95)~~

~~The following existing or new single sources do not require Authorities to Construct and/or Permits to Operate unless they would otherwise be subject to the Part 70 regulations as defined in 030.905:~~

- ~~A. Agricultural land use.~~
- ~~B. Motor vehicles, special mobile equipment licensed for highway travel and any internal combustion engines associated with the operation of licensed mobile equipment.~~
- ~~C. Land clearance or covering which is less than one (1) acre in size.~~

~~30.04 In addition to the conditions contained in NRS 534A.060, an air pollutant emission control plan must be submitted and approved by the Control Officer prior to commencement of drilling or reworking a geothermal well (productive or exploratory).~~

~~Geothermal wells within 5.0 kilometers of a residential dwelling(s), must limit the hydrogen sulfide emission rate on a continuous basis during air drilling cleanout, initial testing and~~

~~reworking to no more than 5.5 pounds per hour (2.5 kilograms per hour). If the reworking or drilling cleanout~~

~~operation lasts for two (2) hours (120 minutes) or less, an exemption to the 5.5 pound/hour emission limit may be obtained from the Control Officer. This exemption would limit the facility to operations only during favorable meteorological conditions as determined in advance by the Control Officer. (Adopted 4/89)~~

~~30.05 No local government authority within the Health District may issue a building permit to any person who wishes to operate, construct, establish, or relocate or modify any stationary source which requires an authority to construct or permit to operate until the Authority to Construct or Permit to Operate has been issued by the Control Officer.~~

~~030.010 GENERAL SOURCES (Amended 6/27/90)~~

~~The Control Officer shall not issue an Authority to Construct or Permit to Operate if the registration application, engineering data or any other documentation submitted by the applicant shows, or the Control Officer determines, that the source:~~

- ~~A. Cannot meet the requirements of, or be operated in compliance with, federal, state, or local regulations;~~
- ~~B. Will prevent the attainment or maintenance of state or national ambient air standards; or~~
- ~~C. Will cause a violation of the approved State Implementation Plan.~~
- ~~D. Will not meet all requirements of Section 030.410.~~

~~030.015 AUTHORITY TO CONSTRUCT DURATION~~

~~An Authority to Construct shall remain valid for the same time period as is allowed a building permit in the jurisdiction of the facilities location, but in no case shall this period exceed eighteen (18) months. If a permittee begins construction and then stops, after construction has ceased for 18 months, the Authority to Construct shall expire. Once the 18-month period is exceeded, the approval of the Authority to Construct lapses, and the Authority to Construct is invalid. A new registration application must be submitted if the operator wishes to build or renew construction. An Authority to Construct can only be converted to a Permit to Operate if the construction of the source is completed in compliance with all applicable District requirements. (Revised 10/25/95)~~

~~030.018 CONSTRUCTION OF CONTROL EQUIPMENT CONTRARY TO AUTHORITY TO CONSTRUCT~~

~~If the Control Officer finds the equipment has not been constructed in accordance with the authority to construct, and/or provides less effective control than the equipment specified in the authority to construct, he may deny the permit to operate.~~

~~030.020 PERMIT APPLICATION (Amended 10/20/93, Revised 10/25/95)~~

- ~~A. Application for Authority To Construction and/or Permit To Operate shall be made on forms furnished by the Control Officer.~~
- ~~B. A separate application is required for each source. One application is sufficient for those sources requiring both an Authority to Construct and a Permit To Operate.~~

~~C. Each application must contain, as a minimum:~~

- ~~1. Name and address of business and any other identifying information;~~
- ~~2. Nature of business, including products produced and processes to be used, including any applicable SIC codes;~~
- ~~3. Name and phone number of agent, manager or contact person;~~
- ~~4. Site information, including flow diagrams, description of site, description of all insignificant activities for Part 70 permits, and all emission points in sufficient detail to determine applicability and fees;~~
- ~~5. Nature and quantity of emissions for all regulated pollutants on an hourly, daily or annual basis, expressed in units as necessary to determine compliance, including notation as to if the proposed modification will be a major source or modification and which pollutants the source will be major for;~~
- ~~6. Facilities or process equipment to be permitted or have their permit revised, including the control equipment, control measures or work practices to be utilized in emission reduction;~~
- ~~7. Operating times, temperatures, fuels used, raw materials consumption, production rates, or other pertinent information;~~

~~The information shall be sufficient in scope to enable the Control Officer to make any determination pursuant to the requirements of Section 030.010 of these regulations.~~

- ~~8. Such other information or documentation requested by the Control Officer as necessary to determine compliance with all requirements and standards;~~
- ~~9. Signature of a responsible person of the firm or business;~~
- ~~10. A plan review fee and any other fees as set by the District Board of Health;~~
- ~~11. Calculations and methods used to estimate emissions.~~
- ~~12. For sources which are or will become subject to a Part 70 permit, the application shall also include citation and description of all applicable requirements, the test methods for determining compliance with each applicable requirement, and explanations of any proposed exemption from any otherwise applicable requirement. The source shall also submit a compliance plan consistent with the requirements of Sections 030.970 (A) and (B) of these regulations. Any applications for minor permit modifications under 030.950 (D) shall also include items I through IV below. Title V permit applications shall include all of the following:~~
 - ~~I. A description of the change, the emissions resulting from the change and any new applicable requirements that will apply as a~~

result of the change;

- ~~II. The source's suggested draft permit;~~
 - ~~III. Certification by a responsible official that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used;~~
 - ~~IV. Completed forms for the Control Officer to use in notifying the EPA and affected states.~~
 - ~~V. Description of any processes and products associated with alternative operating scenarios;~~
 - ~~VI. Description of compliance monitoring devices or activities;~~
 - ~~VII. Where emissions trading provisions are requested by a source, proposed replicable procedures and permit terms;~~
 - ~~VIII. A statement that the source will meet all applicable requirements that become effective during the permit term in a timely manner;~~
 - ~~IX. A certification that all the information being submitted in the Part 70 permit application is based on information and belief formed after a reasonable inquiry.~~
- ~~D. Operators of new or existing single sources emitting fifty (50) tons or more of total contaminants per year shall:~~
- ~~1. Submit a plan for curtailment of operations in the event that ambient levels of contaminants approach or reach those stated in the Emergency Episode Plan (Section 050.005 et. seq. of these regulations).~~
- ~~E. In case of a dispute, the Control Officer may require that the application and reports be certified by a licensed professional engineer as to the accuracy of the technical information concerning equipment of the applicant. The certification shall be given under oath or upon information and belief that statements made in the application are truthful, accurate or correct.~~
- ~~F. Any change or alteration to the plans, equipment or process affecting the emissions from any new or existing source shall be reported to the Control Officer and shall be approved prior to implementation.~~

~~030.023 EVALUATION OF REGISTRATION APPLICATION~~

~~When an Authority to Construct application is received by the Control Officer, he shall evaluate it to determine if all necessary information on the source processes has been included. When all the required information has been received, the Control Officer will review the proposal using standard engineering practices and methods, decide which local, state or federal regulations apply to the source, determine by approved modeling or other methods if the proposed control technology will meet regulatory requirements, and determine what, if any, pre-construction monitoring or other testing will be required before the authority to construct is issued. If it is determined that the equipment proposed in the Authority to Construct application is insufficient to meet regulatory~~

~~requirements, the Control Officer will notify the applicant of the deficient items in writing and state what additions may be made to bring the project into compliance with regulatory requirements. In no case may the review of the project take more than 180 days to complete.~~

~~030.025 The acceptance of registration application, or the issuance of an Authority to Construct by the Control Officer, does not constitute acceptance or approval of the operation of any article, machine, equipment, facility, property or process listed on the application. Not until all requirements are met and until the Control Officer ascertains that the actual operation is in compliance with all applicable federal, state and local standards and emission limitations will the source be deemed approvable and a Permit to Operate be issued.~~

~~030.030 The lack of emission limits or controls in these regulations for equipment or processes requiring a registration application does not remove the registration requirement.~~

~~New equipment or changes in processes capable of becoming a new source of air pollution or increasing present emission levels must be provided with the control capability necessary to meet all emission standards and requirements specified in these regulations and any additional requirements specified by the Control Officer in issuing the Authority to Construct or Permit to Operate.~~

FEDERAL STANDARDS (NSPS & NESHAP)

~~030.100 NEW SOURCE PERFORMANCE STANDARDS (Amended 10/24/90; Revised 8/28/08)~~

~~A. General~~

~~40CFR60, Subpart A (60.1 et seq), along with all duly promulgated revisions as of June 1, 1990 is herewith adopted by reference, except as follows:~~

- ~~1. "Administrator" shall, in this context, be taken to mean the Control Officer. The substitution does not apply to 60.8 (b)2, 60.8 (b)2, and 60.11 (e) of this subpart.~~
- ~~2. Delete Sections 60.4, 60.5, and 60.6.~~
- ~~3. No sections dealing with equivalency determinations or innovative technology waivers, as covered in Sections III(h)(3) and II(j) respectively, of the Clean Air Act may be delegated.~~

~~B. The Standards for Performance for those Subparts of 40CFR60 listed below, along with all the duly promulgated revisions as of June 1, 1990, are herewith adopted by reference with the listed exceptions.~~

- ~~1. Subpart D - Fossil Fuel - Fired Steam Generators~~
- ~~2. Subpart Db - Steam Generating Units, Industrial - Commercial - Institutional~~
- ~~3. Subpart E - Incinerators~~
- ~~4. Subpart F - Portland Cement Plants~~

5. ~~Subpart G - Nitric Acid Plants~~
6. ~~Subpart H - Sulfuric Acid Plants~~
7. ~~Subpart I - Asphalt Concrete Plants~~
8. ~~Subpart J - Petroleum Refineries~~
9. ~~Subpart K - Storage Vessels for Petroleum Liquids (June 11, 1973, through May 19, 1978)~~
10. ~~Subpart Ka - Storage Vessels for Petroleum Liquids (constructed after May 18, 1978)~~
11. ~~Subpart Kb - Volatile Organic Liquid Storage (construction after July 23, 1984)~~
12. ~~Subpart L - Secondary Lead Smelters~~
13. ~~Subpart M - Secondary Brass and Bronze Ingot Production Plants~~
14. ~~Subpart N - Iron and Steel Plants~~
15. ~~Subpart O - Sewage Treatment Plants~~
16. ~~Subpart P - Primary Copper Smelters~~
17. ~~Subpart Q - Primary Zinc Smelters~~
18. ~~Subpart R - Primary Lead Smelters~~
19. ~~Subpart S - Primary Aluminum Reduction Plants; except 60.195 (b)~~
20. ~~Subpart T - Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants~~
21. ~~Subpart U - Phosphate Fertilizer Industry: Superphosphoric Acid Plants~~
22. ~~Subpart V - Phosphate Fertilizer Industry: Granular Triple Superphosphate~~
23. ~~Subpart W - Phosphate Fertilizer Industry: Triple Superphosphate Plants~~
24. ~~Subpart X - Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities~~
25. ~~Subpart Y - Coal Preparation Plants~~
26. ~~Subpart Z - Ferroalloy Production Facilities~~
27. ~~Subpart AA - Steel Plants: Electric Arc Furnaces~~
28. ~~Subpart AAa - Steel Plants: Electric Arc Furnaces Constructed After~~

August 17, 1983

- ~~29. Subpart BB – Kraft Pulp Mills~~
- ~~30. Subpart CC – Glass Manufacturing Plants~~
- ~~31. Subpart DD – Grain Elevators~~
- ~~32. Subpart EE – Surface Coating of Metal Furniture~~
- ~~33. Subpart GG – Stationary Gas Turbines; except 60.32(a)(3) and 60.335(a)(ii)~~
- ~~34. Subpart HH – Lime Manufacturing Plants~~
- ~~35. Subpart KK – Lead-Acid Battery Manufacturing Plants~~
- ~~36. Subpart LL – Metallic Mineral Processing Plants~~
- ~~37. Subpart MM – Automobile and Light Duty Truck Surface Coating Operations~~
- ~~38. Subpart NN – Phosphate Rock Plants 39~~
- ~~39. Subpart PP – Ammonium Sulfate Manufacture~~
- ~~40. Subpart QQ – Graphic Arts Industry: Publication Rotogravure Printing~~
- ~~41. Subpart RR – Pressure Sensitive Tape and Label Surface Coating Operations~~
- ~~42. Subpart SS – Industrial Surface Coating: Large Appliances~~
- ~~43. Subpart TT – Metal Coil Surface Coating~~
- ~~44. Subpart UU – Asphalt Processing and Asphalt Roofing Manufacture~~
- ~~45. Subpart VV – Synthetic Organic Chemical Manufacturing Industry; Equipment Leaks of VOC; except 60.482-1(c)(2) and 60.484~~
- ~~46. Subpart WW – Beverage Can Surface Coating Industry; except 60.496(a)(1) and 60.493(b)(2)(i)(A)~~
- ~~47. Subpart XX – Bulk Gasoline Terminals~~
- ~~48. Subpart AAA – New Residential Wood Heaters~~
- ~~49. Subpart FFF – Flexible Vinyl and Urethane Coating and Printing~~
- ~~50. Subpart GGG – Equipment Leaks of VOC in Petroleum Refineries; except 60.592(c)~~
- ~~51. Subpart HHH – Synthetic Fiber Production Facilities~~
- ~~52. Subpart JJJ – Petroleum Dry Cleaners; except 60.623~~

- ~~53. Subpart OOO – Nonmetallic Mineral Processing Plants~~
- ~~54. Subpart PPP – Wool Fiberglass Insulation Manufacturing Plants~~
- ~~55. Subpart SSS – Magnetic Tape Coating Facilities~~
- ~~56. Subpart TTT – Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines~~
- ~~57. Subpart UUU – Calciners and Dryers in Mineral Industries~~
- ~~58. Subpart VVV – Polymeric Coating of Supporting Substrates Facilities~~
- ~~59. Subpart WWW – Municipal Solid Waste Landfills~~
- ~~60. Subpart AAAA – Small Municipal Waste Combustion Units for which construction is commenced after August 30, 1999 or for which modification or reconstruction is commenced after June 6, 2001~~
- ~~61. Subpart CCCC – Commercial and Industrial Solid Waste Incineration Units for which construction is commenced after November 30, 1999 or for which modification or reconstruction is commenced on or after June 1, 2001~~
- ~~62. Subpart EEEE – Other Solid Waste Incineration Units for which construction is commenced after December 9, 2004 or for which modification or reconstruction is commenced on or after June 16, 2006~~
- ~~63. Subpart IIII – Stationary Compression Ignition Internal Combustion Engines~~
- ~~64. Subpart JJJJ – Stationary Spark Ignition Internal Combustion Engines~~
- ~~65. Subpart KKKK – Stationary Combustion Turbines~~

~~30.105 NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (Amended 9/23/92)~~

~~A. GENERAL~~

~~40CFR61, Subpart A (61.01 et seq), along with all duly promulgated revisions is herewith adopted by reference, except as follows:~~

- ~~1. Delete Sections 61.06, 61.14, 61.15, 61.53(c)(4), 61.04(b), 61.12(d)(1) and 61.13 (h)(1)(ii).~~
- ~~2. Any sections dealing with equivalency determinations that are nontransferable through Section 112(e)(3) of the Clean Air Act.~~

~~B. The National Emission Standards for Hazardous Air Pollutants for those subparts of 40CFR61 listed below, along with all the duly promulgated revisions are herewith adopted by reference.~~

- ~~1. Subpart B – Radon 222: Underground Uranium Mines~~

- ~~2. Subpart C – Beryllium~~
- ~~3. Subpart D – Beryllium Rocket Motor Firing~~
- ~~4. Subpart E – Mercury~~
- ~~5. Subpart F – Vinyl Chloride~~
- ~~6. Subpart H – Radionuclides: DOE Facilities~~
- ~~7. Subpart I – Radionuclides: NRC and Federal Facilities~~
- ~~8. Subpart J – Benzene – Fugitive Emission Sources – Equipment Leaks; except 61.112(c)~~
- ~~9. Subpart K – Radionuclides: Elemental Phosphorus Plants~~
- ~~10. Subpart M – Asbestos~~
- ~~11. Subpart V – Volatile Hazardous Air Pollutants – Fugitive Emission Sources – Equipment Leaks; except 61.242-1(C)(2) and 61.244~~

~~30.106 NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES (Adopted 10/22/97; Revised 8/28/08)~~

~~40CFR, Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories (as listed below), along with all duly promulgated revisions, are herewith adopted by reference:~~

- ~~1. Subpart A – General Provisions (63.1 – 63.15)~~
- ~~2. Subpart B – Requirements for Control Technology D – Determinations for Major Sources in Accordance with Clean Air Act Sections, 112 (g) and 112 (j) (63.40 – 63.44), and (63.50 – 63.56)~~
- ~~3. Subpart M – National Perchloroethylene Air Emission Standard for Dry Cleaning Facilities (63.320 – 63.325)~~
- ~~4. Subpart N – National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (63.340 – 63.347)~~
- ~~5. Subpart O – Ethylene Oxide Emissions Standards for Sterilization Facilities (63.360 – 63.367)~~
- ~~6. Subpart R – National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) (63.420 – 63.429)~~
- ~~7. Subpart T – National Emission Standards for Halogenated Solvent Cleaning (63.460 – 63.469)~~

- ~~8. Subpart KK – National Emission Standards for the Printing and Publishing Industry (63.820 – 63.834)~~
- ~~9. Subpart BBBB – National Emission Standards for Hazardous Air Pollutants for Source Categories: Gasoline Distribution Bulk Terminals, Bulk Plants and Pipeline Facilities (63.11080 – 63.11100)~~
- ~~10. Subpart CCCCC – National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities (63.11110-63.11132)~~
- ~~11. Subpart HHHHH – National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources (63.11169 – 63.11180)~~
- ~~12. Subpart OOOOO – National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations (63.11414 – 63.11420)~~
- ~~13. Subpart VVV – National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works (63.1580 – 63.1595)~~
- ~~14. Subpart WWWW – National Emission Standards for Hospital Ethylene Oxide Sterilizers (63.10382 – 63.10448)~~
- ~~15. Subpart WWWWWW – National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations (63.11475 – 63.11512)~~
- ~~16. Subpart XXXXX – National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Nine Metal Fabrication and Finishing Source Categories (63.11514 – 63.11523)~~
- ~~17. Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (63.6580 – 63.6675)~~

~~30.107 HAZARDOUS AIR POLLUTANTS (Adopted 10/24/90, Revised 5/24/95, 10/25/95)~~

~~A. Asbestos Sampling and Notification~~

~~No permit for the demolition or for the renovation of any NESHAP regulated facility may be issued by any public agency within the Health District until such time as an asbestos survey, conducted by a person qualified to make such a survey, is made on the premises. No potential asbestos containing materials may be disturbed until such a survey is performed. The person performing the survey must possess U.S. EPA AHERA certification. The survey must be completed to the satisfaction of the Control Officer or additional samples may be required. A complete, signed copy of an asbestos survey report must be filed at the Washoe County District Health Department and an "Asbestos Assessment Acknowledgment Form" obtained before any permit for demolition or renovation, as noted above, is issued. Failure to conduct an asbestos survey, or obtain a completed "Asbestos Assessment Acknowledgment Form", may result in a citation or other enforcement action,~~

~~including the issuance of a stop work order if a reasonable possibility for the release of asbestos fibers exists. If the survey indicates the presence of~~

~~asbestos, the permit applicant must adhere to the requirements of Sections 030.105 and this section prior to and during the removal of any asbestos. The owner, operator or his representative shall submit to the Control Officer notice of intent in compliance with 40 CFR 61.145. Such notice shall be required for the following operations:~~

- ~~1. All renovations disturbing regulated asbestos-containing materials (RACM) which exceed, in aggregate, more than 160 feet square, 260 lineal feet or 35 cubic feet whichever is most restrictive.~~
- ~~2. Notice shall be required for any building demolition, including single residential dwellings.~~

~~This notification shall contain all information as requested by the Control Officer, including a plan of action as to the methods and techniques to be used for removal. Standard fees as set by the Board Of Health must be submitted with all such notifications before they can be considered valid.~~

~~B. Asbestos Control Work Practice~~

~~For the purposes of this regulation, in addition to the requirements of the NESHAP, acceptable work practices for RACM removal shall include, but are not limited to, adequate wetting, containment of materials in glove bags or containment areas, negative air systems, decontamination areas, double bag disposal or other methods as required by the Control Officer. Acceptable work practices for commercial ACM roofing removal shall include adequate wetting of the material and removal in covered chutes. As an alternative, ACM roofing materials may be removed by bagging or careful wrapping and lowering. The Control Officer may require separate removal of friable roofing materials prior to demolition. All asbestos removal work which is done with barriers isolating the work area shall include transparent viewing ports which allow observation of stripping and removal of ACM from outside the barrier. Sufficient view ports shall be installed to make at least 90 percent of the work area visible from outside the barrier, except in unusual situations as approved by the Control Officer. Air clearance testing after removal work is complete may be required by the Control Officer for the protection of public health.~~

~~C. Asbestos Contamination And Abatement~~

~~Under no condition may any person store, remove, transport or destroy any asbestos containing materials in a manner which is likely to release asbestos fibers into the atmosphere. Safe asbestos removal work practices, sufficient to prevent a danger to public health as defined below, shall be required for any remodeling or demolition of NESHAP regulated facilities which disturbs any quantity of RACM. The Control Officer may require cleanup or abatement of damaged or degraded asbestos containing materials where their storage, handling or continued presence represents a danger to public health. Unsafe work practices or danger to public health as noted above shall be concluded only when testing results demonstrate asbestos levels exceeding one of the following limits: 1) 0.01 asbestos fibers per cubic centimeter as determined by any method of air sampling as specified by the Control Officer; or 2) greater than one percent asbestos as determined by vacuum, bulk or wipe sampling of surfaces. The Control Officer may~~

~~require such sampling to be performed at the owners expense by a qualified person when unsafe work practices or a danger to public health are suspected. The Control Officer shall approve procedures for sample collection, including the type of~~

~~sampling as listed above, sample duration and volume, or analytical methods, such as the use of TEM or PCM depending on the type of suspected contamination and building materials present. Failure to use acceptable work practices during RACM removal or disturbance may result in the issuance of a stop work order, a citation, or both.~~

~~30.108 PROHIBITION ON USE OR SALE OF ASBESTOS-CONTAINING MATERIALS FOR SURFACING, LANDSCAPING OR PAVING (Adopted 9/27/00)~~

~~The Control Officer may require testing for the asbestos content of any material represented as being suitable or used for surfacing, including landscaping or paving operations. For the purposes of this regulation, surfacing means the act of covering any surface used for pedestrian, vehicular, or non-vehicular travel; or decoration, including, but not limited to, roads, road shoulders, streets, access roads, alleys, lanes, driveways, parking lots, playgrounds, yard areas, trails, squares, plazas, and fairgrounds.~~

~~A. Effective October 1, 2000, no person shall import, use, sell, supply, or offer for sale or supply in Washoe County, any of the following materials for surfacing, including landscaping or paving operations:~~

- ~~1. Serpentine or serpentine rock material,~~
- ~~2. Any rock material that has been tested and found to have an asbestos content of 0.25 percent or more. The asbestos content of rock materials shall be determined using California Air Resources Board Test method 435, or an equivalent method approved by the Control Officer.~~

~~B. After October 1, 2000, any existing supplies of materials listed under A (1) or A (2) may only be sold for use in locations outside of Washoe County.~~

~~30.109 FEE FOR ASBESTOS SAMPLING~~

~~If the Control Officer deems an onsite sampling evaluation for asbestos is necessary for investigation or enforcement action on the improper removal, storage, demolition or disposal of asbestos-containing materials, the owner of the property shall pay a fee per sample set by the District Board of Health.~~

~~30.110 Before issuance of an authority to construct, an applicant for any new major stationary source or major modification shall meet all general registration requirements, and, depending upon location, meet all the requirements set forth in Sections 030.500 and 030.600.~~

~~030.140 If at any time prior to issuing a Permit to Operate, the Control Officer determines that the proposed construction, installation, alteration or establishment of the source:~~

- ~~A. Will not be in accordance with the provisions of the plans, specifications and other design criteria submitted with the registration application;~~
- ~~B. Is being done before receiving an authority to construct;~~

~~It shall be considered a violation of these regulations and, in addition to a notice of~~

~~violation, the Control Officer may issue a stop work order prohibiting the construction, installation or alteration or establishment of the source.~~

~~030.1401 — A person served with a stop work order shall immediately stop all activities specified in the stop work order. Service of the stop work order shall be done in the manner outlined in Section 020.030.~~

~~030.1402 — A stop work order shall specify the reasons for the issuance.~~

~~030.1403 — A person served with a stop work order may apply to the Control Officer for its revocation, setting forth the reasons he believes the stop work order is no longer valid. The Control Officer must take final action on an application for revocation of a stop work order within twenty-four (24) hours after receipt of the application. If the Control Officer finds that the reasons for which the stop work was issued no longer exist, he shall revoke the order immediately. If the Control Officer finds that the reasons for which the stop work order was issued still exist, he shall furnish a written statement of his reasons to the person concerned.~~

~~030.1404 — Any person aggrieved by the issuance or affirmance of a stop work order by the Control Officer may appeal to review the actions of the Control Officer in issuing the stop work order. An appeal to the Hearing Board does not vacate the effect of the stop work order. A stop work order may only be removed or vacated by the Control Officer, the Hearing Board, the District Board of Health or court action.~~

WASHOE COUNTY PERMIT TO OPERATE REQUIREMENTS

~~030.200 — PERMIT TO OPERATE (Amended 10/20/93, Revised 10/25/95)~~

~~Any source with the potential to emit two pounds per day of any criteria pollutant or one pound per day of any toxic pollutant shall be required to obtain and hold a Permit to Operate.~~

~~A person shall not cause, suffer or allow the operation of any equipment or process requiring a Permit To Operate, except those specifically exempted by these regulations, without a valid permit issued by the Control Officer. Any new source required to obtain a Part 70 permit under Section 030.905 of these regulations must obtain a permit prior to beginning operation of equipment. Sources in existence on the date of EPA Part 70 program approval which meet the applicability criteria in Section 030.905 shall submit applications as specified in Regulation 030.900.~~

~~030.210 — PERMIT TO OPERATE ISSUANCE (Revised 10/25/95)~~

~~The Permit to Operate will be issued when the Control Officer determines:~~

- ~~A. — All registration requirements have been fulfilled;~~
- ~~B. — The source can be operated in compliance with all local, state and federal regulations;~~
- ~~C. — The source will not interfere with the attainment or maintenance of the Ambient Air Quality Standards; and~~
- ~~D. — The proper fees, as established by the District Board of Health, have been paid.~~

- ~~1. Sources emitting less than 730 pounds of total pollutants per year will be assessed a flat rate permit to operate fee as set by the District Board of Health.~~

2. ~~A 50% reduction in the permit to operate fee will be allowed for any source around which fewer than fifty (50) people reside within a twenty-five (25) mile radius, including those residing at the site of the source, if the emissions are not significant (Table 4).~~

~~30.215 Nothing contained herein exempts any person in control of, or responsible for any article, machine, structure or process for which a Permit To Operate has been issued pursuant to these regulations from the responsibility of complying with the regulations, with all applicable control strategies contained in the approved State Implementation Plan which limits, either directly or indirectly, the emission of air contaminants into the atmosphere and with all national, state and local ambient air quality standards.~~

~~30.216 ALTERATION OR FALSIFYING OF PERMIT~~

~~No person may deface, alter, forge, or falsify any permit issued under these regulations.~~

~~30.217 PERMIT CONDITIONS~~

~~To assure compliance with all applicable state, local and federal regulations, the Control Officer may impose written conditions of operation including, but not limited to, restrictions on emissions outputs, operating times and process temperatures on any permit. The Control Officer may, after notice and consultation with the permittee, add or amend written conditions on any existing source permit to assure compliance. When operating permit conditions are changed, the Control Officer shall specify a reasonable time period for these changes to take effect. Commencing work or operation under such a permit shall be deemed acceptance of the conditions so specified. The permittee may appeal these conditions to the Control Officer in writing within ten (10) days of the notice of changes to the conditions in the permit. Until such an appeal is heard, however, all operations shall be subject to the conditions specified on the permit. (Also see 030.240 – 030.260).~~

~~030.2175 OPERATIONS CONTRARY TO PERMIT (Amended 10/20/93)~~

~~No person may operate equipment contrary to the permit conditions specified on the Permit to Operate for that equipment. Violation of the conditions of a permit to operate shall constitute a major violation under the provisions of Section 020.040 and Section 020.042, or both of these regulations, and may constitute grounds for immediate suspension of the permit.~~

~~30.218 DEMONSTRATION OF COMPLIANCE~~

~~The Control Officer may require the operator of a source to provide any applicable data to demonstrate compliance with the conditions of the Permit to Operate. Such data submission requirements may include, but would not be limited to, graphs, charts or other records of items such as plant operational temperatures, plant production levels, continuous stack monitor outputs, plant operating hours, equipment engineering and design specifications or chemical product consumption. Requested data must be provided in a timely manner, as specified by the Control Officer. Failure to provide this data as requested by the Control Officer constitutes a violation of the conditions of the Permit to Operate, and the affected source would be subject to a citation under these regulations, suspension of their Permit to Operate or both.~~

~~30.219 EMISSION STATEMENTS for sources which emit or may emit NOx or reactive VOCs (Adopted 9/23/92)~~

~~In accordance with sections 182(a)(3)(B) and 184(b)(2) of the 1990 Clean Air Act Amendments owners or operators of any source operation which emits or has the potential to emit 25 tons per year or more of oxides of nitrogen (Nox) or reactive volatile organic compounds (VOCs) shall provide the Control Officer with a written statement, in such form as the Control Officer prescribes, showing actual emissions of NOx and VOC's from that source. The statement shall contain emissions for the time period specified by the Control Officer. The statement shall also contain a certification by a responsible official of the company that the information contained in the statement is accurate to the best knowledge of the individual certifying the statement. The first statement will cover 1992 emissions and shall be submitted to the District by April 1, 1993. Statements shall be submitted annually thereafter by April 1st.~~

~~30.220 The Control Officer may issue a temporary Permit to Operate, on a conditional basis, to any new or existing single source requiring some reasonable time for initial testing or to any existing source which is not in compliance with applicable emission limitations, but which has a compliance schedule or variance approved by the District Board of Health.~~

~~30.221 TEMPORARY PERMIT TO OPERATE (Renamed and Revised 2/26/09)~~

~~A. New Equipment – A person shall notify the Control Officer before operating or using any new equipment for which an Authority to Construct has been granted. Upon such notification, the Control Officer may choose to grant permission for the operation of such equipment with the Authority to Construct deemed as being a Temporary Permit to Operate. The Control Officer may also choose to impose additional conditions to the Temporary Permit to Operate before start-up, or may require a complete new application for a Permit to Operate. The equipment must not be operated in a manner contrary to the conditions specified in the Temporary Permit to Operate.~~

~~B. Modified Equipment – A person shall notify the Control Officer before operating or using any modified equipment for which an Authority to Construct has been granted. Upon such notification, the Control Officer may grant permission for the operation of such equipment with the Authority to Construct deemed as being a Temporary Permit to Operate for that newly modified equipment. If the modification is an additional control device for reducing pollutant emissions, the continued operation of that control device shall be required for the operation of the plant as a whole. In no case may the equipment be operated in a manner contrary to the conditions specified in the Authority to Construct.~~

~~C. Mobile Equipment Surface Finishing – A person shall notify the Control Officer before operating or using any equipment for the purpose of resurfacing mobile equipment for which an Authority to Construct may be required. Upon such notification, the Control Officer may grant permission for the operation of such equipment with the issuance of the Authority to Construct and Temporary Permit to Operate. In no case may the equipment be operated in a manner contrary to the conditions specified in the Authority to Construct and Temporary Permit to Operate.~~

~~1. Resurfacing of mobile equipment will be limited to no more than ten (10)~~

~~pieces of equipment in any ninety (90) day period at any location within Washoe County.~~

~~2. All applicable fees for the Temporary Permit to Operate must be submitted within 30 days of issuance.~~

~~030.225 Each Permit to Operate shall be renewed annually, and each renewal must be accompanied by the appropriate fee. Any change in emissions or operation must be noted in the renewal.~~

~~030.228 METHODS TO DETERMINE SOURCE EMISSION RATES~~

~~The Control Officer shall use accepted engineering practice to determine source emission rates for the purposes of establishing annual permit renewal fees, new source control technology requirements or in taking enforcement action. These methods may include, but are not limited to, the use of emission factors from approved publications such as "AP-42 COMPILATION OF AIR POLLUTION EMISSION FACTORS" published by the U.S. EPA, stack emissions surveys, or mass balance emissions calculations. It is the burden of the source operator to provide satisfactory scientific evidence of different emission rates if the operator wishes to dispute the findings of the Control Officer.~~

~~030.230 RECORD KEEPING (Amended 9/23/92)~~

~~The Control Officer may require any holder of a Permit to Operate to keep adequate records concerning contaminant emissions for any equipment or process for which the permit was issued. All permittees operating add-on emissions control equipment will maintain records sufficient to legally demonstrate that the equipment has operated in compliance with all applicable Federal, State and District regulations. The permittee shall also record any times or occasions when the emissions control equipment is not in operation due to equipment failure, maintenance or any other reason.~~

~~030.235 REQUIREMENTS FOR SOURCE SAMPLING AND TESTING~~

~~To determine the exact quantity and effect of emissions produced by stationary sources, the Control Officer may require source stack testing, or other types of source testing including, but not limited to, mass balance types of analysis, be made by the operator. Alternatively, and after consultation with the permittee, the Control Officer may require that testing be reviewed and overseen by an independent third party of the Control Officer's selection to insure the quality and accuracy of the test results. The Control Officer may also require other types of pollutant impact analysis, including but not limited to, epidemiological testing of persons who may be affected by the operations of the source, risk assessment determinations, source or receptor modeling and off-site ambient pollutant level monitoring. Completion of testing may be required prior to the issuance or continuance of a permit to operate. The Control Officer may require that all costs of any testing required under this section be borne by the operator or source owner.~~

~~030.240 A person who has been granted a Permit to Operate shall display the permit in a room or office on the premises which is readily accessible to air pollution control personnel for inspection or examination, and reasonably close to the equipment or other contrivance which is the subject of the permit.~~

~~030.245 A Permit to Operate is not transferable, by operation of law or otherwise, from one location to another, or from one piece of equipment or process to another but may be transferred from one person to another upon approval of the Control Officer and payment of a transfer fee set by the District Board of Health. (Revised 4/22/98)~~

~~The new permit holder is entitled to use the permit until expiration at no further cost. It is unlawful to deface, alter, forge, counterfeit, or falsify any Permit to Operate issued by the Control Officer.~~

~~030.250 — Permits to Operate are subject to suspension or revocation for violation of these regulations. If the Control Officer determines that a permittee is in violation, or has had two (2) or more written Revocation of a Permit violations in a 365 day period, he may serve upon the permittee, at the address given on the Registration Application, through personal service or certified mail, a Notice of Suspension or to Operate, setting forth in detail the violations charged. The suspension or revocation becomes final and effective ten (10) days after service of the written notice and the Permit To Operate shall thereupon be surrendered to the Control Officer unless the permittee files with the Hearing Board, in writing, within ten (10) days of receipt of the notice of suspension or revocation pending the decision of the District Board of Health. The Hearing Board shall meet to hear the appeal no later than thirty (30) days after receiving the appeal.~~

~~030.255 — If a Permit to Operate is suspended, reinstatement may be accomplished by submitting to the Control Officer sufficient evidence for him to determine if the reason for which the permit was suspended has been corrected.~~

~~030.260 — If a Permit to Operate is revoked, all fees paid shall be forfeited. Reinstatement of a revoked permit must be accompanied by a new registration application and payment of the annual fee. In such cases, the date of the reinstatement becomes the annual renewal date.~~

~~030.265 — EMERGENCY TEMPORARY SUSPENSION OF PERMIT TO OPERATE~~

~~If the Control Officer determines that the emissions or operations of a source represent a hazard to public health, or an imminent risk to public welfare, he may issue an emergency closure order or an emergency suspension of the Permit to Operate. The Control Officer's decision shall be based upon the best medical and scientific information available to him at the time of his decision. The operator of any source so ordered shall cease all emissions as soon as safely practicable, and shall not resume operations until the cause of the hazard or risk has been eliminated, and the Control Officer approves of the resumption of operations. An emergency closure order issued under these regulations may be immediately appealed to the District Board of Health, and the Board shall provide the opportunity for a hearing within three (3) working days of the date of the request therefore. If no hearing is provided within that time, the operator may immediately seek judicial review of the suspension order.~~

~~030.270 — SUSPENSION OF PERMIT TO OPERATE FOR REPEATED VIOLATIONS~~

~~A Permit to Operate will be automatically suspended if the permittee committed five (5) or more violations of these regulations in a 365-day period. The suspension becomes effective ten (10) days after the District Board of Health has upheld the fifth violation and may not be appealed. The permit may be reinstated only after the Control Officer and the District Board of Health have received evidence that the cause of the violations has been corrected.~~

~~030.280 — SUSPENSION OF PERMIT TO OPERATE FOR FAILURE TO PAY FINES~~

~~A Permit to Operate will be automatically suspended if the permittee fails to pay administrative fines levied for violations of these regulations. The suspension becomes effective 45 days after the District Board of Health has upheld the fine and may not be appealed. The permit will be reinstated only after any and all administrative fines have~~

~~been paid in full.~~

FEES AND FEE SCHEDULES

~~030.300 EXEMPTIONS (Amended 11/16/94; Rescinded 10/25/2007, Effective January 1, 2008)~~

~~30.304 DUST CONTROL PLAN (Revised 4/22/98)~~

~~Fees for the processing of dust control plans shall be set by the District Board of Health for projects where the area disturbed exceeds one acre.~~

~~30.305 PLAN REVIEW (Amended 10/20/93)~~

~~Plan review fees shall be charged for review of Authority to Construct applications. Fees for new, existing or modified sources shall be set by the District Board of Health. Separate fees for emission sources requiring Part 70 Permits under section 030.905, shall be set by the Board of Health.~~

~~030.310 PERMIT TO OPERATE (Amended 10/20/93)~~

~~Except as otherwise provided in Section 030.3101 and 030.3102, Permit to Operate fees are as set by the District Board of Health. The District Board of Health shall increase the permit fee rate each year by an amount equal to or greater than the Federal Consumer Price Index. This increase shall be made before the beginning of each calendar year.~~

~~030.3101 STORAGE TANKS~~

~~The fee for stationary tanks, reservoirs or other containers of more than 40,000 gallons capacity containing any liquid have a Reid vapor pressure of 1.5 pounds per square inch or greater under conditions of storage is as set by the District Board of Health.~~

~~030.3102 HAZARDOUS MATERIAL PROCESSES (Adopted 6/27/90, Revised 4/22/98)~~

~~Any operations which emit more than one pound per day of hazardous air pollutants, including those pollutants set forth in the National Emission Standards for Hazardous Air Pollutants and those substances listed in Section 030.400, shall be assessed an annual hazardous air pollutant emission fee set by the District Board of Health. For sources also currently requiring operating permits, the fees will be assessed concurrently with those operating permits. Persons performing asbestos removal operations under the requirements of the National Emission Standards for Hazardous Air Pollutants shall pay an inspection fee as set by the District Board of Health. All inspection fees will be assessed at the time of NESHAP notification.~~

~~030.320 The fee for transfer of a Permit to Operate is as set by the District Board of Health.~~

~~030.330 The cost of replacement of a lost or destroyed Permit to Operate is as set by the District Board of Health.~~

~~030.335 LATE PERMIT FEE ASSESSMENT (Adopted 9/25/03)~~

~~The owner or operator of a source who does not submit the annual permit to operate fee by the specified due date will be assessed a late penalty in the amount of 25 percent of the amount of the total fee due. The late fee must be paid in addition to the annual fee.~~

~~TOXIC OR HAZARDOUS AIR POLLUTANTS~~

~~030.400 TOXIC AIR POLLUTANTS LISTING (Adopted 6/27/90)~~

~~For the purpose of toxic air contaminant determinations and other definitions identifying harmful non-criteria air pollutants, the Board of Health adopts by reference, the listing of toxic air pollutants contained in the Clean Air Act amendments of 1990.~~

~~The Control Officer may, from time to time, review and update the toxics list. Any alteration of the list by the Control Officer must be accompanied by a written explanation of the need for the change and the basis for his decision.~~

~~030.410 NEW SOURCES EMITTING TOXIC AIR POLLUTANTS (Adopted 6/27/90)~~

~~A. New or modified air pollution sources which emit any contaminant listed in Section~~

~~030.400 must obtain a Permit To Operate and use the Best Available Control Technology (BACT) to control the contaminants emitted. The operator must then perform a risk assessment to determine the increased health risk associated with the emissions from the new facility after the BACT controls. The assessment must be performed using techniques specified by the Control Officer. If preliminary analysis of the application indicates the cancer risk will be less than one in one million and projected emissions are unlikely to cause adverse health effects, the Control Officer may exempt the source from the requirements of this section. Any exemption issued by the Control Officer must be documented in the source's permit file.~~

~~B. For any source with a predicted risk exceeding one in one million after BACT controls are applied, additional controls must be applied to reduce the projected cancer risk to below one in one million before the source is granted authority to construct.~~

~~C. For sources processing, consuming or producing but not normally emitting listed substances, information stating which listed substances will be found, the quantities to be stored or consumed and maximum potential emissions in a catastrophic release must be provided with the application for a permit to construct the source.~~

~~D. For any new source required to prepare a risk analysis under the requirements of this section, the Control Officer shall publish a notice by prominent advertisement in at least one newspaper of general circulation within the District, stating the preliminary decision of the Control Officer. The information submitted by the source (less any data determined to be confidential trade secrets in accordance with Section 020.055 of these (regulations) will be made public. Any report of analysis made by the Control Officer reviewing these materials shall also be made available to the public at that time. The notice shall allow at least 30 days for the public to submit written comments on the preliminary decision. The Control Officer shall consider all public comments received during the comment period before taking final action on the application to construct the source or Permit to Operate. The costs of publication shall be borne by the applicant.~~

~~030.420 REVIEW OF EXISTING SOURCES OF TOXIC AIR POLLUTANTS (Adopted 6/27/90)~~

~~Existing sources of toxic air pollutants listed in Section 030.400 may be required to perform screening risk assessments or to demonstrate compliance with any State Of Nevada, Federal or District ambient pollutant standards. Any risk assessments must conform to the requirements~~

~~established by the Control Officer. If the source's predicted cancer risk exceeds one in one million, fails to meet any ambient standard, or shows quantities of emissions likely to cause observable health effects, emissions control sufficient to reduce concentrations below these criteria must be applied.~~

~~030.450 — ESTABLISHMENT OF AN INVENTORY OF TOXIC AIR EMISSIONS (Adopted 6/27/90)~~

~~The Control Officer shall establish an inventory of sources of toxic air emissions as defined in Section 030.400. This inventory must contain estimates of the toxic air contaminant contributions from all identifiable sources, including area and industrial sources. This listing shall be complete by September 1, 1990 and shall be updated and revised every two years. The information contained in this inventory is a public record.~~

~~030.460 — STRATOSPHERIC OZONE PROTECTION PLAN (Adopted 6/27/90)~~

~~The Control Officer shall review the scientific literature and identify those contaminants deemed harmful to the stratospheric ozone layer. An inventory of emissions of these contaminants shall be prepared by September 1, 1990. The inventory must contain estimates of emissions from major identifiable sources including area and industrial sources. The Control Officer shall review the inventory and make recommendations to the District Board of Health on feasible strategies to reduce emissions of these substances.~~

~~030.480 — TREATMENT OF HAZARDOUS OR TOXIC WASTE MATERIALS (Adopted 6/27/90)~~

~~Solid or liquid waste which must be treated to remove hazardous or toxic chemicals prior to disposal, release, or public use shall not be decontaminated by ventilation of those hazardous or toxic chemicals to the atmosphere. This includes, but is not limited to, waste regulated under RCRA (Resource Conservation and Recovery Act) or contaminated with materials designated as toxic under USEPA or state regulation. All emissions of these substances must pass through an approved control device before discharge to the atmosphere. Any operator treating these materials must register as an air pollution source with the Control Officer and must use the Lowest Achievable Emission Rate control technology (LAER) as specified in Section 030.700.~~

FEDERAL NEW SOURCE REVIEW (NSR)

~~030.500 — NEW SOURCE REVIEW (NSR) APPLICABILITY~~

~~A major new source or major modification which would locate in an area designated as nonattainment for a pollutant for which the source or modification would be major shall not be allowed to construct unless the stringent conditions set forth below are met. These conditions are designed to insure that the new source's or modification's emission will be controlled to the greatest degree possible, that more than equivalent offsetting emission reductions ("emission offsets") will be progress toward achievement of the national ambient air quality standards. For the purposes of this part, a reconstructed source shall be treated as a new stationary source. Since major facility definition and requirements vary upon State and EPA area designations, a map (Figure 1) is included to facilitate the determination of which requirements must be met.~~

~~030.502 — REVIEW FOR EMISSION LIMITATION COMPLIANCE~~

~~Authority to construct any new source or modification shall be denied unless the new source or modification meets all applicable emission requirements in the Nevada State Implementation Plan (SIP), all applicable Federal New Source Performance Standards, and all applicable National Emission Standards For Hazardous Air Pollutants.~~

~~030.503 — CONDITIONS FOR APPROVAL (Amended 7/28/93, Revised 10/25/95)~~

~~If a major stationary source or major modification would be constructed in an area designated as nonattainment for a pollutant for which the stationary source or modification is major, an Authority to Construct shall be denied unless the following conditions are met:~~

~~Condition 1 — The new source or modification is required to meet an emission limitation which specifies lowest achievable emission rate for such source.~~

~~Condition 2 — The applicant must certify that all existing major sources owned or operated by the applicant for any entity controlling, controlled by, or under common control of the applicant in the State of Nevada are in compliance with all applicable emission limitations and standards under the Clean Air Act (or are in compliance with an expeditious schedule which is federally enforceable or contained in a court decree).~~

~~Condition 3 — Emission reductions ("offsets") from existing sources in the same nonattainment area as the proposed new source or modification (whether or not under the same ownership) are required such that they shall not interfere with or contribute to the interference with the attainment of the applicable National Ambient Air Quality Standards. Only intrapollutant emission offsets will be acceptable (e.g. hydrocarbon increases may not be offset against SO₂ reductions). All emission reductions for the purpose of offsets shall be enforceable under the Clean Air Act.~~

~~The terms of the offset emission reductions shall be specified and federally enforceable prior to permit issuance.~~

~~All offset emissions reductions shall be, by the time a new or modified source commences operation, in effect and enforceable and shall assure that the total tonnage of increased emissions of the air pollutant from the new or modified source shall be offset by an equal or greater reduction.~~

~~All offset emissions reductions must be obtained from decreases in actual emissions from the same or other sources in the area. No emissions reductions otherwise required by the Clean Air Act or other regulatory action may be credited for the purpose of meeting offset requirements.~~

~~Condition 4 — The emission offsets will provide a positive net air quality benefit in the affected area. Atmospheric simulation modeling is not necessary for volatile organic compounds and NOX. Fulfillment of Condition 3 and Section 030.504 of these regulations will be considered adequate to meet this condition.~~

~~Condition 5 — The applicant must perform an analysis of at least two (2) alternative sites for the facility, production processes, and environmental control techniques. This analysis must demonstrate that the benefits of the proposed source significantly outweigh the environmental and social costs imposed as a result of its location, construction or modification.~~

~~Condition 6 — The Control Officer shall also require the review of any Major Stationary Source or Major Modification subject to New Source Review under this section that may have an impact on visibility in any mandatory Class I Federal area. Such visibility review will ensure the source's emissions will be consistent with making reasonable progress toward State and National visibility goals.~~

~~Condition 7 — The Administrator has not made a determination that the applicable implementation plan is not being adequately implemented for the attainment area in which the proposed source is to be constructed or modified.~~

~~Condition 8 — The proposed major source or major modification shall not contribute to nonattainment in, or interfere with maintenance by, any other State with respect to any national ambient air quality standard, or interfere with measures required to be included in the applicable implementation plan for any other State with respect to prevention of significant deterioration of air quality or to protect visibility.~~

~~All emission limitations shall be assessed in light of the limits of "good engineering practice" on stack heights as specified in Section 030.614.~~

~~Any major stationary source or major modification commencing construction without an Authority to Construct shall be subject to an enforcement action. Obtaining an Authority To Construct does not relieve the owner from complying with any applicable local, state or federal regulation.~~

~~At such time that a particular source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforcement limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of regulations approved pursuant to this section shall apply to the source or modification as though construction had not yet commenced on the source or modification. All permits issued by the Control officer shall comply with all applicable terms of the State Implementation Plan for the non-attainment area in which the source is to be constructed.~~

~~030.504 — EMISSION OFFSET RATIOS (Amended 7/28/93)~~

~~Emission reductions required under Section 030.503 shall be offset at a ratio of 1.2 to 1 when the offset sources are five (5) miles or less from the new source or modification. For offset sources that are greater than five (5) miles from the new source or modification, the applicant shall determine an offset ratio based on atmospheric simulation modeling or an equivalent method to ensure a positive net air quality benefit. In no case shall the offset ratio for source located greater than five miles from the proposed project be less than 1.2 to 1. Non-reactive organic compounds (those which are listed in 40 CFR 51.100(e)) cannot be used for offsets.~~

~~30.502~~ ~~COMPLETENESS OF APPLICATION~~

~~Following submittal by the applicant, the Control Officer shall determine whether the application for permit to construct is complete not later than thirty (30) calendar days after receipt of the application, or after such longer time as both the applicant and the Control Officer may agree. Such determination shall be transmitted in writing immediately to the applicant at the address indicated on the application if it is determined to be incomplete, the determination shall specify which parts of the application are incomplete and how they can be made complete. Upon receipt by the Control Officer of any re-submittal of the application, a new thirty (30) day period in which the Control Officer must determine completeness shall begin. Completeness of an application or resubmitted application shall be evaluated on the basis of the guideline for such, published by the Control Officer. After acceptance of an application as complete, the Control Officer shall not subsequently request of an applicant any new or additional information which was not specified in the Control Officer's list of items to be included within such applications. However, the Control Officer may, during the processing of the application, request an applicant to clarify, amplify, correct or otherwise supplement the information required in such list in effect at the time the complete application was received. Making any such request does not waive, extend, or delay the time limits in this section for decision on the completed application, except as the applicant and Control Officer may both agree.~~

~~30.503~~ ~~REQUIREMENTS FOR PUBLIC NOTICE (Amended 7/28/93, Revised 10/25/95)~~

~~For those sources subject to Section 030.500, following acceptance of an application as complete, the Control Officer shall:~~

- ~~A. Perform the evaluations required to determine compliance with this section and make a preliminary written decision as to whether an Authority to Construct should be approved, conditionally approved, or disapproved. The decision shall be supported by a succinct written analysis;~~
- ~~B. Within ten (10) calendar days following such decision, publish a notice by prominent advertisement in at least one (1) newspaper of general circulation in the County, stating the preliminary decision of the Control Officer and where the public may inspect the information required to be made available. The notice shall provide thirty (30) days from the date of publication for the publication for the public to submit written comments on the preliminary decision;~~
- ~~C. At the time notice of the preliminary decision is published, make available for public inspection at the District office the information submitted by the applicant, the supporting analysis for the preliminary decision to grant or deny the Authority to Construct, including any proposed permit conditions, and the reasons therefore. The confidentiality of trade secrets shall be considered in accordance with Section 020.055 of these regulations;~~
- ~~D. No later than the date of publication of the notice, a copy of said notice and any appropriate data is to be sent to the Nevada Department of Conservation and Natural Resources Division of Environmental Protection, the regional planning authority of Washoe County, local government offices, any Indian governing body whose lands may be affected by facility emissions, any Federal Land Manager whose lands may be affected (including visibility effects) and the Regional Office of the U.S. Environmental Protection Agency; and~~

~~E. Applicant to bear cost of all public notices under this section and Section 030.508.~~

~~F. The Control Officer shall contact any Federal Land Manager whose lands may be affected for comments on the proposed project within 30 days after the application has been deemed complete. This shall be for the purpose of obtaining comments on the proposed scope of review for affected lands and species.~~

~~30.504 COMMENTS~~

~~The Control Officer shall consider all written comments submitted during the thirty (30) day public comment period.~~

~~30.505 FINAL ACTION (Amended 7/28/93)~~

~~Within 180 days after acceptance of the application as complete and the completion of all required preconstruction monitoring and public notice periods (including those required under the District's Part 70 Permit regulations), the Control Officer shall take final action on the application after considering all written comments. The Control Officer shall provide written notice of the final action to the applicant, the U.S. Environmental Protection Agency, other Affected States and the Nevada Department of Conservation and Natural Resources and shall publish such notice in a newspaper of general circulation. The notice and all supporting documents shall be made available for public inspection during normal business hours.~~

~~PREVENTION OF SIGNIFICANT DETERIORATION (PSD)~~

~~030.600 PREVENTION OF SIGNIFICANT DETERIORATION (PSD) - PERMIT REQUIREMENTS FOR NEW MAJOR FACILITIES OR MAJOR MODIFICATIONS IN ATTAINMENT OR UNCLASSIFIABLE AREAS (Revised 5/24/07, Revised and Renamed 12/15/16)~~

~~SECTION A - GENERAL~~

- ~~1. PURPOSE: The federal Prevention of Significant Deterioration (PSD) program is a construction permitting program for new major facilities and major modifications to existing major facilities located in areas classified as attainment or in areas that are unclassifiable for any criteria air pollutant. The application, processing requirements, and procedures are those contained in the District Board of Health Regulations Governing Air Quality Management (District Regulations) Section 030.600. The intent of this regulation is to incorporate the federal PSD rule requirements into the District Regulations by reference.~~
- ~~2. APPLICABILITY: The provisions of this regulation shall apply to any source and the owner or operator of any source subject to any requirement under Title 40 of the Code of Federal Regulations Part 52.21 (40 CFR 52.21) as incorporated into this regulation by reference. Sources to be located in an area within Washoe County that has been classified as nonattainment pursuant to 40 CFR 81.329 shall also meet the applicable requirements of Regulation 030.500. In addition, this regulation (030.600) shall apply to the following:~~
 - ~~a. Any major stationary source requesting a plant wide applicability limitation (PAL).~~
 - ~~b. Any major stationary source that has been issued a (PAL), but which now seeks to allow the PAL to expire without renewal.~~

~~To determine if a proposed project is subject to this regulation, the applicant must determine if the project will result in both a significant emissions increase and a significant net emissions increase. Definitions for all terms necessary to make this determination are provided in 40 CFR 52.21. As an aid to the applicant, the following citations are provided to determine if a project will result in emissions increases subject to this regulation:~~

- ~~c. An emissions increase or a net emissions increase for a project shall be determined by the procedures specified in 40 CFR 52.21 (a)(2)(iv)(b) through (d) and (f).~~
- ~~d. To determine the post-project projected actual emissions from existing units, the procedures specified in 40 CFR 52.21 (b)(41) shall be used.~~
- ~~e. To determine the pre-project baseline actual emissions, the procedures specified in 40 CFR 52.21 (b)(48)(i) and (ii) shall be used.~~
- ~~f. Emissions increases calculated pursuant to this regulation are significant if they exceed the significance thresholds specified in 40 CFR 52.21 (b)(23).~~
- ~~g. If the project is determined not to be a major modification pursuant to the provisions of 40 CFR 52.21 (a)(2)(iv)(b) through (d) and (f), but there is a reasonable possibility that the project may result in a significant emissions increase, the owner or operator shall comply with all of the provisions of 40 CFR 52.21 (r)(6) and (r)(7).~~
- ~~h. Greenhouse Gas Applicability:
Greenhouse gas emissions shall not be subject to the requirements of subsections (k) or (m) of 40 CFR 52.21 in effect on July 1, 2016.~~

~~**SECTION B – DEFINITIONS:** For the purpose of this regulation, the definitions specified in 40 CFR 52.21 (b)(1) through (54) shall apply. In addition, the following incorporated provisions of 40 CFR 52.21 are revised as follows:~~

- ~~1. The term “Administrator” shall read as follows:
 - ~~a. “EPA Administrator” in 40 CFR 52.21(b)(17), (b)(37)(i), (b)(43), (b)(48)(ii)(c), (b)(50)(i), (b)(51), (l)(2) and (p)(2); and~~
 - ~~b. “Control Officer” elsewhere, as defined in 010.042.~~~~
- ~~2. The phrase “paragraph (q) of this section” in 40 CFR 52.21(l)(2) and (p)(1) shall read as follows: the public notice and comment provisions of 030.600.D.1.~~

~~**SECTION C – STANDARDS:** The following standards shall apply:~~

- ~~1. Upon the adoption of this regulation except as provided below, the provisions of 40 CFR 52.21, in effect on July 1, 2016, are incorporated herein by reference and made part of the District Board of Health Regulations Governing Air Quality Management.
 - ~~a. The following paragraphs of 40 CFR 52.21 are excluded: (a)(1), (b)(55-58), (f), (g), (p)(6-8), (q), (s), (t), (u), (v), (w), (x), (y), (z) and (cc).~~~~

~~2. The incorporated requirements of 40 CFR 52.21 shall apply to all sources and projects which meet the applicability requirements of this regulation.~~

- ~~3. Compliance with the requirements of 40 CFR 52.21 shall be required for any Authority to Construct, or a revision of a Permit to Operate issued to sources and facility modifications subject to this regulation.~~
- ~~4. For all sources subject to this regulation as defined by 030.600.A.(2):
 - ~~a. An Authority to Construct shall be required to construct, erect, alter, or replace any equipment that may cause, potentially cause, reduce, control, or eliminate the issuance of air contaminants. A single Authority to Construct may be issued for all components of an integrated system or process. Plans and specifications drawn in accordance with acceptable engineering practices shall be required before issuance of an Authority to Construct. All modifications, which are major modifications as defined in this regulation, shall require an Authority to Construct permit prior to commencing construction.~~
 - ~~b. An Authority to Construct is not required for the performance of routine repairs and maintenance. This includes maintenance prescribed by the manufacturer, replacement of worn or broken components with like equipment, etc.~~~~
- ~~5. An owner or operator must obtain a Prevention of Significant Deterioration (PSD) permit pursuant to this regulation before beginning actual construction of a new major stationary source or a major modification, as defined in 40 CFR 52.21(b) or a PAL major modification, as defined in 40 CFR 52.21(aa)(2).~~
- ~~6. Notwithstanding the provisions of any other District Regulation, the Control Officer shall require compliance with this regulation prior to issuing a federal PSD permit as required by Clean Air Act (CAA) Section 165.~~
- ~~7. The applicant shall pay the applicable fees specified in Section 030.310.~~
- ~~8. Greenhouse gas emissions shall not be subject to the requirements of subsections (k) or (m) of 40 CFR 52.21 in effect on July 1, 2016.~~

SECTION D - ADMINISTRATIVE REQUIREMENTS: The following administrative requirements shall apply:

~~The Control Officer shall provide written notice of any permit application for a proposed major stationary source or major modification to the EPA Administrator. Such notification shall include a copy of all information relevant to the permit application and shall be given within 30 calendar days of receipt and at least 60 calendar days prior to any public hearing on the application for a permit to construct.~~

~~The Control Officer shall determine whether an application is complete not later than 30 calendar days after receipt of the application or after such longer time as both the applicant and the Control Officer may agree. If the Control Officer determines that the application is not complete, the applicant shall be notified in writing of the decision specifying the information that is required. Upon receipt of any re-submittal of the application, a new 30-calendar day period to determine completeness shall begin. Upon determination that the application is complete, the Control Officer shall notify the applicant in writing. The date of receipt of the application shall be the date on which the reviewing authority received all required information.~~

- ~~1. **PUBLIC PARTICIPATION:** Prior to issuing a federal PSD permit pursuant to this regulation and within one year after receipt of a complete application, the Control Officer shall:~~

- ~~a. Make a preliminary determination whether construction should be approved with conditions or disapproved.~~
- ~~b. Make available in at least one location in each region in which the proposed source would be constructed a copy of all materials the applicant submitted, a copy of the preliminary determination, a copy of the proposed permit, and a copy or summary of other materials, if any, considered in making the preliminary determination.~~
- ~~c. Notify the public, by advertisement in a newspaper of general circulation in the Washoe County Health District, of the application, the preliminary determination, the degree of increment consumption that is expected from the source or modification, the opportunity for comment at a public hearing, and the opportunity for written public comment.~~
- ~~d. Send a copy of the notice of public comment to the applicant, EPA Region IX, any persons requesting such notice and any other interested parties such as: any other State or local air pollution control agencies, the chief executives of the city and county where the source would be located, any comprehensive regional land use planning agency, and any State, Federal Land Manager, or Indian Governing body whose lands may be affected by emissions from the source or modification.~~
- ~~e. Provide opportunity for a public hearing for persons to appear and submit written or oral comments on the air quality impact of the source, alternatives to it, the control technology required, and other appropriate considerations, if in the Control Officer's judgment such a hearing is warranted.~~
- ~~f. Consider all written comments that were submitted within 30 calendar days after the notice of public comment is published and all comments received at any public hearing(s) in making a final decision on the approvability of the application and make all comments available, including the District's response to the comments, for public inspection in the same locations where the District made available preconstruction information relating to the proposed source or modification.~~
- ~~g. Make a final determination whether construction should be approved with conditions or disapproved.~~
- ~~h. Notify the applicant in writing of the final determination and make such notification available for public inspection at the same location where the District made available preconstruction information and public comments relating to the source.~~

~~The Applicant is to bear cost of all public notices under this regulation.~~

- ~~2. PUBLIC HEARING: The Control Officer shall hold a public hearing on an application for a permit in the vicinity of the proposed source or modification if she/he receives such a request during public comment and deems a hearing to be in the public interest. At such a public hearing, the applicant and members of the public may submit any information relating to the application and the air quality impacts of the proposed operations described in the application. If a hearing is to be held, the Control Officer shall notify the public 30 calendar days prior to the hearing by advertisement in a newspaper of general circulation in the region where the proposed source or modification would be constructed, of the date, time, and place for the hearing.~~

- ~~3. BUILDING PERMIT ISSUANCE: No local government authority within the Health District may issue a building permit to any person who wishes to operate, construct, establish, or relocate or modify any stationary source that requires an Authority to Construct or Permit to Operate until the Authority to Construct or Permit to Operate has been issued by the Control Officer.~~

~~SECTION E – COMPLIANCE AND RECORDS: In addition to the requirements of 40 CFR 52.21, the following additional compliance and record requirements shall also apply:~~

- ~~1. RECORD REQUIREMENTS: All records required by Sections 030.600.A through 030.600.E shall be maintained at the site of the facility by the operator for a period of at least 5 years. All required records shall be provided to the Control Officer upon request.~~
- ~~2. COMPLIANCE DEMONSTRATIONS: The Control Officer may require the operator of a source to provide any applicable data to demonstrate compliance with the conditions of the Authority to Construct and/or Permit to Operate. Requested data must be provided in a timely manner, as specified by the Control Officer. Failure to provide this data constitutes a violation of the conditions of the Authority to Construct and/or Permit to Operate, and the affected source will be subject to a citation under these regulations, suspension of their Permit to Operate or both.~~
- ~~3. PUBLIC NOTICE RECORDS: The Control Officer shall maintain all notice of decisions, any public notice issued, or comments received for a period of 5 years from the time of issuance or denial of any permit issued or denied under the requirements of Sections 030.600.A through 030.600.E.~~
- ~~4. COMPLIANCE WITH OTHER RULES, LAWS AND STATUTES: Obtaining an Authority to Construct and/or a Permit to Operate shall not relieve any owner or operator of their responsibility to comply with applicable provisions of the Nevada State Implementation Plan and any other requirements under local, state, or federal law.~~

030.601	PSD APPLICABILITY TO PM10 SOURCES (Rescinded 5/24/07)
030.602	REQUIREMENTS OF REVIEW (Rescinded 5/24/07)
030.6021	SUBMITTAL OF INFORMATION (Rescinded 5/24/07)
030.6022	REVIEW OF CONTROL TECHNOLOGY (Rescinded 5/24/07)
030.6023	EFFECT ON AIR QUALITY (Rescinded 5/24/07)
030.6024	PRE-CONSTRUCTION MONITORING (Rescinded 5/24/07)
030.6025	POST-CONSTRUCTION MONITORING (Rescinded 5/24/07)
030.6026	ADDITIONAL ANALYSIS (Rescinded 5/24/07)
030.603	PUBLIC PARTICIPATION (Rescinded 5/24/07)
030.604	(Rescinded 5/24/07)

- 030.605 (Rescinded 5/24/07)
- 030.606 (Rescinded 5/24/07)
- 030.607 RELOCATION OF PORTABLE STATIONARY SOURCES (Rescinded 5/24/07)
- 030.608 EXCLUSIONS FROM INCREMENTAL CONSUMPTION (Rescinded 5/24/07)
- 030.609 AMBIENT AIR INCREMENTS (Rescinded 5/24/07)
- 030.610 AMBIENT AIR CEILINGS (Rescinded 5/24/07)
- 030.611 PERIODIC ASSESSMENT (Rescinded 5/24/07)
- 030.612 TECHNICAL REQUIREMENTS (Rescinded 5/24/07)
- 030.613 MONITORING (Rescinded 5/24/07)
- 030.614 STACK HEIGHTS (Rescinded 5/24/07)
- 030.620 SOURCE OBLIGATION (Rescinded 3/23/06)
- 030.625 FEDERAL CLASS 1 AREAS (Rescinded 5/24/07)
- 030.630 NITROGEN DIOXIDE INCREMENTS PROGRAM (Adopted 10/24/90; Rescinded 5/24/07)

**WASHOE COUNTY
CONTROL TECHNOLOGY REQUIREMENTS (LAER & BACT)**

~~030.700 ———— LOWEST ACHIEVABLE EMISSION RATE CONTROL TECHNOLOGY REQUIREMENTS
(Adopted 12/88, Revised 10/25/95)~~

GENERAL

~~The Control Officer shall deny an Authority to Construct for any unit or units of a stationary source which fails to meet the applicable requirements of Subsection (A) or (B) of this section. Subsection (C) applies to existing sources required to mitigate emissions by adding additional control equipment. For the purposes of this section, lowest achievable emission control technology means the more stringent of: a) the most effective control technique which has been achieved in practice; or b) the control technique which will result in the achievement of the most stringent emissions limitation in effect, which the EPA certifies is contained in the implementation plan of any state for such class or category of source, unless the owner or operator of the proposed source demonstrates that such control techniques are not available (i.e. that such emissions limitations are not presently achievable). No control technique, the application of which would result in emissions from a new or modified source greater than the amount allowable under the applicable new source performance standards, may be considered to be the lowest achievable emission control technology. Final determination of the qualifications of a pollution control system to meet lowest achievable control technology requirements shall be made by the Control Officer.~~

~~A. New Stationary Sources~~

~~The Control Officer shall deny an Authority to Construct for any unit or units constituting a new stationary source if the source will emit more than a total of 125 pounds per day of Nitrogen Oxides, Organic gasses, or any contaminant for which there is a National~~

~~Ambient Air Quality Standard, unless the applicant shows that the source is constructed using the lowest achievable emission control technology. If the Control Officer determines that the amount and type of pollutant may constitute a danger to public health, the use of lowest achievable emission control technology may be required at emission rates of 125 pounds per day or lower.~~

~~B. Modifications to Existing Stationary Sources~~

~~The Control Officer shall deny an Authority to Construct for any modification of any existing stationary source if the modifications will result in net emissions of more than a total of 125 pounds per day of Nitrogen Oxides, Organic gasses, or any contaminant for which there is a National Ambient Air Quality Standard, unless the applicant shows that the source is constructed using the lowest achievable emission control technology. If the Control Officer determines that the amount and type of pollutant may constitute a danger to public health, the use of lowest achievable emission control technology may be required at emission rates of 125 pounds per day or lower.~~

~~C. Any existing source or category of sources that is required by the Board of Health to be modified so that their processes meet lowest achievable emission control technology standards shall have 60 days to submit plans for construction of the additional control equipment required under these regulations, and an additional time period to complete that construction, and to have the control equipment operational, as determined by the Control Officer.~~

~~D. Phased Construction of Sources~~

~~Any source or modification which is planned to be constructed in phases shall review the requirements of LAER for changes at least 18 months prior to beginning construction on the next phase.~~

~~030.750 TECHNOLOGY REQUIREMENTS FOR SOURCES EMITTING BETWEEN 10 AND 125 POUNDS PER DAY (BACT) (Adopted 3/25/92)~~

~~Best Available Control Technology (BACT) shall be applied to all new stationary sources or existing sources undergoing modification with potential daily emissions between 10 and 125 pounds of any criteria pollutant. For existing sources, BACT will only be required for the unit or group of units being modified. Failure to apply BACT shall result in denial of the Authority to Construct permit by the Control Officer.~~

~~GEOHERMAL FACILITIES CONSTRUCTION/OPERATION~~

~~Regulatory Intent - The intent of Sections 030.002, 030.004, and 030.800 is to regulate air pollution emissions from geothermal sources.~~

~~030.800 GEOHERMAL FACILITIES CONSTRUCTION/OPERATION (Adopted 4/89)~~

~~Notwithstanding the source registration requirements of the District rules, the Control Officer shall issue an Authority to Construct, or other required documents, to any geothermal facility which meets the applicable criteria and utilizes the Best Available Control Technology (BACT). For geothermal facilities whose closest emission point is~~

~~located at the following distances from a~~

~~residential dwelling(s), so designated at the time of construction, the following parts, listed below, shall apply:~~

~~For geothermal facilities from 0 to 1.0 kilometers, parts A, B, C, and D shall apply. For geothermal facilities from 1.0 to 5.0 kilometers, parts C, D, and E shall apply. For geothermal facilities greater than 5.0 kilometers, parts C and D shall apply.~~

- ~~A. Power plants and geothermal fluid transmission lines shall limit, on a continuous basis, the hydrogen sulfide emission rate to no more than 5.5 pounds per hour (2.5 kg/hr.) or 25 g/hr./GMW, whichever is less. For sources constructed prior to January 1, 1989, the emission limitation shall be a maximum of 5.5 pounds per hour for the entire facility.~~
- ~~B. Geothermal stacking emissions limitations for hydrogen sulfide: After January 1, 1991, no geothermal facility shall emit hydrogen sulfide at an hourly rate which is greater than the permitted hydrogen sulfide emission rate for that facility's associated power plant.~~
- ~~C. In the judgment of the Control Officer, the facility must be able to readily show compliance with all other rules and regulations limiting emissions of contaminants other than hydrogen sulfide.~~
- ~~D. For any proposed new facilities after July 1, 1989, the power plant operator and the steam supplier shall jointly, or if the same entity, singularly, develop a proposed written plan to limit geothermal steam stacking emissions. The proposed plan incorporating the Best Available Control Technology (BACT), shall be submitted with the power plant application for authority to construct(s) prior to the District Health Department considering the application(s) complete for district permitting or preparation of a determination of compliance process. The plan shall: (a) identify the specific technology(ies) proposed to control said emissions; and (b) provide operating procedures for the emissions control system(s), clearly specifying the respective duties of the power plant operator and steam supplier. Upon approval by the Control Officer, the plan shall be incorporated in the authority to construct(s), the determination of compliance, and permit(s) to operate for the power plant and geothermal fluid transmission line.~~
- ~~E. Emissions from power plants and geothermal fluid transmission lines shall not exceed 12.5 pounds per hour or 100 g/hr./GMW of hydrogen sulfide, whichever is more restrictive.~~

~~PART 70 PERMITTING REGULATIONS (Federal CAAA)~~

~~030.900 PART 70 PERMITTING REGULATIONS (Adopted 10/20/93)~~

~~Title V of the Act requires the issuance of special operating permits for certain classes of air pollution sources. Sections 030.900 to 030.990, inclusive, establish the regulations under~~

~~which such permits shall be issued. Sources obtaining a Part 70 operating permit satisfy the requirements of section 030.200 of the District regulations and do not need to obtain an additional operating permit. Compliance with the provisions of the Part 70 permit shall not, of itself, be deemed as compliance with the provisions of the Act. Unless otherwise specified in sections~~

~~030.900 to 030.990, inclusive, sources obtaining a Part 70 operating permit shall comply with all applicable District regulations.~~

~~These regulations for issuance of Part 70 permits become effective on the date the EPA Administrator issues an approval for Washoe County's regulations. All existing sources subject to Part 70 regulations shall apply for permit within six months of the initial EPA program approval date. This requirement shall apply even if the EPA issues a partial or interim approval. No source subject to Part 70 permits may operate after the time it is required to submit a timely and complete application except in compliance with a Part 70 permit. A source which has submitted a complete application with timely updates as required by the Control Officer shall not be held in violation of any requirement to hold a Part 70 Permit until after the Control Officer takes final action on the application.~~

~~Sources not subject to Part 70 permits shall be exempted from Sections 030.900 to 030.990, inclusive.~~

~~030.905 — SOURCES REQUIRING PART 70 PERMITS (Adopted 10/20/93, Revised 10/25/95, 6/23/11)~~

~~A. — Sources Required to Obtain a Part 70 Permit~~

~~The following sources and source categories shall be subject to Part 70 permitting:~~

- ~~1. — Any Major Stationary Source;~~
- ~~2. — Any source, including area sources, subject to a standard, limitation or other requirement under section 111 (New Source Performance Standards) of the Act;~~
- ~~3. — Any source, including an area source, subject to a standard or other requirement under section 112 (Hazardous Air Pollutants) of the Act. However, a source which is subject to regulations or requirements only under section 112(r) of the Act shall not be required to obtain a permit;~~
- ~~4. — Any source that includes one or more units subject to Title IV (Acid Rain) of the Act;~~
- ~~5. — Any source in a source category designated by the EPA Administrator pursuant to 40 CFR Part 70.~~
- ~~6. — Any new or modified existing sources of greenhouse gasses are subject to regulation if they exceed the thresholds specified in 40 CFR 70.2.~~

~~B. — Exemptions~~

~~The following sources and source categories shall be exempted from Part 70 permit requirements:~~

- ~~1. — Any source subject to this regulation solely because it is subject to 40 CFR Part 60, subpart AAA, Standards of Performance for New Residential Wood Heaters.~~

~~2. Any source subject to this regulation solely because it is subject to 40 CFR Part 61, subpart M, National Emission Standards for Hazardous Air Pollutants for Asbestos, Standards for Demolition and Renovation.~~

~~3. Insignificant Emission Levels~~

~~Sources with the potential to emit less than an annual average of two (2) pounds per day of any criteria pollutant or less than one (1) pound per day of any hazardous air pollutant on a facility wide basis are exempted from all part 70 permitting requirements. Such sources may still be required by the Control Officer to obtain a non-Part 70 operating permit under District regulations. No source which is itself subject to an applicable requirement may qualify as an insignificant source.~~

~~4. All Dry Cleaning operations with the potential to emit less than ten (10) tons per year of any criteria or hazardous air pollutant shall be exempted for a period of five (5) years from the initial EPA Part 70 program approval date unless required to obtain a permit under Section 030.905(A) (5).~~

~~5. All sources which would be subject to Part 70 permits under Section 030.905 (A) which are not major sources, affected sources or solid waste incineration units subject to permitting under section 129(e) of the act, are exempt from requirements to obtain a Part 70 permit for a period of 5 years from the date of EPA approval of the Washoe County Part 70 permit program.~~

~~6. Sources may seek exempt status by limiting facility emissions to levels below those defined for a major source as provided in Section 010.090, part D (prohibitory status) and part E (Synthetic Minor sources).~~

~~C. Sources Which Must be Permitted by the State of Nevada~~

~~Any facility whose principal business is to generate electricity using steam derived from the burning of fossil fuels must obtain any necessary Part 70 permit(s) from the State of Nevada.~~

~~030.910 PART 70 PERMIT STANDARDS (Adopted 10/20/93, Revised 10/25/95)~~

~~Part 70 Permits issued under these regulations shall be good for a period of five (5) years. The Control Officer shall conduct compliance inspections and review the compliance status of the facilities at least annually.~~

~~Permit to Operate fees shall be collected annually, and shall be due each year on the anniversary of the date the permit was issued. Failure to pay annual permit fees may result in citations, suspension or revocation of the Part 70 permit.~~

~~Any Part 70 permittee or permit applicant must submit any previously unknown, supplementary or corrected information upon becoming aware of any failure to submit relevant facts or the submittal of incorrect information. The permittee shall also notify the Control Officer of any change in operations or change in applicable requirements.~~

~~030.920 PART 70 PERMIT APPLICATION PROCESS (Adopted 10/20/93)~~

~~A. General~~

~~The owner or operator of each source required under 030.905 to obtain a Part 70 permit shall make application for a permit in a timely manner as required under these regulations.~~

~~Any existing sources that submit complete applications for initial permit issuance or renewal within the specified submission deadlines, and provide timely updates, including submission of any additional information requested in writing by the Control Officer within the time frame allowed, shall not be held in violation of operating without a permit during the time the application is being processed.~~

~~Part 70 permits shall allow for alternative operating scenarios. It shall be the responsibility of the source seeking permits to identify those alternative scenarios. If the scenarios meet all applicable requirements and District regulations, the alternative operating scenarios shall be included in the permit.~~

~~Fugitive emissions from a part 70 source shall be reported and included in the permit application and part 70 permit in the same manner as stack emissions.~~

~~B. New Permit Issuance, Renewals or Existing Permit Modifications~~

~~The Control Officer shall establish standard application forms and procedures for obtaining Part 70 permits. The design of these forms shall meet the content requirements of 40 CFR Part 70.5 (c). The applicant must provide all necessary information for the evaluation and permitting of the source as required by the Control Officer in a timely manner including information required after the application is deemed complete. The applicant must also identify any alternative operating scenarios under which the facility should be permitted. Applications for permit revision need only address the information related to the proposed change. Any application must be certified by a responsible official.~~

~~Within 30 days of the receipt of a Part 70 Permit application, the Control Officer shall make a determination as to the completeness of the application. If no completeness determination has been made by the Control Officer within 60 days of receipt of the application, the application shall be deemed complete by default. If the application is deemed incomplete, the Control Officer shall notify the applicant in writing within ten (10) days of his determination. The notification shall state the additional items or information needed to take final action on the permit. A completeness determination shall be required for all permit applications except for those addressing minor permit modifications.~~

~~Within 12 months of the receipt of a complete application the Control Officer shall:~~

- ~~1. Issue a draft permit or modification for the proposed operations; or~~
- ~~2. Deny the permit application or modification.~~

~~If no objections from the EPA Administrator are received within the allotted 45 day review period, and all required 30 day affected state and public comment periods~~

~~have been completed, the Control Officer shall take final action on any draft permit within 12 months~~

~~of the receipt of a complete application. If, at the end of one year, the required review and comment periods have not been completed, final action on the permit shall be issued as soon as practical after these periods have been completed but not later than 18 months after a complete application has been received. A copy of all final permits shall be sent to EPA.~~

~~All new sources subject to Part 70 permitting must obtain an Authority to Construct prior to commencement of construction under District regulation 030.002. A complete application for Authority To Construct/Permits to Operate must be submitted at least 12 months prior to commencement of operations.~~

~~Any existing sources which have not previously been subject to Part 70 permitting but become subject due to any increase in facility emissions shall submit a complete application for Authority To Construct/Permit to Operate at least 6 months prior to commencing construction or changing plant operations.~~

~~Any existing sources which have not previously been subject to Part 70 permitting but become subject due to regulation changes or for any other reason, shall submit a complete application for Permit to Operate within 6 months after the change which makes them subject takes place.~~

~~Sources subject to Phase II acid rain permits under 40 CFR Part 72, must make application for the phase II acid rain portion of their Part 70 permits by January 1, 1996 for sulfur dioxide and by January 1, 1998 for nitrogen oxides. The Control Officer shall take final action on these Phase II applications within 18 months of receipt or no later than December 31, 1997 for initial Phase II permits.~~

~~C. Renewal of Permits~~

~~All sources seeking renewal of expiring Part 70 permits must submit a written application for renewal at least six (6) (but not more than 12 months) prior to expiration. Payment of application review fees as well as all necessary supplemental information and standard forms as required by the Control Officer must accompany the permit renewal application. If the Part 70 permit expires without the source submitting a timely and complete renewal application, or the applicant fails to submit any requested additional information by the specified deadline, the source's right to operate terminates. If a Part 70 source submits a timely and complete application and the District fails to renew the Part 70 operating permit in a timely manner, the terms and operating conditions of the former Part 70 permit will remain in full force and effect until the District takes final action on the application.~~

~~The procedures for completeness review and processing shall be the same as specified under 030.920 (B), for new applications. The requirements for public, affected state and EPA notice shall be the same as for initial permit issuances. All procedures for EPA permit veto and public judicial appeal shall be the same as for initial permit issuance.~~

~~030.930 PART 70 PERMIT PUBLIC NOTICE (Adopted 10/20/93, Revised 10/25/95)~~

~~A. Permit Issuance and Modification~~

~~Public notice shall be given of any Part 70 draft permit addressing an initial permit issuance, renewal or significant permit modification. Such notice shall be made in a~~

~~newspaper of general circulation within Washoe County and by mailing notice to persons on a list which shall be developed for such Part 70 notifications, or by other means if necessary to assure adequate notice to the affected public. At least 30 days shall be allowed for public comment under such notifications. The public notice shall include the following:~~

- ~~1. The name and address of the applicant and identification of the affected facility;~~
- ~~2. The activities involved in the permit action;~~
- ~~3. The emission changes involved in any permit modification;~~
- ~~4. The address of the District Health Department and the name and phone number of a person from whom additional information on the draft permit may be obtained, including copies of the draft permit, the application, reports on the basis of the permit conditions, and relevant supporting materials;~~
- ~~5. A brief description of the procedures for making comment, including any deadlines for making such comment;~~
- ~~6. A brief description of the procedures for requesting a Public Hearing on the draft permit or the date, time and location for such a hearing if one has been scheduled.~~

~~The Control Officer shall keep records of the commenter's and the issues raised during the public participation process.~~

~~The Control Officer shall grant a public hearing to address any germane objections made during the Part 70 application review process, upon request from the affected members of the general public. Any public hearing will be noticed at least 30 days in advance.~~

~~030.940 PART 70 PERMIT ISSUANCE (Adopted 10/20/93)~~

~~A. Affected States Review~~

~~The Control Officer shall provide notification of any draft permit to any affected state, including minor permit revisions, for comment and review. The Control Officer shall allow at least 30 days for review by affected states. The affected state review period shall begin on or before the time that notice is provided to the public. The Control Officer shall address the recommendations of the affected state, and shall give, in writing to the affected state and to EPA, the reasons for the rejection of any recommendation made by an affected state.~~

~~B. EPA Review~~

~~The Control Officer shall provide notification of any draft permit action to the EPA Administrator and allow 45 days for comment and review as specified in 40 CFR part 70.8. The notice shall include a copy of the proposed permit, the application,~~

~~reports on the basis of the permit conditions, and necessary supporting materials. If agreed upon by the Control Officer and EPA, a summary of the application and other materials may be~~

~~provided in lieu of the specific items noted above. If any changes are made to the proposed permit, an additional 45 day review period shall be provided for EPA review. No permit shall be issued if the EPA Administrator objects to any provisions of the proposed permit within the 45 day review period. If any necessary information has not been included in the notice packet, EPA may request such information and the 45 day review period will begin when such information is received. If the Administrator objects to the permit after the 45 day review period has expired, but before the final permit has been issued, the Control officer must address these objections before the final permit can be issued.~~

~~If the Control Officer fails to revise and submit a proposed permit within 90 days in response to objections from the EPA Administrator, the Administrator may issue or deny the permit in accordance with the Act. If no objections to the draft permit are raised by the EPA Administrator within the 45 day review period, the Control Officer may issue the permit in its final form.~~

~~C. Appeals of the Final Permit~~

~~Any person may petition the EPA Administrator within 60 days after the expiration of the Administrator's 45 day review period. The objections must be based on grounds raised during the public comment process under section 030.930, unless it was impracticable to raise such objections or new grounds arise.~~

~~The applicant or any person who participated in the public comment process may petition the District Board of Health concerning any final permit action within 30 days of such action. Such appeals will be heard first by the Air Pollution Control Hearing Board and shall be scheduled for hearing within 30 days after the appeal has been made. Any persons appealing final permit actions may submit their petitions to the District Court for judicial review after appeals to the Air Hearing Board and District Board of Health have been exhausted. Any appeal to District Court for judicial review must be made within 90 days of the final permit action as per section 020.010 of these regulations, unless it can be demonstrated that the petition is based solely on new grounds arising after the date for judicial review. Any appeal based on new grounds must be filed within 90 days after such new grounds arise.~~

~~If the District fails to issue or deny a Part 70 permit within 18 months of the receipt of a complete application, this shall be treated as a final permit action solely to allow for judicial review by the applicant or any person who participated in the public comment process under Section 030.930.~~

~~030.950 PART 70 PERMIT MODIFICATIONS (Adopted 10/20/93)~~

~~A. General~~

~~Part 70 permits may be modified to reflect changes in operation, procedure, ownership or other provisions as necessary. Nothing in these regulations shall limit the obligation of the applicant to obtain an Authority To Construct permit under District regulation 030.002 prior to commencement of construction. Sources seeking such changes must make application to the Control Officer and follow the appropriate procedures as specified in this regulation. In general, administrative changes cover minor changes such as change of ownership or personnel; minor~~

~~permit changes cover a limited number of items addressing operating~~

~~conditions or emissions; and significant modifications cover substantial changes to the plant equipment or emissions. Specific details are addressed below.~~

~~Where an existing Part 70 permit would prohibit some construction or change in operations, the source proposing a change which would violate that prohibition must obtain a permit revision before commencing operation.~~

~~The Control Officer shall establish standard forms for permit modification requests in accordance with 40 CFR Part 70.7. Fees for administrative, minor and significant Part 70 permit modifications shall be established and set by the Board of Health.~~

~~B. Changes not Requiring a Part 70 Permit Revision~~

~~Changes to the operation of sources may be made without a permit revision if the changes comply with the provisions of Section 030.950 (B) parts 1 and 2 (below). However, no changes subject to regulation under Title IV of the Act, that violate applicable requirements, or that are prohibited by federally enforceable permit terms or conditions that are monitoring (including test methods) record-keeping, reporting, or compliance certification requirements shall be allowed without a revision of the Part 70 permit.~~

~~1. Section 502 (b)(10) Changes~~

~~Changes in the operation of a source, which contravene express permit terms but do not exceed the allowable emissions stated in the permit (either as a rate of emissions or in terms of total emissions) of that source and are not modifications under any provision of Title I of the Act, may be made without a permit revision.~~

~~2. Provisions for Emissions Trading~~

~~The Control Officer shall, if requested by an applicant, issue permits that contain terms and conditions allowing for the trading of emissions increases and decreases in the permitted facility solely for the purpose of complying with a federally enforceable emissions cap that is established in the permit independent of otherwise applicable requirements.~~

~~The emissions trades must be quantifiable, enforceable, have replicable procedures, may not exceed the allowable emissions stated in the permit (either as a rate of emissions or in terms of total emissions) of that source, must not be modifications under any provision of Title I of the Act, and must comply with all applicable requirements.~~

~~3. Reporting Requirements~~

~~Any changes in the operation of the source made under parts 1 or 2 of these operational flexibility provisions must be noticed, in writing, to the Control Officer and to the EPA Administrator at least seven (7) days prior to enactment. The source and the Control Officer shall attach a copy of each notice to their copy of the relevant permit. Any such required written notice shall include:~~

- ~~a. A brief description of the proposed change to the permitted facility;~~
- ~~b. The date on which the change will occur;~~
- ~~c. Any change in the type, rate or concentration of emissions;~~
- ~~d. Notation of any permit term or condition which will no longer be applicable as a result of the change or any applicable requirement that would apply as a result of the change.~~
- ~~e. For emissions trades, a description of how the increases and decreases in emissions will comply with the terms and conditions of the permit.~~

~~C. Administrative Part 70 Permit Changes~~

~~Administrative permit changes shall be for the purpose of:~~

- ~~1. Correcting typographical errors;~~
- ~~2. Identifying change in the name, address or phone number of any person identified in the permit;~~
- ~~3. Requiring more frequent monitoring or reporting by the permittee;~~
- ~~4. Allowing for a change in ownership or control, but only if a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittee has been submitted and the Control Officer determines that no other change in the permit is necessary.~~

~~The Control Officer shall take final action within 60 days of receipt of any request for an administrative permit change. The permittee may implement an administrative change immediately upon submission of the request. No notice to the public or affected states shall be provided. A revised copy of the permit shall be submitted to the EPA Administrator.~~

~~Administrative permit amendments relating to any portion of any permit subject to Title IV of the act shall be governed by regulations promulgated under Title IV of the Act.~~

~~D. Minor Part 70 Permit Changes~~

~~Minor permit changes shall be only for those permit modifications that:~~

- ~~1. Do not violate any applicable requirement;~~
- ~~2. Do not involve any significant changes to existing monitoring, reporting or record keeping requirements in the permit;~~
- ~~3. Do not require or change a case-by-case determination of an emission limitation or other standard or a source specific determination for~~

~~temporary sources of ambient impacts, or a visibility or increment analysis;~~

- ~~4. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include:
 - ~~a. A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I of the Act;~~
 - ~~b. An alternative emissions limit approved pursuant to regulations promulgated under section 112 (i)(5) of the Act;~~~~
- ~~5. Are not modifications under any provision of Title I of the Act.~~

~~The Control Officer shall provide notification to EPA and affected states of any proposed minor permit modifications within five (5) working days of the receipt of a complete application. The notice to EPA shall include all applications except those belonging to types which EPA agrees to waive.~~

~~Within 90 days of the receipt of a complete application for a minor permit modification or 15 days after the EPA Administrator has completed the 45 day review period allowed for under 030.940 (B) (whichever is later), the Control Officer shall take one of the following actions:~~

- ~~1. Issue the permit modification as proposed;~~
- ~~2. Deny the permit modification;~~
- ~~3. Determine that the requested modification does not meet the minor permit modification requirement criteria and that it should be reviewed as a significant modification;~~
- ~~4. Revise the Draft permit modification and transmit to the EPA Administrator the new proposed permit modification.~~

~~The source may implement the proposed change on receipt of the modified permit from the Control Officer.~~

~~E. Significant Part 70 Permit Changes~~

~~All changes to a permit that require a permit modification which cannot be considered as administrative or minor must be evaluated through a significant permit modification. All significant changes in monitoring permit terms or conditions and every relaxation of reporting or record-keeping permit terms or conditions shall be considered significant.~~

~~All significant permit modifications shall meet all the requirements of initial permit issuance as specified in these regulations, including those for application forms, public participation, review by affected states and review by EPA but the application need only address information related to the proposed change. The Control Officer shall take final action on significant permit changes within nine (9) months of the receipt of a complete application.~~

~~No changes covered under a significant permit modification may be implemented by the source without an Authority To Construct permit if such authorization is required under Regulation 030.002. The source must submit a complete application at least nine (9) months prior to the time it intends to implement the change. (Revised 10/25/95)~~

~~030.960 PART 70 PERMIT OPERATING CONDITIONS (Adopted 10/20/93)~~

~~A. General~~

~~The Control Officer shall establish terms and conditions of operation for each Part 70 permit issued. Such terms and conditions shall be designed to ensure compliance with all federal "applicable requirements" and any applicable District regulations.~~

~~All permit terms and conditions established by the Control Officer must be identified on the permit as to the origin and authority for each item and whether or not each is an applicable requirement. Terms and conditions which are not required by the Act or its applicable requirements shall be designated as not federally enforceable. All terms and conditions of a Part 70 permit shall be enforceable by the Control Officer and citizens under the provisions of the Act. The Control Officer shall make allowance for alternative operating scenarios at permitted facilities.~~

~~B. General Permits~~

~~The Control Officer shall establish procedures for granting operations under general Part 70 permits and establish the categories of sources for which such permits will be granted. General permits may be issued for numerous and similar sources and shall be established after completing all required notice and opportunities for public participation, EPA and affected state review required under Sections 030.930 and 030.940.~~

~~Sources belonging to a category for which a "general" permit has been approved may request to be granted a Part 70 permit to operate under these provisions by submitting an application. Such applications must include all applicable information as specified in 030.020. No additional public comment will be provided for when operation under a general permit is granted. Any general permit shall comply with all applicable requirements as defined in Section 010.0135 and shall identify criteria by which sources may qualify for the general permit. Affected sources may not be issued general permits. Permit holders operating under a general permit may be subject to enforcement action if it is later determined that they do not qualify for operation under that general permit. Granting operation under a general permit does not qualify as a final action for purposes of judicial review.~~

~~C. Operating Permit Conditions~~

~~The Control Officer shall establish requirements as necessary to ensure that all permit terms, conditions, alternative operating scenarios and/or provisions for trading emissions increases and decreases within the facility comply with all applicable requirements of the Act.~~

~~All Part 70 permits shall contain the following terms and conditions of operation:~~

- ~~1. Requirements that the source must comply with all conditions of the Part 70 permit and any applicable requirements of the Act.~~
- ~~2. Notice that failure to comply constitutes a violation of the Act and is grounds for enforcement actions; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application. Notification that any filing by the permittee for any permit modification, notice of planned non-compliance or other planned changes do not stay the conditions of the permit.~~
- ~~3. Emissions limitations and standards, including operational requirements, emission rate limits or pollutant concentration limits that assure compliance with all applicable requirements at the time of permit issuance. Where an applicable requirement is more stringent than a requirement of the acid rain program, both requirements are federally enforceable and shall be incorporated into the permit.~~
- ~~4. Provisions for alternative operating scenarios as identified by the source in its application and as approved by the Control Officer. Such alternative operating terms shall provide that the source maintain contemporaneous records of which operating scenario they are operating under together with the times and dates for which any changes in operating scenarios are made.~~
- ~~5. Provisions for trading emissions increases and decreases within the facility to the extent the applicable requirements provide for such trading if requested by the source in its application and approved by the Control Officer.~~
- ~~6. Provisions for inspection and entry (as provided for under 020.0201), reporting, monitoring, record keeping and data collection required under the applicable requirements and sufficient to demonstrate compliance with permit terms and conditions. All methods for the collection of such data shall be specified in the permit including the time periods for data, any necessary supporting information concerning data collection and requirements for timely submission of reports to the District (not to exceed six (6) months or more often if required by an applicable requirement or the Control Officer). These reports should include any required monitoring information and indicate all instances of deviations from permit requirements. Where the applicable requirement does not require periodic testing or monitoring, periodic monitoring sufficient to yield reliable data representative of the source's compliance with the permit shall be required. Permit to operate conditions would include requirements concerning the use, maintenance and, where appropriate, the installation of monitoring equipment or methods. These monitoring requirements shall assure use of terms, test methods, units averaging periods and other statistical conventions consistent with the applicable requirement. All required data and supporting information shall be retained by the source for a period of at least five (5) years. Supporting information shall include all calibration and maintenance records, strip charts, dates, places and times of~~

~~sampling, the date the analysis were performed and by whom, the analytical techniques and results of the analyses, the operating conditions at the time of sampling, and any reports required by the permit. Copies of such records shall be furnished to the Control Officer upon request,~~

~~and if confidential, provided directly to EPA on request with a claim of confidentiality.~~

- ~~7. Requirements for prompt reporting of any deviations from the permit terms and conditions, including those due to emergency upset conditions, in accordance with District regulations 020.075 and 020.076.~~
- ~~8. Requirements that any document submitted under a Part 70 permit contain a certification of the truth, accuracy and completeness of the compliance statement by a responsible official, and that all certifications are based on information and belief formed after a reasonable inquiry. (Revised 10/25/95)~~
- ~~9. Provisions to allow automatic reopening of permits to enforce future provisions of the Act promulgated after permit issuance. Such newly promulgated federal standards shall be incorporated into any permit with three or more years remaining before renewal.~~
- ~~10. Notice that the Part 70 permit may be reopened and revised for cause under District regulation 030.960 (D). Notice that the permit is subject to termination, revocation and re-issuance or modification for cause under these regulations. That data necessary to determine if cause exists for such reopening shall be submitted to the Control Officer upon request in a timely manner as specified by the Control Officer in writing.~~
- ~~11. A severability clause to ensure the continued validity of various permit terms and conditions in the event of a challenge to any portion of the permit.~~
- ~~12. Notice that the permit does not convey any property rights of any sort or any exclusive privilege.~~
- ~~13. Notice that failure to pay any fines, fees or other approved charges from the District may result in enforcement action or termination of the permit or both.~~
- ~~14. Requirements that sources subject to Part 70 permits shall submit to the permitting authority and EPA a compliance plan signed by a responsible official. Submission of the annual compliance plan shall be due each year on anniversary of the date of issuance or more frequently if specified in an applicable requirement. The compliance plan shall be in conformance with the provisions of Section 030.970 of District regulations.~~
- ~~15. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce activity to maintain compliance.~~

~~D. Permit Reopenings~~

~~Part 70 permits may be reopened and revised by the Control Officer or the EPA Administrator. Procedures for reopening and revision shall be the same as specified for initial permit issuance in these regulations, including those for public participation, review by affected states and review by EPA, excepting that only the~~

~~portion to be revised shall be considered.~~

~~1. Reopening permits for cause~~

~~Part 70 permits may be reopened and revised by the District for the following reasons:~~

- ~~a. Additional applicable requirements become applicable to a Part 70 source with three (3) or more years remaining on the permit. New provisions pertaining to the acid rain program shall take affect without respect to the permit expiration date. If a permit is reopened under this section, a thirty day notice must be provided to the permittee before the permit is reopened.~~
- ~~b. If the Control Officer or the EPA Administrator determines that the permit contains a material mistake, inaccurate statements were made in establishing the emissions standards, other terms or conditions of the permit, or that the permit must be revised or revoked to ensure compliance with the applicable requirements or other District regulations.~~

~~2. Reopening by EPA~~

~~If the EPA Administrator finds that cause exists to terminate, modify or revoke and reissue a permit pursuant to regulation 030.960 (D) 1 a or b, or in response to a public petition, the EPA Administrator will notify the District and the permittee in writing.~~

~~Within 90 days of the receipt of such notice from EPA, the Control Officer shall submit to the EPA a proposed determination of termination, modification or revocation and reissuance, as appropriate. The EPA Administrator shall have 90 days from receipt of the proposed determination to review the proposal from the Control Officer. After that time the Control Officer shall have 90 days to resolve any EPA objection and terminate, modify, revoke and reissue the permit in accordance with the EPA Administrator's objections.~~

~~E. Temporary Sources~~

~~The Control Officer may issue a single Part 70 permit to the same source owner or operator for similar operations at multiple temporary locations. In addition to the permit requirements of 030.960 (C), the source will be required to provide the Control Officer with at least ten (10) days advance notice of any relocation. No affected source may be issued a temporary permit. To qualify for a temporary permit the source must undergo at least one change of location during the permit term.~~

~~F. Title IV Implementation~~

~~The Control Officer shall establish procedures consistent with 40 CFR Part 72 for any source subject to or choosing to implement the acid rain program under Title IV of the Act. Nothing in any permit or compliance plan issued pursuant to Title V of the Act shall be construed as affecting allowances under the acid rain program (section 408(b) of the Act). Any sources seeking permits under phase II of Title IV~~

~~shall submit such applications as required in the Act. Applications for permits with sulfur dioxide related requirements will be~~

~~submitted by January 1, 1996 and applications to add requirements related to Nitrogen Oxide emissions by January 1, 1998. Any source which becomes subject to Title IV of the Act shall have the following supplementary terms and conditions of operation in its Part 70 permit:~~

- ~~1. Requirements to meet all applicable Acid Rain requirements promulgated under Title IV of the Act, including any requirements related to control or limitations on SO₂ and NO_x emissions. If another applicable requirement that is stricter than the Acid Rain requirement applies, to a source, both requirements shall be included in the permit.~~
- ~~2. Limitations to prevent sulfur dioxide emissions greater than allowed under any applicable requirement or emission allowances lawfully held under Title IV of the Act.~~

~~G. EPA Permit Implementation~~

~~Consistent with the provisions of 40 CFR Part 70.10, the EPA Administrator may supersede the District's Part 70 regulations and issue Part 70 permits as necessary.~~

~~030.970 PART 70 PERMIT MONITORING AND COMPLIANCE (Adopted 10/20/93, Revised 10/25/95)~~

~~A. Compliance Statements~~

~~Sources subject to Part 70 permits shall submit a statement of compliance signed by a responsible official. The annual compliance statement shall be due each year on the anniversary of the date of issuance (or more frequently if required in an applicable requirement). The compliance statement shall address each term or condition of operation on an item by item basis. The compliance statement shall contain the following:~~

- ~~1. Identification of each term or condition of operation that is the basis for certification.~~
- ~~2. The compliance status of the facility with respect to each term or condition of operation and a statement that the operator will continue to comply with such requirements.~~
- ~~3. Whether the compliance with each term or condition of operation was continuous or intermittent.~~
- ~~4. The method(s) used for determining the compliance status of the source including a description of monitoring, record keeping and reporting requirements, and test methods.~~
- ~~5. For any term or condition of operation for which the source is not in compliance, the source must submit a compliance schedule and a narrative description of how the source will achieve compliance with such requirements as described in 030.970 (B) of these regulations.~~
- ~~6. For any source for which the Control Officer has established requirements for progress reports on compliance schedules, the source must~~

~~provide these~~

~~progress reports in a timely manner and address dates milestones and other activities that have been specified by the Control Officer. The progress report shall also include the dates on which any milestones were achieved and an explanation of any dates or milestones that were not or are not expected to be met, why they were not met and any corrective actions to be taken as a result.~~

- ~~7. Any other specific information needed to determine compliance as required by the Control Officer.~~
- ~~8. A certification of the truth, accuracy and completeness of the compliance statement by a responsible official.~~
- ~~9. Any additional requirements as may be specified pursuant to sections 114(a) and 504(b) of the Act.~~

~~All Statements of compliance must be made in writing to both the EPA Administrator as well as to the Control Officer. Failure to submit a statement of compliance in a timely manner may result in citation, penalties, suspension or revocation of the Part 70 permit.~~

~~B. Schedules For Compliance And Remedial Measures~~

~~The Control Officer may issue a Part 70 permit to sources which will not be in compliance with the applicable requirements of its permit at the time of permit issuance. Any Part 70 permit issued to a source which is operating out of compliance with the applicable requirements of its permit shall be issued in conjunction with a compliance schedule. Submission of a compliance schedule does not release the permittee from compliance with any applicable requirement. A compliance schedule shall be submitted with the compliance statement for all part 70 sources. Any schedule of compliance shall include the following:~~

- ~~1. A list of remedial measures, including enforceable sequences of actions with milestones, leading to compliance with any applicable requirements in a timely manner.~~
- ~~2. A schedule for certified progress reports to be made no less frequently than every six (6) months or more frequent if specified in the applicable requirement.~~
- ~~3. A statement that for all terms and conditions for which the source is in compliance that the source will continue to comply with such requirements.~~
- ~~4. A certification of the truth, accuracy and completeness of the compliance schedule by a responsible official.~~
- ~~5. A commitment to meet the standards and specifications of any future effective applicable requirements in a timely fashion.~~
- ~~6. Any schedule for compliance must be at least as stringent as that contained in any judicial consent decree or administrative order.~~

~~C. Annual Inspection and Compliance Review~~

- ~~1. Compliance inspections of the facilities shall be made at least annually. The Control Officer shall inspect the equipment, practices and operations required or regulated under the Part 70 permit.~~
- ~~2. The Control Officer shall evaluate the compliance status of each Part 70 permit on an annual basis. The compliance statement and the results of the most recent on-site inspection shall be reviewed and the progress of any compliance schedule shall be assessed. The Control Officer shall consider the comments or complaints received from the public during the compliance review process.~~

~~030.990 PART 70 PERMIT HAZARDOUS AIR POLLUTANT PROVISIONS (Adopted 10/20/93)~~

~~The Control Officer shall establish terms and conditions of operations to ensure the compliance of all sources permitted under Part 70 and subject to the provisions of section 112 of the Act (Hazardous Air Pollutants). The Control Officer shall establish permit requirements for risk management plans as per section (r)(7).~~

~~The Control Officer shall adopt MACT standards as established by the EPA as soon as practicable after such standards have been promulgated.~~

~~The Control Officer shall undertake a case by case control technology evaluation, consistent with the provisions of section 112(g) of the Act, for all major sources of hazardous air pollutants which are new, modified or reconstructed. Based upon this evaluation, the Control Officer shall determine appropriate control technology and emissions limitations. The emissions limits must reflect the Maximum Achievable Control Technology (MACT), even if MACT control standards have not yet been promulgated or proposed for that category of sources. In cases where no standards have been proposed by EPA, or EPA has missed a statutory deadline for standard promulgation, the Control Officer must establish conditions at least as stringent as those that would have been established if EPA had promulgated such standards on time. If EPA subsequently issues technology base standards which would apply to that source, the permit must be revised to reflect the new standard if the requirements are more stringent than those previously required. These emission limits shall become an enforceable part of the Part 70 permit. Sources may offset emissions of pollutants, subject to certain restrictions as established by EPA and the Control Officer, to avoid triggering a permit modification. Deadline extensions for emissions reductions shall be given as applicable under the Act to sources participating in the early reductions program as specified in section 112 (i) (5) of the Act.~~

~~030.995 SMALL BUSINESS ASSISTANCE PROGRAM (Adopted 10/20/93)~~

~~The Control Officer shall provide a program assisting small business sources in complying with the provisions of the District's air quality regulations. This program will be operated in compliance with section 507 of the Act (small business assistance) and relevant EPA guidance.~~

~~The Control Officer may hire a contractor to operate the small business compliance assistance program or participate with the State of Nevada and/or Clark County in contracting to make such services available. If a joint agreement is created, Washoe County will participate in financial and other advisory panel or program oversight functions. Any~~

~~contract for the provision of these small business assistance services will be reviewed periodically.~~

NORTHERN NEVADA

Public Health

Proposed Revisions to District Board of Health Regulations Governing Air Quality Management Chapter 030

Francisco Vega – July 8, 2024

Director, Air Quality Management Division

Air Quality Management Division

Mission

The Air Quality Management Division (AQMD) implements clean air solutions that protect the quality of life for the citizens of Reno, Sparks, and Washoe County through community partnerships along with programs and services such as air monitoring, permitting, compliance, planning, and public education.

District Board of Health

Strategic Priority

2. Healthy Environment: Create a healthier environment that allows people to safely enjoy everything Washoe County has to offer.

2.1 Protect people from negative environmental impacts.

Chapter 030 Source Permitting (Proposed Revision)

Background

- Chapter 030 establishes the requirements for air pollution control and air quality permitting for sources of regulated air pollutants located within Washoe County.
- These requirements are used to protect public health and welfare.
- Establishes minimum thresholds for air quality permitting, air pollution control requirements, and exemptions from air quality permitting requirements.
- Also establishes application, monitoring, reporting, recordkeeping, and testing requirements.



Chapter 030 Source Permitting (Proposed Revision)

Why

- **Regulation is incorrect in many instances.**
 - **Example: 030.905**
- **Many requirements are outdated.**
 - **Most parts of the regulation have not been updated for 20-30 years.**
- **Does not reflect current best practices for air quality source permitting.**
 - **Permits renewed annually as opposed to once every 5 years.**
- **Not clear and/or transparent.**
 - **Structure**
 - **Definitions**
 - **Different programs intermingled**

030.905

SOURCES REQUIRING PART 70 PERMITS (Adopted 10/20/93, Revised 10/25/95, 6/23/11)

A. Sources Required to Obtain a Part 70 Permit

The following sources and source categories shall be subject to Part 70 permitting:

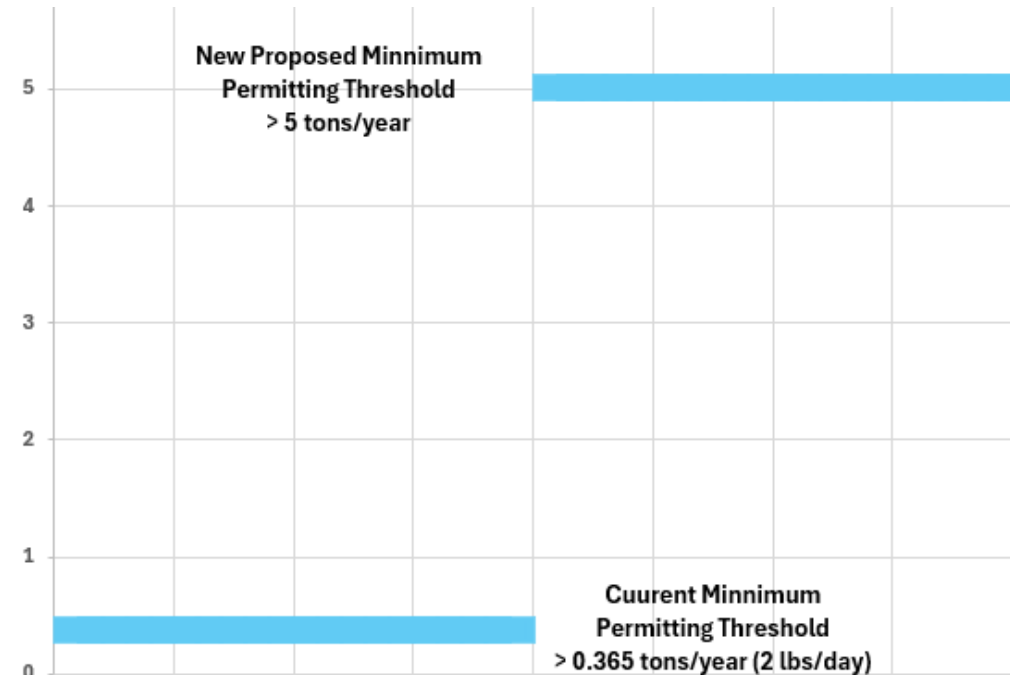
1. Any Major Stationary Source;
2. Any source, including area sources, subject to a standard, limitation or other requirement under section 111 (New Source Performance Standards) of the Act;
3. Any source, including an area source, subject to a standard or other requirement under section 112 (Hazardous Air Pollutants) of the Act. However, a source which is subject to regulations or requirements only under section 112(r) of the Act shall not be required to obtain a permit;
4. Any source that includes one or more units subject to Title IV (Acid Rain) of the Act;
5. Any source in a source category designated by the EPA Administrator pursuant to 40 CFR Part 70.
6. Any new or modified existing sources of greenhouse gasses are subject to regulation if they exceed the thresholds specified in 40 CFR 70.2.



Chapter 030 Source Permitting (Proposed Revision)

Major Changes

- **Minimum Permitting Thresholds**
 - Proposed to be increased from 0.365 tons per year (2 lbs/day) to 5 tons per year.
- **Permit Renewal Timeframe**
 - Proposed to change from an annual requirement to 5 years.
- **Exemptions**
 - Clear and transparent list of exempt and insignificant activities.
- **Best System of Control**
 - Clearly defines when projects require additional air pollution controls.



Chapter 030 Source Permitting (Proposed Revision)

Major Changes

- **Structure**
 - Different permitting programs have been broken out into different parts.
- **General Permitting**
 - Part 030.100 will allow for the issuance of general permits for similar sources.
- **Definitions**
 - All definitions have been corrected and updated
- **Fee Structure**
 - Annual Emissions and General Permits



Chapter 030 Source Permitting (Proposed Revision)

Structure

Part 030.000 - General Provisions

Provides general guidance on the air quality permitting program.

Part 030.300 - Nonattainment New Source Review

Establishes requirements for the permitting of major stationary sources in nonattainment areas.

Part 030.100 - General Permitting

Establishes requirements for the permitting of general sources.

Part 030.400 - Prevention of Significant Deterioration

Establishes requirements for the permitting of major stationary sources in attainment areas.

Part 030.200 - Minor Sources

Establishes requirements for the permitting of minor sources.

Part 030.500 - Part 70

Establishes requirements for the permitting of major sources.

Chapter 030 Source Permitting (Proposed Revision)

Fee Structure

Description	Proposed FY24-25 Fee	Proposed FY24-25 Fee
	Effective 7/1/2024	Effective 1/1/2025
Application - General Permit		\$500.00
Application - Portable Equipment Move Notification (Per Emission Unit)		\$100.00
Annual Emissions Reporting		
Annual Maintenance Fee - Minor Source (PTC/PTO)	\$696.00	\$696.00
Annual Emission Fee - Minor Source (Per Pound)	\$24.00	
Annual Emission Fee - Minor Source (Allowable Emissions < 20 tpy)		\$250.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 20 and < 40 tpy)		\$500.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 40 and < 60 tpy)		\$1,000.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 60 and < 80 tpy)		\$2,000.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 80 and < 100 tpy)		\$4,000.00
Annual Maintenance Fee - Major Source (PTC/PTO)	\$12,344.00	\$12,344.00
Annual Emission Fee - Major Source	\$10,401.00	\$10,401.00
Annual Maintenance Fee - Air Toxics Source	\$208.00	\$208.00
Annual Emission Fee - Air Toxics Source (Per Pound)	\$11.00	\$11.00
Annual Emission Fee - Air Toxics Source (Allowable ≥ 1 tpy)		\$2,000.00
Annual Maintenance Fee - General Permit		\$250.00
Annual Equipment Fee - Gasoline Dispensing Source (Per Nozzle)	\$95.00	\$95.00
Air Quality Permit to Operate Late Fee (% of Total Fee Due)	25%	25%



Chapter 030 Source Permitting (Proposed Revision)

Timeline

July 8, 2024

August 8, 2024

August 22, 2024

September 26, 2024

Start of the 30-Day Public
Comment Period and Public
Workshop.

Close of 30-Day Public
Comment Period and Public
Workshop

Business Impact Statement
presented to District Board of
Health

Public Hearing and Rule
Adoption presented to District
Board of Health

*** Implementation date for the proposed revisions will be January 1, 2025**

Chapter 030 Source Permitting (Proposed Revision)

Public Engagement

- Public comment will be accepted through August 8th.
 - May be submitted via email at HealthAirQuality-Planning@nnph.org
 - May be submitted via mail at 1001 E. Ninth St., Bldg. B-171, Reno, NV, 89512
 - May be dropped off in person in the air quality drop box located at the address above
- All correspondence must include first and last name, mailing address, and contact information.

To view the proposed changes to Chapter 030, recording of this public workshop, and slides from this presentation, please visit the Public Outreach page of our website.

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NORTHERN NEVADA

Public Health

Proposed Revisions to District Board of Health Regulations Governing Air Quality Management Chapter 030

Francisco Vega – August 8, 2024

Director, Air Quality Management Division

Air Quality Management Division

Mission

The Air Quality Management Division (AQMD) implements clean air solutions that protect the quality of life for the citizens of Reno, Sparks, and Washoe County through community partnerships along with programs and services such as air monitoring, permitting, compliance, planning, and public education.

District Board of Health

Strategic Priority

2. Healthy Environment: Create a healthier environment that allows people to safely enjoy everything Washoe County has to offer.

2.1 Protect people from negative environmental impacts.

Chapter 030 Source Permitting (Proposed Revision)

Background

- Chapter 030 establishes the requirements for air pollution control and air quality permitting for sources of regulated air pollutants located within Washoe County.
- These requirements are used to protect public health and welfare.
- Establishes minimum thresholds for air quality permitting, air pollution control requirements, and exemptions from air quality permitting requirements.
- Also establishes application, monitoring, reporting, recordkeeping, and testing requirements.



Chapter 030 Source Permitting (Proposed Revision)

Why

- **Regulation is incorrect in many instances.**
 - **Example: 030.905**
- **Many requirements are outdated.**
 - **Most parts of the regulation have not been updated for 20-30 years.**
- **Does not reflect current best practices for air quality source permitting.**
 - **Permits renewed annually as opposed to once every 5 years.**
- **Not clear and/or transparent.**
 - **Structure**
 - **Definitions**
 - **Different programs intermingled**

030.905

SOURCES REQUIRING PART 70 PERMITS (Adopted 10/20/93, Revised 10/25/95, 6/23/11)

A. Sources Required to Obtain a Part 70 Permit

The following sources and source categories shall be subject to Part 70 permitting:

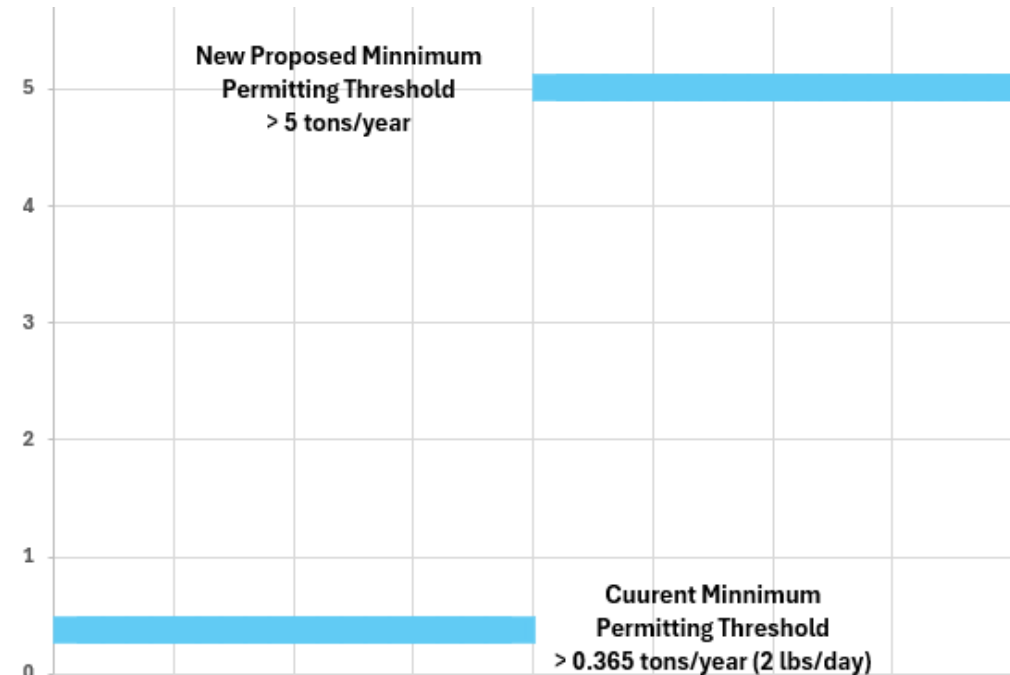
1. Any Major Stationary Source;
2. Any source, including area sources, subject to a standard, limitation or other requirement under section 111 (New Source Performance Standards) of the Act;
3. Any source, including an area source, subject to a standard or other requirement under section 112 (Hazardous Air Pollutants) of the Act. However, a source which is subject to regulations or requirements only under section 112(r) of the Act shall not be required to obtain a permit;
4. Any source that includes one or more units subject to Title IV (Acid Rain) of the Act;
5. Any source in a source category designated by the EPA Administrator pursuant to 40 CFR Part 70.
6. Any new or modified existing sources of greenhouse gasses are subject to regulation if they exceed the thresholds specified in 40 CFR 70.2.



Chapter 030 Source Permitting (Proposed Revision)

Major Changes

- **Minimum Permitting Thresholds**
 - Proposed to be increased from 0.365 tons per year (2 lbs/day) to 5 tons per year.
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 - Proposed to change from an annual requirement to 5 years.
- **Exemptions**
 - Clear and transparent list of exempt and insignificant activities.
- **Best System of Control**
 - Clearly defines when projects require additional air pollution controls.



Chapter 030 Source Permitting (Proposed Revision)

Major Changes

- **Structure**
 - Different permitting programs have been broken out into different parts.
- **General Permitting**
 - Part 030.100 will allow for the issuance of general permits for similar sources.
- **Definitions**
 - All definitions have been corrected and updated
- **Fee Structure**
 - Annual Emissions and General Permits



Chapter 030 Source Permitting (Proposed Revision)

Structure

Part 030.000 - General Provisions

Provides general guidance on the air quality permitting program.

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Establishes requirements for the permitting of major stationary sources in nonattainment areas.

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Establishes requirements for the permitting of general sources.

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Establishes requirements for the permitting of major stationary sources in attainment areas.

Part 030.200 - Minor Sources

Establishes requirements for the permitting of minor sources.

Part 030.500 - Part 70

Establishes requirements for the permitting of major sources.

Chapter 030 Source Permitting (Proposed Revision)

Fee Structure

Stationary Source Applications					
Application - Minor Source Application Intake/Applicability Determination					\$1,516.00
Application - New Minor Source Issuance (PTC)	\$1,214.00	\$1,278.00	\$1,278.00	\$2,781.00	\$2,781.00
Application - Fuel Burning Equipment General Source	\$170.00	\$179.00	\$179.00	\$349.00	
Application - Synthetic Minor Source Issuance (PTC)	\$3,605.00	\$3,796.00	\$3,796.00	\$6,189.00	\$6,189.00
Application - Minor Source Renewal (PTO)					\$2,024.00
Application - Modification at Minor Source Issuance (PTC)				\$2,781.00	\$2,781.00
Application - Minor Source PTC Conversion to PTO					\$2,024.00
Application - Best System of Control Analysis (PTC)					\$2,402.00
Application - Major Source By Rule (All Application Types)	\$3,097.00	\$3,261.00	\$3,261.00	\$4,130.00	\$4,130.00
Application - New Major Source (Title V, PTC)	\$39,785.00	\$41,894.00	\$41,894.00	\$57,822.00	\$57,822.00
Application - Major Source (Title V, PTO) Renewal				\$16,165.00	\$16,165.00
Application - Major Source PTC Conversion to PTO					\$16,354.00
Application - Minor Modification at Major Source (PTC)				\$19,951.00	\$19,951.00
Application - Major Modification at Major Source (PTC)				\$57,822.00	\$57,822.00
Application - New PSD/NSR Source (PTC)				\$95,692.00	\$95,692.00
Application - Change Made with Notice					\$319.00
Application - Administrative Amendment	\$103.00	\$108.00	\$108.00	\$319.00	\$319.00
General Source Applications					
Application - General Permit					\$633.00
Application - Portable Equipment Move Notification (Per Emission Unit)					\$105.00



Chapter 030 Source Permitting (Proposed Revision)

Fee Structure

Annual Emissions					
Annual Maintenance Fee - Minor Source (PTC/PTO)	\$391.00	\$412.00	\$412.00	\$696.00	\$696.00
Annual Emission Fee - Minor Source (Per Pound)	\$18.00	\$19.00	\$19.00	\$24.00	
Annual Emission Fee - Minor Source (Allowable Emissions < 20 tpy)					\$260.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 20 and < 40 tpy)					\$650.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 40 and < 60 tpy)					\$1,622.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 60 and < 80 tpy)					\$4,056.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 80 and < 100 tpy)					\$10,140.00
Annual Maintenance Fee - Major Source (PTC/PTO)	\$391.00	\$412.00	\$412.00	\$12,344.00	\$12,344.00
Annual Emission Fee - Major Source	\$18.00	\$19.00	\$19.00	\$10,401.00	\$10,401.00
Annual Maintenance Fee - HAPs Source	\$166.00	\$175.00	\$175.00	\$208.00	\$208.00
Annual Emission Fee - Air Toxics Source (Per Pound)	\$8.00	\$8.00	\$8.00	\$11.00	
Annual Emission Fee - HAPs Source (Allowable ≥ 1 tpy)					\$2,080.00
Annual Maintenance Fee - General Permit					\$366.00
Annual Equipment Fee - Gasoline Dispensing Source (Per Nozzle)	\$86.00	\$90.00	\$90.00	\$95.00	\$95.00
Air Quality Permit to Operate Late Fee (% of Total Fee Due)	25%	25%	25%	25%	25%



Chapter 030 Source Permitting (Proposed Revision)

Timeline

July 8, 2024

August 8, 2024

August 22, 2024

September 26, 2024

Start of the 30-Day Public
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To view the proposed changes to Chapter 030, recording of this public workshop, and slides from this presentation, please visit the Public Outreach page of our website.

OurCleanAir.com



NORTHERN NEVADA
Public Health+

Sign-In Sheet



Northern Nevada Public Health, AQMD
Chapter 030 Public Workshop
Monday, July 8, 2024, 2 - 4 pm,
Health District Conference Rooms A and B

Name	Organization	E-mail or Phone Number
Francisco Vega	NNPH-AQMD	fvega@nnpb.org
Matt McCarthy	NNPH-AQMD	mmccarthy@nnpb.org
Mina Wilcox	NNPH-AQMD	mwilcox@nnpb.org
Brendan Schirder	NNPH-AQMD	bschirder@nnpb.org

1. Summary

Meeting title	030 Workshop
Attended participants	9
Start time	7/08/24, 1:49:25 PM
End time	7/08/24, 2:28:27 PM
Meeting duration	39m 1s
Average attendance time	26m 58s

2. Participants

Name	First Join	Last Leave	In-Meeting Duration	Email	Participant ID (UPN)	Role
Schnieder, Brendan	7/08/24, 1:49:54 PM	7/08/24, 2:25:52 PM	35m 58s	BSchnieder@nnph.org	BSchnieder@washoecounty.gov	Organizer
Health - ConferenceRoom B - Teams Room	7/08/24, 1:49:27 PM	7/08/24, 2:28:27 PM	39m	Health-ConferenceRoomB@nnph.org	Health-ConferenceRoomB@WashoeNV.onmicrosoft.com	Presenter
Restori, Joshua	7/08/24, 1:49:43 PM	7/08/24, 2:23:28 PM	27m 55s	JRestori@nnph.org	JRestori@washoecounty.gov	Presenter
McCarthy, Matthew	7/08/24, 1:50:07 PM	7/08/24, 2:25:55 PM	35m 47s	MMcCarthy@nnph.org	MMcCarthy@washoecounty.gov	Presenter
Joe Baldwin (External)	7/08/24, 2:00:27 PM	7/08/24, 2:10:55 PM	10m 28s	Joe.Baldwin@verano.com	Joe.Baldwin@verano.com	Presenter
Tray Abney (External)	7/08/24, 2:00:27 PM	7/08/24, 2:24:21 PM	23m 54s	tray@abneytauchen.com	tray@abneytauchen.com	Presenter
Matthew A DeBurlle (External)	7/08/24, 2:00:28 PM	7/08/24, 2:24:12 PM	23m 44s	mdeburle@unr.edu	mdeburle@unr.edu	Presenter
Sarah Collins (External)	7/08/24, 2:00:29 PM	7/08/24, 2:25:48 PM	25m 19s	sarah@i3publicaffairs.com	sarah@i3publicaffairs.com	Presenter
Rosa, Genine	7/08/24, 2:05:13 PM	7/08/24, 2:25:50 PM	20m 36s	GRosa@nnph.org	GRosa@washoecounty.gov	Presenter

3. In-Meeting Activities

Name	Join Time	Leave Time	Duration	Email	Role
Schnieder, Brendan	7/08/24, 1:49:54 PM	7/08/24, 2:25:52 PM	35m 58s	BSchnieder@nnph.org	Organizer
Health - ConferenceRoom B - Teams Room	7/08/24, 1:49:27 PM	7/08/24, 2:28:27 PM	39m	Health-ConferenceRoomB@nnph.org	Presenter
Restori, Joshua	7/08/24, 1:49:43 PM	7/08/24, 2:06:35 PM	16m 51s	JRestori@nnph.org	Presenter
Restori, Joshua	7/08/24, 2:12:24 PM	7/08/24, 2:23:28 PM	11m 4s	JRestori@nnph.org	Presenter
McCarthy, Matthew	7/08/24, 1:50:07 PM	7/08/24, 2:25:55 PM	35m 47s	MMcCarthy@nnph.org	Presenter
Joe Baldwin (External)	7/08/24, 2:00:27 PM	7/08/24, 2:10:55 PM	10m 28s	Joe.Baldwin@verano.com	Presenter
Tray Abney (External)	7/08/24, 2:00:27 PM	7/08/24, 2:24:21 PM	23m 54s	tray@abneytauchen.com	Presenter
Matthew A DeBurlle (External)	7/08/24, 2:00:28 PM	7/08/24, 2:24:12 PM	23m 44s	mdeburle@unr.edu	Presenter
Sarah Collins (External)	7/08/24, 2:00:29 PM	7/08/24, 2:25:48 PM	25m 19s	sarah@i3publicaffairs.com	Presenter
Rosa, Genine	7/08/24, 2:05:13 PM	7/08/24, 2:25:50 PM	20m 36s	GRosa@nnph.org	Presenter

1. Summary

Meeting title	030 Workshop
Attended participants	9
Start time	8/08/24, 10:13:16 AM
End time	8/08/24, 11:29:33 AM
Meeting duration	1h 16m 17s
Average attendance time	45m 44s

2. Participants

Name	First Join	Last Leave	In-Meeting Duration	Email	Participant ID (UPN)	Role
Schnieder, Brendan	8/08/24, 10:21:07 AM	8/08/24, 11:18:45 AM	57m 38s	BSchnieder@nnph.org	BSchnieder@washoeconomy.gov	Organizer
Health - ConferenceRoom B - Teams Room	8/08/24, 10:21:39 AM	8/08/24, 11:19:04 AM	57m 25s	Health-ConferenceRoomB@nnph.org	Health-ConferenceRoomB@WashoeNV.onmicrosoft.com	Presenter
McCarthy, Matthew	8/08/24, 10:26:30 AM	8/08/24, 11:29:33 AM	1h 3m 3s	MMcCarthy@nnph.org	MMcCarthy@washoeconomy.gov	Presenter
Wendy Alexander (External)	8/08/24, 10:31:43 AM	8/08/24, 11:18:47 AM	47m 4s	walexander@broadbentinc.com	walexander@broadbentinc.com	Presenter
Nicki McKenzie (External)	8/08/24, 10:31:43 AM	8/08/24, 11:06:43 AM	34m 59s	nmckenzie1@teamues.com	nmckenzie1@teamues.com	Presenter
Tate, Seth	8/08/24, 10:31:43 AM	8/08/24, 11:06:46 AM	35m 3s	Seth_Tate@kindermorgan.com	S7TK0011@kindermorgan.com	Presenter
Scott C. (Unverified)	8/08/24, 10:31:43 AM	8/08/24, 11:18:29 AM	46m 46s			Presenter
Ben Davis (Unverified)	8/08/24, 10:31:43 AM	8/08/24, 11:06:58 AM	35m 14s			Presenter
Joshua Legrande (External)	8/08/24, 10:32:12 AM	8/08/24, 11:06:40 AM	34m 27s	JLegrande@teamues.com	JLegrande@teamues.com	Presenter

3. In-Meeting Activities

Name	Join Time	Leave Time	Duration	Email	Role
Schnieder, Brendan	8/08/24, 10:21:07 AM	8/08/24, 11:18:45 AM	57m 38s	BSchnieder@nnph.org	Organizer
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McCarthy, Matthew	8/08/24, 10:26:30 AM	8/08/24, 11:29:33 AM	1h 3m 3s	MMcCarthy@nnph.org	Presenter
Wendy Alexander (External)	8/08/24, 10:31:43 AM	8/08/24, 11:18:47 AM	47m 4s	walexander@broadbentinc.com	Presenter
Nicki McKenzie (External)	8/08/24, 10:31:43 AM	8/08/24, 11:06:43 AM	34m 59s	nmckenzie1@teamues.com	Presenter
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Joshua Legrande (External)	8/08/24, 10:32:12 AM	8/08/24, 11:06:40 AM	34m 27s	JLegrande@teamues.com	Presenter

Description	Proposed FY24-25 Fee	Proposed FY24-25 Fee
	Effective 7/1/2024	Effective 1/1/2025
Building Plan Review		
Building Plan Review	\$190.00	\$190.00
Stationary Source Applications		
Application - Minor Source Application Intake/Applicability Determination		\$1,516.00
Application - New Minor Source Issuance (PTC)	\$2,781.00	\$2,781.00
Application - Synthetic Minor Source Issuance (PTC)	\$6,189.00	\$6,189.00
Application - Minor Source Renewal (PTO)		\$2,024.00
Application - Modification at Minor Source Issuance (PTC)	\$2,781.00	\$2,781.00
Application - Minor Source PTC Conversion to PTO		\$2,024.00
Application - Best System of Control Analysis (PTC)		\$2,402.00
Application - Major Source By Rule (All Application Types)	\$4,130.00	\$4,130.00
Application - New Major Source (Title V, PTC)	\$57,822.00	\$57,822.00
Application - Major Source (Title V, PTO) Renewal	\$16,165.00	\$16,165.00
Application - Major Source PTC Conversion to PTO		\$16,354.00
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Application - Change Made with Notice		\$319.00
Application - Administrative Amendment	\$319.00	\$319.00
General Source Applications		
Application - General Permit		\$633.00
Application - Portable Equipment Move Notification (Per Emission Unit)		\$105.00
Annual Emissions		
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Annual Emission Fee - Minor Source (Allowable Emissions < 20 tpy)		\$260.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 20 and < 40 tpy)		\$650.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 40 and < 60 tpy)		\$1,622.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 60 and < 80 tpy)		\$4,056.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 80 and < 100 tpy)		\$10,140.00
Annual Maintenance Fee - Major Source (PTC/PTO)	\$12,344.00	\$12,344.00
Annual Emission Fee - Major Source	\$10,401.00	\$10,401.00
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Annual Emission Fee - HAPs Source (Allowable ≥ 1 tpy)		\$2,080.00
Annual Maintenance Fee - General Permit		\$366.00
Annual Equipment Fee - Gasoline Dispensing Source (Per Nozzle)	\$95.00	\$95.00
Air Quality Permit to Operate Late Fee (% of Total Fee Due)	25%	25%
Asbestos Program		
Asbestos - AAA Plan Review	\$183.00	\$183.00
Asbestos - NESHAP/Non-NESHAP Demolition Notification	\$422.00	\$422.00
Asbestos - NESHAP Renovation Notification - Category 1	\$860.00	\$860.00
Asbestos - NESHAP Renovation Notification - Category 2	\$1,896.00	\$1,896.00
Asbestos - NESHAP Renovation Notification - Category 3	\$4,668.00	\$4,668.00
Asbestos - NESHAP Renovation Notification - Annual	\$9,895.00	\$9,895.00
Wood-Burning Device Program		
WBD Inspector Certification - New	\$421.00	\$421.00
WBD Inspector Certification - Renewal	\$141.00	\$141.00
WBD Certificate of Compliance	\$141.00	\$141.00
WBD Certificate of Compliance - Transfer	\$36.00	\$36.00
WBD Notice of Exemption	\$41.00	\$41.00
WBD Dealers Affidavit of Sale	\$41.00	\$41.00
Dust Control Program		
Application - Dust Control Source Administrative	\$177.00	\$177.00
Application - Dust Control Source Per Acre	\$316.00	\$316.00
Prescribed Burn Program		
Application - Prescribed Burn Source Administrative	\$380.00	\$380.00
Geothermal Well Drilling Applications		
Application - Geothermal Well Drilling Permit	\$1,021.00	\$1,021.00
Other Air Quality Fees		
Application - Confidentiality Request	\$758.00	\$758.00
Air Quality Variance Request	\$1,344.00	\$1,344.00
Expert Witness Fee (per hour)	\$731.00	\$731.00
Non-Standard Working Hours Request (per hour)	\$254.00	\$254.00

Description	Proposed FY24-25 Fee	Proposed FY24-25 Fee
	Effective 7/1/2024	Effective 1/1/2025
Building Plan Review		
Building Plan Review	\$190.00	\$190.00
Stationary Source Applications		
Application - Minor Source Application Intake/Applicability Determination		\$1,516.00
Application - New Minor Source Issuance (PTC)	\$2,781.00	\$2,781.00
Application - Fuel Burning Equipment General Source	\$349.00	
Application - Synthetic Minor Source Issuance (PTC)	\$6,189.00	\$6,189.00
Application - Minor Source Renewal (PTO)		\$2,024.00
Application - Modification at Minor Source Issuance (PTC)	\$2,781.00	\$2,781.00
Application - Minor Source PTC Conversion to PTO		\$2,024.00
Application - Best System of Control Analysis (PTC)		\$2,402.00
Application - Major Source By Rule (All Application Types)	\$4,130.00	\$4,130.00
Application - New Major Source (Title V, PTC)	\$57,822.00	\$57,822.00
Application - Major Source (Title V, PTO) Renewal	\$16,165.00	\$16,165.00
Application - Major Source PTC Conversion to PTO		\$16,354.00
Application - Minor Modification at Major Source (PTC)	\$19,951.00	\$19,951.00
Application - Major Modification at Major Source (PTC)	\$57,822.00	\$57,822.00
Application - New PSD/NSR Source (PTC)	\$95,692.00	\$95,692.00
Application - Change Made with Notice		\$319.00
Application - Administrative Amendment	\$319.00	\$319.00
General Source Applications		
Application - General Permit		\$633.00
Application - Portable Equipment Move Notification (Per Emission Unit)		\$105.00
Annual Emissions		
Annual Maintenance Fee - Minor Source (PTC/PTO)	\$696.00	\$696.00
Annual Emission Fee - Minor Source (Per Pound)	\$24.00	
Annual Emission Fee - Minor Source (Allowable Emissions < 20 tpy)		\$260.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 20 and < 40 tpy)		\$650.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 40 and < 60 tpy)		\$1,622.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 60 and < 80 tpy)		\$4,056.00
Annual Emission Fee - Minor Source (Allowable Emissions ≥ 80 and < 100 tpy)		\$10,140.00
Annual Maintenance Fee - Major Source (PTC/PTO)	\$12,344.00	\$12,344.00
Annual Emission Fee - Major Source	\$10,401.00	\$10,401.00
Annual Maintenance Fee - HAPs Source	\$208.00	\$208.00
Annual Emission Fee - Air Toxics Source (Per Pound)	\$41.00	
Annual Emission Fee - HAPs Source (Allowable ≥ 1 tpy)		\$2,080.00
Annual Maintenance Fee - General Permit		\$366.00
Annual Equipment Fee - Gasoline Dispensing Source (Per Nozzle)	\$95.00	\$95.00
Air Quality Permit to Operate Late Fee (% of Total Fee Due)	25%	25%
Asbestos Program		
Asbestos - AAA Plan Review	\$183.00	\$183.00
Asbestos - NESHAP/Non-NESHAP Demolition Notification	\$422.00	\$422.00
Asbestos - NESHAP Renovation Notification - Category 1	\$860.00	\$860.00
Asbestos - NESHAP Renovation Notification - Category 2	\$1,896.00	\$1,896.00
Asbestos - NESHAP Renovation Notification - Category 3	\$4,668.00	\$4,668.00
Asbestos - NESHAP Renovation Notification - Annual	\$9,895.00	\$9,895.00
Wood-Burning Device Program		
WBD Inspector Certification - New	\$421.00	\$421.00
WBD Inspector Certification - Renewal	\$141.00	\$141.00
WBD Certificate of Compliance	\$141.00	\$141.00
WBD Certificate of Compliance - Transfer	\$36.00	\$36.00
WBD Notice of Exemption	\$41.00	\$41.00
WBD Dealers Affidavit of Sale	\$41.00	\$41.00
Dust Control Program		
Application - Dust Control Source Administrative	\$177.00	\$177.00
Application - Dust Control Source Per Acre	\$316.00	\$316.00
Prescribed Burn Program		
Application - Prescribed Burn Source Administrative	\$380.00	\$380.00
Geothermal Well Drilling Applications		
Application - Geothermal Well Drilling Permit	\$1,021.00	\$1,021.00
Other Air Quality Fees		
Application - Confidentiality Request	\$758.00	\$758.00
Applicability Determination	\$1,516.00	
Air Quality Variance Request	\$1,344.00	\$1,344.00
Expert Witness Fee (per hour)	\$731.00	\$731.00
Non-Standard Working Hours Request (per hour)	\$254.00	\$254.00

Staff Report
Board Meeting Date: August 22, 2024

DATE: August 15, 2024
TO: District Board of Health
FROM: Rayona LaVoie, Management Analyst
775-328-2404, rlavoie@washoecounty.gov
SUBJECT: Presentation and possible acceptance of the Annual FY23 Strategic Plan Results.

SUMMARY

On November 9, 2023, a Strategic Planning Retreat was held to discuss a refresh of the Health District's Strategic Plan. The retreat included presentations on a District Snapshot of Storyboard Indicators, a fiscal overview of FY23 and an outlook on FY24, and Workforce Capacity Assessment and Investment Recommendations. After review of the information presented and discussion, the DBOH provided general approval of the content. On September 28, 2023, the revised 2024-2026 Strategic Plan was presented and accepted by the DBOH. The 2024-2026 Strategic Action Plan was uploaded into ClearPoint, a performance management system to guide activities and monitor progress. The Annual FY24 Strategic Plan results are being presented for acceptance.

District Health Strategic Priority supported by this item:

This item addresses all Health District Strategic Priorities.

PREVIOUS ACTION

On September 28, 2023, the 2024-2026 Strategic Plan was presented and accepted by the DBOH.

On August 24, 2023, the FY23 Annual Strategic Plan results were presented and accepted by the DBOH.

On December 15, 2022, the 2024-2026 Strategic Plan was presented and accepted by the DBOH.

On November 10, 2022, a Strategic Planning Retreat was held to discuss refreshing the Health District's Strategic Plan.

On October 20, 2022, the DBOH accepted a report on FY22 annual results against district and division goals, outcomes, and initiatives.

On December 16, 2021, the 2022-2024 Strategic Plan was presented and accepted by the DBOH.

On November 18, 2021, a Strategic Planning Retreat was held to discuss refreshing the Health District's Strategic Plan.

On June 18, 2020, a report detailing how the COVID-19 response impacted the Health District's ability to achieve the goals, objectives, and activities outlined in the 2020-2022 Strategic Plan and the need to temporarily suspend additional planning and performance management efforts was provided to the DBOH. Planning resumed in August 2021, resulting in the 2022-2024 Strategic Plan.

BACKGROUND

The 2024-2026 Strategic Plan includes Mission, Values, Vision, Strategic Priorities, District Goals and Division Goals. An Action Plan, including community indicators, outcomes, and initiatives, was developed and used at the management and staff level to guide activities and monitor progress. Progress is tracked and reported in ClearPoint. The results include progress on both the Action Plan and Strategic Plan.

FISCAL IMPACT

There is no additional fiscal impact to the FY24 budget should the Board accept the Annual FY2024 Strategic Plan Results.

RECOMMENDATION

Staff recommends the District Board of Health accept the Annual FY2024 Strategic Plan Results.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be "Move to accept the Annual FY2024 Strategic Plan Results."

Status Snapshot

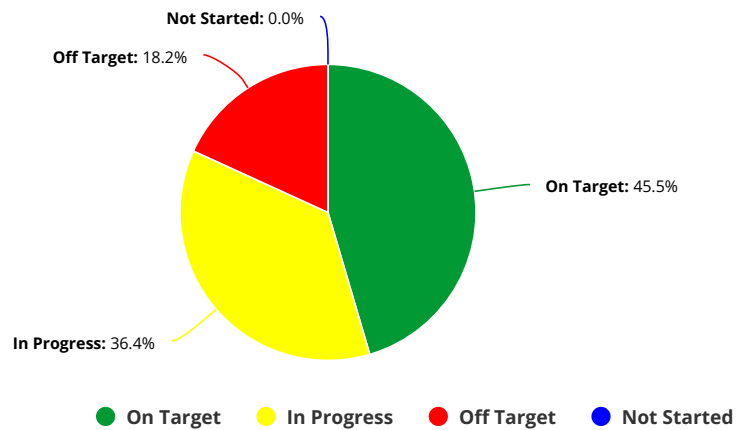
Status Snapshot

NORTHERN NEVADA Public Health

Serving Reno, Sparks & Washoe County

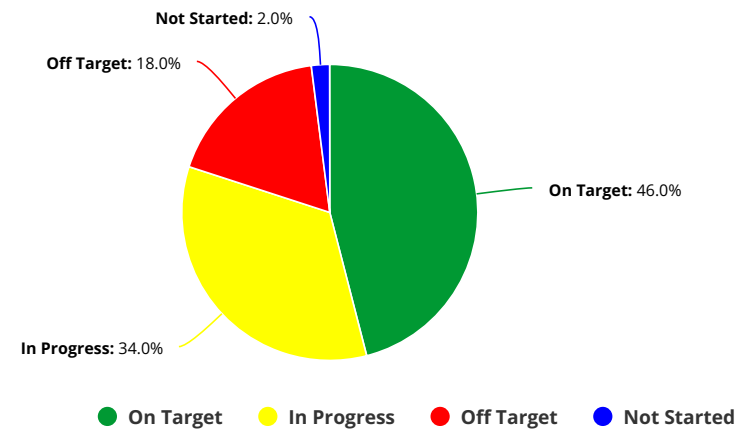
District Goals

District Goal Status Snapshot



Division Goals

Division Goal Status Snapshot

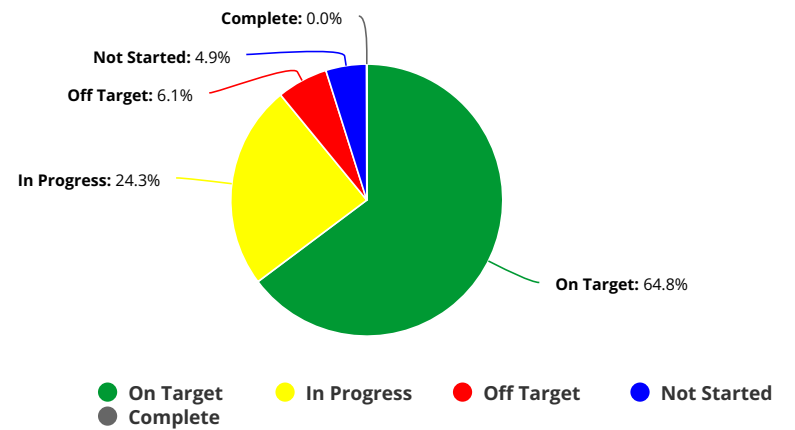
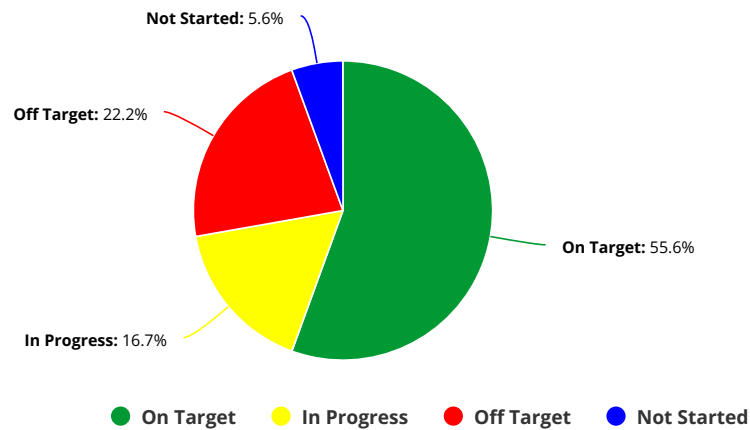


Outcomes

Outcome Status Snapshot

















Initiatives















Initiative Status Snapshot


































Strategy Overview

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
Strategic Priority 1: HEALTHY LIVES: Improve the health of our community by empowering individuals to live healthier lives.	1.1 Promote healthy behaviors to reduce chronic disease and injury. FY24	1.1.1 Proactively prevent disease utilizing effective health education efforts including policy, systems and environmental strategies. FY24	(PI) 1.1.1.1 Reach at least 3,000 residents and visitors about the impact of secondhand cannabis smoke exposure through communications efforts. (# of residents reached) FY24	1.1.1.1.1 Provide education about the dangers of secondhand cannabis smoke exposure through distributing Need to Know cards and developing posts to be shared on social media platforms. FY24
		1.1.1 Proactively prevent disease utilizing effective health education efforts including policy, systems and environmental strategies. FY24	(PI) 1.1.1.2 Maintain breastfeeding rates at 80% among WIC clients who report ever breastfeeding. FY24	1.1.1.2.1 Support staff receiving breastfeeding training. FY24
				1.1.1.2.2 Offer clients breastfeeding support and services. FY24
















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 1.1.1 Proactively prevent disease utilizing effective health education efforts including policy, systems and environmental strategies. FY24	 (PI) 1.1.1.3 Increase multi-family housing properties that have smoke free policies by at least 2. FY24	 1.1.1.3.1 Recruit and provide technical assistance to owners and managers of multi-unit housing properties. FY24
		 1.1.1 Proactively prevent disease utilizing effective health education efforts including policy, systems and environmental strategies. FY24	 (PI) 1.1.1.4 Reach at least 4 groups or stakeholders with information on how smoke-free workplace policies impact overall community health. (# of partners that receive smoke-free workplace policy information) FY24	 1.1.1.4.1 Provide education and technical assistance to new community partners about smoke-free workplaces. FY24
		 1.1.2 Proactively prevent injury utilizing effective health education efforts including policy, systems and environmental strategies. FY24	 (PI) 1.1.2.1 Reach seniors with fall prevention messaging at least once per quarter. (# of messaging/education attempts including events, tabling, and media) FY24	 1.1.2.1.1 Provide education, outreach, and support to seniors and senior groups in Washoe County. FY24
	 1.2 Promote preventive health services that are proven to improve health outcomes in the community. FY24	 1.2.1 Act as a safety net by providing accessible health services when/where community members otherwise may not have access. FY24	 (VI) 1.2.1.1a # of WIC participants (quarterly average enrollment, annual average enrollment in Q4) FY24	
		 1.2.1 Act as a safety net by providing accessible health services when/where community members otherwise may not have access. FY24	 (PI) 1.2.1.1 Maintain at least 95% of enrolled WIC participants as compared to last FY enrollment. FY24	 1.2.1.1.1 Implement retention efforts and new participant recruitment and enrollment activities. FY24
				 1.2.1.1.2 Provide outreach to underserved communities. FY24
















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 1.2.1 Act as a safety net by providing accessible health services when/where community members otherwise may not have access. FY24	 (VI) 1.2.1.2a # of clients served in the immunization program FY24	
		 1.2.1 Act as a safety net by providing accessible health services when/where community members otherwise may not have access. FY24	 (VI) 1.2.1.3a # of VFC compliance visits FY24	
		 1.2.1 Act as a safety net by providing accessible health services when/where community members otherwise may not have access. FY24	 (PI) 1.2.1.3 Assure 50% of Vaccine for Children (VFC) providers receive a compliance visit yearly. FY24	 1.2.1.3.1 Perform compliance visits. FY24
		 1.2.1 Act as a safety net by providing accessible health services when/where community members otherwise may not have access. FY24	 (VI) 1.2.1.4a # of clients served in the Family Planning and Sexual Health program FY24	
		 1.2.1 Act as a safety net by providing accessible health services when/where community members otherwise may not have access. FY24	 (PI) 1.2.1.5 Implement 100 community/provider Sexual Health education and outreach activities. FY24	 1.2.1.5.1 Provide educational presentations as requested by the community. FY24
				 1.2.1.5.2 Conduct Academic Detailing to providers addressing sexual health topics. FY24
				 1.2.1.5.3 Participate in community outreach events. FY24

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				 1.2.1.5.4 Provide offsite testing in partnership with community organizations and businesses. FY24
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (VI) 1.2.2.1a # of reported HIV cases investigated FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (PI) 1.2.2.1 Initiate investigation of 90% of reported HIV cases within 5 business days of report. FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (VI) 1.2.2.2a # of primary, secondary syphilis cases investigated FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (PI) 1.2.2.2 % of primary, secondary syphilis cases initiated within 5 days. FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (VI) 1.2.2.3a # of maternal syphilis cases investigated FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (PI) 1.2.2.3 % of maternal syphilis cases initiated within 5 days FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (VI) 1.2.2.4a # of other syphilis cases investigated (early latent, late latent/unknown duration, biological false positives, old disease) FY24	

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (PI) 1.2.2.4 % of other syphilis cases initiated within 5 days FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (VI) 1.2.2.5a # of congenital syphilis cases investigated FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (PI) 1.2.2.5 % of congenital syphilis cases initiated within 5 days FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (VI) 1.2.2.6a # of reported gonorrhea cases investigated FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (PI) 1.2.2.6 Initiate 90% of prioritized gonorrhea case investigations within 5 business days of report. FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (VI) 1.2.2.7a # of reported chlamydia cases investigated FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (PI) 1.2.2.7 Review 90% of chlamydia cases within 5 days of report. FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (VI) 1.2.2.8a # of individuals suspected to have active tuberculosis disease and investigated FY24	


















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		<p>1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24</p>	<p>(PI) 1.2.2.8 % of all individuals suspected to have active TB status confirmed within 1 business day via Nucleic Acid Amplification Test (NAAT). FY24</p>	<p>1.2.2.8.3 Collect, review, and process lab and provider reports for suspected or confirmed active TB disease. FY24</p> <p>1.2.2.8.4 Utilize Directly Observed Therapy (DOT) and virtual DOT to assist with case treatment adherence. FY24</p> <p>1.2.2.8.5 Establish partnerships with community providers to effectively communicate case management and treatment status. FY24</p> <p>1.2.2.8.6 Utilize contact tracing for all sputum smear positive disease cases. FY24</p> <p>1.2.2.8.1 Increase staff who are trained to take select high frequency diseases, in order to reduce burden on any one person or set of staff. FY24</p> <p>1.2.2.8.2 Ensure workflows are designed so staff know when a lab is reported so they can begin the investigation as soon as feasible. FY24</p>
		<p>1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24</p>	<p>(PI) 1.2.2.9 For clients with active tuberculosis, increase the percentage that have sputum culture conversion within 60 days of treatment initiation. FY24</p>	
















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (PI) 1.2.2.10 Initiate the index/source case interview and contact investigation for 100% of sputum smear positive tuberculosis cases within 14 days. FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (VI) 1.2.2.11a # of foodborne, vector borne, vaccine preventable, disease of unusual occurrence, etc. cases investigated FY24	
		 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention. FY24	 (PI) 1.2.2.11 Investigate 100% of foodborne, vector borne, vaccine preventable, disease of unusual occurrence, etc. disease cases within their designated time frame. FY24	
		 1.2.3 Increase confidence in vaccines among targeted racial and ethnic groups and individuals with disabilities through outreach and access to accurate information. FY24	 (VI) 1.2.3.1a # of community-based vaccine provision events FY24	 1.2.3.1a.1 Provide education at 1 outreach event per quarter. FY24
	 1.3 Improve access to health care so people of all means receive the health care services they need. FY24	 1.3.1 Assist clients with access to health insurance. FY24	 (VI) 1.3.1.1a # of clients that see the Enrollment Assister annually FY24	
		 1.3.1 Assist clients with access to health insurance. FY24	 (PI) 1.3.1.1 Maintain or increase the number of clients that see the Enrollment Assister annually. FY24	 1.3.1.1.1 Collaborate with State Enrollment Assister onsite to provide assistance, by educating staff, thus increasing education to clients and providing proper paperwork and education to clients prior to appointments. FY24


















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				 1.3.1.1.2 Provide reminder calls for scheduled appointments with the Enrollment Assister. FY24
		 1.3.2 Build a bridge between communities, clients and services with community health workers. FY24	 (VI) 1.3.2.1a # of clients and community members provided assistance with navigation of community resources FY24	
		 1.3.2 Build a bridge between communities, clients and services with community health workers. FY24	 (PI) 1.3.2.1 Increase the number of clients and community members provided assistance with navigation of community resources. (# provided assistance) FY24	 1.3.2.1.1 Monitor number of referrals from each CCHS program. FY24
				 1.3.2.1.2 Evaluate need for standardized referral process. FY24
				 1.3.2.1.3 Meet with intermittent hourly staff from each program to educate on services provided by CHWs. FY24
		 1.3.2 Build a bridge between communities, clients and services with community health workers. FY24	 (PI) 1.3.2.2 Increase community reach through new partnerships and outreach activities. (# of outreach activities) FY24	 1.3.2.2.1 Identify 2 new community partners for recurring outreach. FY24
				 1.3.2.2.2 Identify 2 new community outreach events to table. FY24
		 1.3.3 Provide efficient, effective and culturally sensitive services. FY24	 (PI) 1.3.3.1 Increase access to programs and services through completing 3 system improvements. FY24	 1.3.3.1.1 Establish and evaluate contactless client services. (provider contact, appointments/self-scheduling, telemedicine, results, payments) FY24







Strategic Priority	District Goal	Division Goal	Outcome	Initiative
<p>Strategic Priority 2: HEALTHY ENVIRONMENT: Create a healthier environment that allows people to safely enjoy everything Washoe County has to offer.</p>	<p>● 2.1 Protect people from negative environmental impacts. FY24</p>	<p>● 2.1.1 Monitor ambient air to assess attainment status of criteria air pollutants (Monitoring). FY24</p>	<p>● (PI) 2.1.1.1 Meet or exceed a 75% data capture rate for ozone. FY24</p>	<p>● 1.3.3.1.2 Implement centralized clerical services. FY24</p> <p>● 2.1.1.1.1 Follow EPA QA/QC data capture requirements and report data capture rate on a quarterly basis. (ozone) FY24</p>
		<p>● 2.1.1 Monitor ambient air to assess attainment status of criteria air pollutants (Monitoring). FY24</p>	<p>● (PI) 2.1.1.2 Meet or exceed a 75% data capture rate for PM2.5. FY24</p>	<p>● 2.1.1.2.1 Follow EPA QA/QC data capture requirements and report data capture rate on a quarterly basis. (PM2.5) FY24</p>
		<p>● 2.1.1 Monitor ambient air to assess attainment status of criteria air pollutants (Monitoring). FY24</p>	<p>● (PI) 2.1.1.3 Meet or exceed a 75% data capture rate for PM10. FY24</p>	<p>● 2.1.1.3.1 Follow EPA QA/QC data capture requirements and report data capture rate on a quarterly basis. (PM10) FY24</p>
		<p>● 2.1.1 Monitor ambient air to assess attainment status of criteria air pollutants (Monitoring). FY24</p>	<p>● (PI) 2.1.1.4 Meet or exceed a 75% data capture rate for carbon monoxide. FY24</p>	<p>● 2.1.1.4.1 Follow EPA QA/QC data capture requirements and report data capture rate on a quarterly basis. (carbon monoxide) FY24</p>
		<p>● 2.1.1 Monitor ambient air to assess attainment status of criteria air pollutants (Monitoring). FY24</p>	<p>● (PI) 2.1.1.5 Meet or exceed a 75% data capture rate for nitrogen dioxide. FY24</p>	<p>● 2.1.1.5.1 Follow EPA QA/QC data capture requirements and report data capture rate on a quarterly basis. (nitrogen dioxide) FY24</p>
		<p>● 2.1.1 Monitor ambient air to assess attainment status of criteria air pollutants (Monitoring). FY24</p>	<p>● (PI) 2.1.1.6 Meet or exceed a 75% data capture rate for sulfur dioxide. FY24</p>	<p>● 2.1.1.6.1 Follow EPA QA/QC data capture requirements and report data capture rate on a quarterly basis. (sulfur dioxide) FY24</p>
		<p>● 2.1.2 Maintain and improve air quality through planning and community education (Planning). FY24</p>	<p>● (VI) 2.1.2.1a # of air quality plans and reports worked on during this period. FY24</p>	<p>● 2.1.2.1a.1 Develop Ozone Mitigation Plan and submit to EPA for approval. FY24</p>















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				<p>● 2.1.2.1a.2 Complete Dixie/Antelope Exceptional Event demonstration and submit to EPA for concurrence. FY24</p>
				<p>● 2.1.2.1a.3 Complete Dixie/Caldor Exceptional Event demonstration and submit to EPA for concurrence. FY24</p>
				<p>● 2.1.2.1a.4 Complete Dixie/Tamarack Exceptional Event demonstration and submit to EPA for concurrence. FY24</p>
				<p>● 2.1.2.1a.5 Complete Mosquito Exceptional Event demonstration and submit to EPA for approval. FY24</p>
				<p>● 2.1.2.1a.6 Develop Second 10-Year PM10 Maintenance Plan and submit to EPA for approval. FY24</p>
				<p>● 2.1.2.1a.7 Update 2024 Ambient Air Monitoring Network Plan and submit to EPA for approval. FY24</p>
				<p>● 2.1.2.1a.8 Update 2014-2023 Air Quality Trends Report and present to DBOH for acceptance. FY24</p>
		<p>● 2.1.2 Maintain and improve air quality through planning and community education (Planning). FY24</p>	<p>● (PI) 2.1.2.1 Educate and empower leaders, decision makers and regulated entities through a minimum of 3 AQ outreach opportunities. (# of outreach events) FY24</p>	<p>● 2.1.2.1.1 Identify and contact community groups and partners. FY24</p>













Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 2.1.2 Maintain and improve air quality through planning and community education (Planning). FY24	 (VI) 2.1.2.2a # of community planning efforts where AQMD commented. FY24	
		 2.1.2 Maintain and improve air quality through planning and community education (Planning). FY24	 (VI) 2.1.2.2b # of community planning efforts where AQMD participated as a technical advisor. FY24	
		 2.1.2 Maintain and improve air quality through planning and community education (Planning). FY24	 (PI) 2.1.2.3 Complete updates of 11 parts of regulation chapters. FY24	 2.1.2.3.1 Update Chapter 020 – Parts 020.000 – 020.200 (3 parts) FY24
				 2.1.2.3.2 Update Chapter 030 – Parts 030.000 – 030.500 (6 parts) FY24
				 2.1.2.3.3 Update Chapter 040 – Asbestos Control Standards and Asbestos Acknowledgements (2 parts) FY24
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (VI) 2.1.3.1a # of wood-burning devices inspections completed FY24	 2.1.3.1a.1 Inspect properties which have removed a wood-burning device prior to the close of escrow. FY24
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (PI) 2.1.3.1 % wood-burning permits managed within internal best practice standard (NOE 2 business days, COC 10 business days) FY24	
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (VI) 2.1.3.1b # of wood-burning device registrations FY24	 2.1.3.1b.1 Process and issue Notice of Exemption Registrations submitted to the Air Quality Management Division. FY24

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				<p> 2.1.3.1b.2 Process and issue Certificate of Compliance Registrations submitted to the Air Quality Management Division. FY24</p>
				<p> 2.1.3.1b.3 Process and issue Dealers Affidavit of Sale Registrations submitted to the Air Quality Management Division. FY24</p>
		<p> 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24</p>	<p> (VI) 2.1.3.2a # of dust control permit inspections completed FY24</p>	<p> 2.1.3.2a.1 Complete dust control inspections to determine compliance with dust control permit requirements. FY24</p>
		<p> 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24</p>	<p> (VI) 2.1.3.2b # of dust control permits FY24</p>	<p> 2.1.3.2b.1 Process and issue Dust Control Permit applications submitted to the Air Quality Management Division. FY24</p>
		<p> 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24</p>	<p> (PI) 2.1.3.2 % of dust permits managed within 10 business days. FY24</p>	
		<p> 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24</p>	<p> (VI) 2.1.3.2c Total acreage disturbed by dust permits FY24</p>	
		<p> 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24</p>	<p> (VI) 2.1.3.3a # of asbestos renovation and demolition inspections completed FY24</p>	<p> 2.1.3.3a.1 Complete inspections of asbestos notifications for demolitions and renovations to determine compliance with asbestos NESHAP standards. FY24</p>

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (VI) 2.1.3.3b # of asbestos renovation and demolition notifications FY24	 2.1.3.3b.1 Process asbestos NESHAP notifications for demolition and renovation activities. FY24
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (VI) 2.1.3.3c Total square feet of asbestos materials FY24	
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (VI) 2.1.3.3d Total linear feet of asbestos materials FY24	
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (PI) 2.1.3.3 % of asbestos permits managed within internal best practice standard. FY24	
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (VI) 2.1.3.3e Total cubic feet of asbestos materials FY24	
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (VI) 2.1.3.4a # of complaint inspection/investigations FY24	
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (VI) 2.1.3.5a # of warnings and notices of violations issued FY24	
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (VI) 2.1.3.6a # of stationary source inspections assigned FY24	









Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (PI) 2.1.3.6 Complete 100% of stationary source inspections assigned. FY24	 2.1.3.6.1 Complete inspections of stationary sources to determine compliance with permit and regulatory requirements. FY24
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (VI) 2.1.3.7a # of stationary source authority to construct/ permit to operate permits issued FY24	
		 2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance) FY24	 (PI) 2.1.3.7 100% of stationary source authority to construct/ permit to operate permits are issued within 180 days. FY24	 2.1.3.7.1 Issue authorities to construct to new sources of regulated air pollutants in Washoe County. FY24
				 2.1.3.7.2 Reissue permits to operate on an annual basis to sources of regulated air pollutants in Washoe County. FY24
		 2.1.4 Coordinate with State and local partners on waste reduction education, diversion education, and proper disposal. FY24	 (VI) 2.1.4.1a # of inspections completed at permitted waste management facilities per year. FY24	
		 2.1.4 Coordinate with State and local partners on waste reduction education, diversion education, and proper disposal. FY24	 (VI) 2.1.4.1b # of waste management facility permits FY24	
		 2.1.4 Coordinate with State and local partners on waste reduction education, diversion education, and proper disposal. FY24	 (VI) 2.1.4.1c # of waste related complaints FY24	










Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 2.1.4 Coordinate with State and local partners on waste reduction education, diversion education, and proper disposal. FY24	 (PI) 2.1.4.1 Complete 100% of inspections at permitted waste management facilities per year. FY24	 2.1.4.1.1 Develop an audit system and conduct a minimum of 3 audits per staff member. FY24
				 2.1.4.1.2 Update SOPs and develop standardized processes for solid waste complaints. FY24
		 2.1.4 Coordinate with State and local partners on waste reduction education, diversion education, and proper disposal. FY24	 (PI) 2.1.4.2 Partner with a minimum of 3 outside agencies to assist in waste reduction/clean up initiatives. FY24	 2.1.4.2.1 Collaborate with KTMB on community engagement regarding reduced waste initiatives. FY24
				 2.1.4.2.2 Utilize tire funds to create grant program to assist local groups with clean up and sustainability efforts in the community. FY24
		 2.1.5 Reduce negative environmental health impacts associated with development and infrastructure. FY24	 (VI) 2.1.5.1a # of first review plans reviewed for compliance with AQ regulations and processed (AQM) FY24	
		 2.1.5 Reduce negative environmental health impacts associated with development and infrastructure. FY24	 (PI) 2.1.5.1 Ensure 90% of first review plans for compliance with AQ regulations meet jurisdictional timeframes. (AQM) FY24	
		 2.1.5 Reduce negative environmental health impacts associated with development and infrastructure. FY24	 (VI) 2.1.5.2a # of residential septic and well plans reviewed and processed FY24	
















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 2.1.5 Reduce negative environmental health impacts associated with development and infrastructure. FY24	 (PI) 2.1.5.2 Ensure 90% of residential septic and well plan reviews meet jurisdictional timeframe. (EHS) FY24	 2.1.5.2.1 Build record types for Land Development Program in Accela by the end of FY24. FY24
				 2.1.5.2.2 Update Land Development regulations and set a schedule for updating by the end of FY24. FY24
				 2.1.5.2.3 Update SOPs and develop standardized comments by the end of FY24. FY24
				 2.1.5.2.4 Develop an audit system and conduct a minimum of 3 audits per staff member. FY24
				 2.1.5.2.5 Establish training requirements for programs and provide staff the opportunity to attend. FY24
				 2.1.5.2.6 Update Land Development electronic stamps and plan review process. FY24
		 2.1.5 Reduce negative environmental health impacts associated with development and infrastructure. FY24	 (PI) 2.1.5.3 Conduct a minimum of 4 outreach events to inform interested stakeholders on residential septs and wells. (# of outreach events) FY24	 2.1.5.3.1 Conduct social media campaigns in collaboration with partners. FY24
				 2.1.5.3.2 Track number of event attendees. FY24















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		<p>2.1.5 Reduce negative environmental health impacts associated with development and infrastructure. FY24</p>	<p>(VI) 2.1.5.4a # of UST inspections FY24</p>	
		<p>2.1.5 Reduce negative environmental health impacts associated with development and infrastructure. FY24</p>	<p>(VI) 2.1.5.4b # of UST permits FY24</p>	
		<p>2.1.5 Reduce negative environmental health impacts associated with development and infrastructure. FY24</p>	<p>(PI) 2.1.5.4 Complete 100% of inspections at UST permitted facilities per year. FY24</p>	<p>2.1.5.4.1 Establish training requirements for programs and provide staff the opportunity to attend. FY24</p>
				<p>2.1.5.4.2 Develop an audit system and conduct a minimum of 3 audits per staff member. FY24</p>
				<p>2.1.5.4.3 Create checklist/ tools to assist permit holders with compliance. FY24</p>
	<p>2.2 Keep people safe where they live, work and play. FY24</p>	<p>2.2.1 Improve safety of residents through education, inspections and enforcement. FY24</p>	<p>(PI) 2.2.1.1 Set a baseline for the occurrence of foodborne illness risk factors in inspected facilities. FY24</p>	<p>2.2.1.1.3 Create system to track food related complaints for surveillance purposes. FY24</p>
				<p>2.2.1.1.1 Develop a system to track occurrence of foodborne illness risk factors in inspected facilities. FY24</p>
				<p>2.2.1.1.2 Complete the 2023 Food Safety Risk Factor Assessment FY24</p>

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		● 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	● (VI) 2.2.1.2a # of foodborne illness assessments. FY24	
		● 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	● (VI) 2.2.1.2b # of inspections for food establishments. FY24	
		● 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	● (VI) 2.2.1.2c # of temporary food event inspections. FY24	
		● 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	● (VI) 2.2.1.2d # of permitted food establishments. FY24	
		● 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	● (VI) 2.2.1.2e # of temporary food permits. FY24	
		● 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	● (VI) 2.2.1.2f # of complaints responded to. FY24	
		● 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	● (VI) 2.2.1.2g 1# of other permitted facilities. FY24	
		● 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	● (PI) 2.2.1.2 Complete at least 4 components of standards to make progress toward conformance with FDA retail food program standards. (# of components completed) FY24	● 2.2.1.2.1 Standard 2- Complete initial training for all employees. FY24
				● 2.2.1.2.2 Standard 2- Maintain CEUs. FY24
				● 2.2.1.2.3 Standard 2- Complete initial standardization for all employees. FY24

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				 2.2.1.2.4 Standard 3- Develop and implement annual permit for temporary food vendors. FY24
				 2.2.1.2.5 Standard 3- Develop assessment documents for change of ownership and new facilities. FY24
				 2.2.1.2.6 Standard 4- Develop schedule for process to review inspection reports and conduct field evaluations of assigned staff. FY24
				 2.2.1.2.7 Standard 4- Transition opening inspection report review. FY24
				 2.2.1.2.8 Standard 5- Revise Outbreak Response Plan with CD. FY24
				 2.2.1.2.9 Standard 6- Implement active managerial control (AMC) program. FY24
				 2.2.1.2.10 Standard 6- Develop a new compliance and enforcement branch. FY24
				 2.2.1.2.11 Standard 7- Increase outreach and education opportunities through social media, public workshops, videos, handouts, and newsletter. FY24















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				<p> 2.2.1.2.12 Standard 7- Identify barriers to language accessibility. FY24</p>
				<p> 2.2.1.2.13 Standard 8- Develop a plan to ensure adequate inspection staff to complete inspections and increase conformance with program standards. FY24</p>
				<p> 2.2.1.2.14 Standard 9- Meet Standard 9 and demonstrate status of foodborne illness risk factors over the last 5 years. FY24</p>
				<p> 2.2.1.2.15 Standard 9- Develop intervention strategies to address the foodborne illness risk factors identified as needing priority attention. FY24</p>
		<p> 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24</p>	<p> (PI) 2.2.1.3 Percentage of required inspections of food establishments completed. FY24</p>	
		<p> 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24</p>	<p> (PI) 2.2.1.4 Number of permitted facility (non-food based) programs with the foundation necessary to complete risk-based inspections from 0 to 1. (programs developed) FY24</p>	<p> 2.2.1.4.1 Pool & Spa program finalized in Acella and in use (complete draft review of pool regulations, finalize working drafts of pool regulations, provide outreach, draft field guide, host public workshops, boards for approval, finalize working drafts of pool regulations). FY24</p>














Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				 2.2.1.4.2 PACC program finalized in Accela and in use (finalize inspection form, upload form into Accela, finalize field guide, develop guidance documents). FY24
		 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	 (VI) 2.2.1.5a # of total inspections of non-food based permitted facilities including other elements (reinspections etc). FY24	
		 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	 (VI) 2.2.1.5b # of non food-based facility permits FY24	
		 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	 (VI) 2.2.1.6a # of other permitted facility complaints FY24	
		 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	 (VI) 2.2.1.7a # of sanitary surveys of public water systems FY24	
		 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	 (VI) 2.2.1.7b # of public water system permits FY24	
		 2.2.1 Improve safety of residents through education, inspections and enforcement. FY24	 (PI) 2.2.1.7 Complete 100% of required sanitary surveys of public water systems to help ensure proper public health protection. FY24	 2.2.1.7.1 Establish training requirements for programs and provide staff the opportunity to attend. FY24
				 2.2.1.7.2 Update chemical compliance templates and SOPs. FY24




















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				 2.2.1.7.3 Implement continuous verification process for possible water systems. FY24
				 2.2.1.7.4 Conduct outreach to public water systems on upcoming lead and copper rule revisions. FY24
		 2.2.2 Reduce the Spread of vector-born disease. FY24	 (VI) 2.2.2.2a # of New Jersey daily trap counts that contain more than 10 mosquitos from May to October FY24	 2.2.2.2a.1 Transition to drone treatment. FY24
		 2.2.2 Reduce the Spread of vector-born disease. FY24	 (VI) 2.2.2.3a # of mosquito pools submitted for testing. FY24	
		 2.2.2 Reduce the Spread of vector-born disease. FY24	 (VI) 2.2.2.4a # of mosquito pools positive for arbovirus (West Nile/St. Louis Encephalitis/Western Equine virus). FY24	
		 2.2.2 Reduce the Spread of vector-born disease. FY24	 (VI) 2.2.3.1a # of commercial plans reviewed for health standards (Including food establishments) FY24	
		 2.2.2 Reduce the Spread of vector-born disease. FY24	 (PI) 2.2.3.1 Ensure 90% of first review for commercial plans meet jurisdictional deadlines. FY24	 2.2.3.1.1 Test an updated workflow into Accela for each jurisdiction to create a uniform plan review mechanism. FY24

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
<p>Strategic Priority 3: LOCAL CULTURE OF HEALTH: Lead a transformation in our community's awareness, understanding and appreciation of health resulting in direct action.</p>	<p>3.1 Ensure community access to actionable public health information via website, media and social media. FY24</p>	<p>3.1.1 Update public-facing digital presence on website and social media and implement targeted outreach to under-served populations. FY24</p>	<p>(VI) 3.1.1.1a # total social media posts FY24</p>	
		<p>3.1.1 Update public-facing digital presence on website and social media and implement targeted outreach to under-served populations. FY24</p>	<p>(VI) 3.1.1.1b # of culturally relevant or health equity social media posts FY24</p>	<p>3.1.1.1b.1 Work with community members or organizations to create culturally relevant content. FY24</p>
		<p>3.1.1 Update public-facing digital presence on website and social media and implement targeted outreach to under-served populations. FY24</p>	<p>(VI) 3.1.1.1c # of social media followers FY24</p>	
		<p>3.1.1 Update public-facing digital presence on website and social media and implement targeted outreach to under-served populations. FY24</p>	<p>(VI) 3.1.1.1d # of web hits FY24</p>	
		<p>3.1.1 Update public-facing digital presence on website and social media and implement targeted outreach to under-served populations. FY24</p>	<p>(PI) 3.1.1.2 Increase audience growth on all platforms by 10%. (followers) FY24</p>	<p>3.1.1.2.1 Launch LinkedIn profile. FY24</p>
		<p>3.1.1 Update public-facing digital presence on website and social media and implement targeted outreach to under-served populations. FY24</p>	<p>(PI) 3.1.1.3 Increase engagement on all social media posts by 10%. (comments, shares, link, clicks and more) FY24</p>	<p>3.1.1.3.1 Create and post videos and graphic design content to drive engagement. FY24</p>
		<p>3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community. FY24</p>	<p>(PI) 3.1.2.1 Garner 1 million impressions through rebranding effort. (# of rebranding effort impressions) FY24</p>	<p>3.1.2.1.1 Launch new website. FY24</p>

















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				<ul style="list-style-type: none"> 3.1.2.1.2 Execute outreach plan. FY24 3.1.2.1.3 Implement outdoor signage. FY24 3.1.2.1.4 Advertise buy. FY24 3.1.2.1.5 Update style guide. FY24 3.1.2.1.6 Maintain brand standards internally. FY24
		<ul style="list-style-type: none"> 3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community. FY24 	<ul style="list-style-type: none"> (PI) 3.1.2.2 Reach at least 10,000 people per quarter through paid media featuring equity content promoted by WCHD. (# of people reached through paid media featuring equity content) FY24 	<ul style="list-style-type: none"> 3.1.2.2.1 Maintain and increase Spanish language presence on live media and on Spanish-language radio. (HE Plan Goal 4, Initiative 2) FY24 3.1.2.2.2 Implement public information campaigns designed to promote health equity and reduce health disparities. Include 5210 Healthy Washoe and other campaigns targeting comorbidities of COVID. (HE Plan Goal 4, Initiative 1) FY24
		<ul style="list-style-type: none"> 3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community. FY24 	<ul style="list-style-type: none"> (VI) 3.1.2.3a # of public records request fulfilled (ODHO) FY24 	
		<ul style="list-style-type: none"> 3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community. FY24 	<ul style="list-style-type: none"> (VI) 3.1.2.3b # of public records request fulfilled (AQM) FY24 	

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community. FY24	 (VI) 3.1.2.3c # of public records request fulfilled (CCHS) FY24	
		 3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community. FY24	 (VI) 3.1.2.3d # of public records request fulfilled (EHPH) FY24	
		 3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community. FY24	 (VI) 3.1.2.3e # of public records request fulfilled (EHS) FY24	
		 3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community. FY24	 (VI) 3.1.2.4a # of press releases, media alerts, media availability. FY24	
		 3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community. FY24	 (VI) 3.1.2.5a # of community presentations (ODHO) FY24	
		 3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community. FY24	 (VI) 3.1.2.5b # of community presentations (AQM) FY24	
		 3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community. FY24	 (VI) 3.1.2.5c # of community presentations (CCHS) FY24	



















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community. FY24	 (VI) 3.1.2.5d # of community presentations (EPHP) FY24	
		 3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community. FY24	 (VI) 3.1.2.5e # of community presentations (EHS) FY24	
	 3.2 Inform the community of important community health trends by capturing and communicating health data. FY24	 3.2.1 Increase data integrity and data standardization. FY24	 (VI) 3.2.1.1a # of vital records requests and services FY24	
		 3.2.1 Increase data integrity and data standardization. FY24	 (PI) 3.2.1.1 Process 90% of vital records requests and services within 96 hours. FY24	 3.2.1.1.1 Assist the state by testing and implementing the NETSMART system and providing feedback. FY24
				 3.2.1.1.2 Improve communications with other Nevada vital statistics jurisdictions through monthly meetings. FY24
				 3.2.1.1.3 Identify gaps to improve procedures and processing time with funeral homes. FY24
				 3.2.1.1.4 Identify gaps to improve procedures and processing time with physicians and medical examiner's office FY24

















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 3.2.2 Regularly share timely public health data and trends with the community. FY24	 (VI) 3.2.2.1a # of reports (Communicable Disease Annual; CPO Quarterly; COVID-Bi-Weekly; ILI Weekly) provided to the community FY24	
		 3.2.2 Regularly share timely public health data and trends with the community. FY24	 (PI) 3.2.2.1 Publish 100% of reports (Communicable Disease Annual; CPO Quarterly; Covid-Bi-Weekly; ILI Weekly) provided to the community based on designated time frame. FY24	 3.2.2.1.1 Build a tracking mechanism to know which reports were released on which dates. FY24
				 3.2.2.1.2 Increase staff who are trained to take select high frequency diseases, in order to reduce burden on any one person or set of staff. FY24
		 3.2.3 Build the capacity of the health district to process data. FY24	 (VI) 3.2.3.1a # of statistical analysis requests met. FY24	
		 3.2.3 Build the capacity of the health district to process data. FY24	 (PI) 3.2.3.1 Deliver on 95% of requests for statistical analysis. (# of requests) FY24	 3.2.3.1.1 Capture measurable outcomes for all programs. FY24
				 3.2.3.1.2 Maintain statistical capacity to serve EPHP and the WCHD. FY24
	 3.3 Drive better health outcomes in Washoe County through improved public health systems and policies. FY24	 3.3.1 Advocate for state and local policies that positively impact public health using a health in all policies framework. FY24	 (VI) 3.3.1.1a # of interim committee meetings, public workshops, and coalition meetings attended/monitored. FY24	 3.3.1.1a.1 Generate a list of potential 2025 legislative priorities. FY24
		 3.3.1 Advocate for state and local policies that positively impact public health using a health in all policies framework. FY24	 (PI) 3.3.1.1 Pursue and achieve 2 local government health in all policies initiatives. FY24	 3.3.1.1.1 Generate a list and identify local government priority initiatives to pursue. FY24

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
<p>Strategic Priority 4: IMPACTFUL PARTNERSHIPS: Extend our impact by leveraging collaborative partnerships to make meaningful progress on health issues.</p>	<p>4.1 Support and promote behavioral health. FY24</p>	<p>4.1.1 Improve mental health outcomes for residents of Washoe County. FY24</p>	<p>(PI) 4.1.1.1 Residents have access to multiple elements of a best practice crisis response system. FY24</p>	<p>4.1.1.1.1 Work with community partners and the state to implement additional elements of the behavioral health crisis system. FY24</p>
		<p>4.1.2 Contribute to a decrease in the incidence of suicide in Washoe County. FY24</p>	<p>(PI) 4.1.2.1 Pilot the Zero Suicide Program in 2 CCHS clinic programs. FY24</p>	<p>4.1.2.1.1 Facilitate at least 2 suicide prevention training opportunities and assist with the creation and implementation of program-specific suicide prevention internal procedures. FY24</p>
				<p>4.1.2.1.2 Identify at least one community partner to accept warm hand-offs for Community and Clinical Health Services clients determined at-risk of suicide. FY24</p>
		<p>4.1.2 Contribute to a decrease in the incidence of suicide in Washoe County. FY24</p>	<p>(PI) 4.1.2.2 Implement at least one lethal means reduction strategy in coordination with the Washoe County Lethal Means Coalition. FY24</p>	<p>4.1.2.2.1 Facilitate the formation and operation of a Lethal Means Coalition in Washoe County, and collaborate with local and state stakeholders. FY24</p>
		<p>4.1.3 Support collaborative local and state efforts to reduce the negative impacts of substance use and misuse and support individuals with substance use disorder. FY24</p>	<p>(PI) 4.1.3.1 90% of applicable WIC participant interactions will receive substance abuse screening, education and referrals. FY24</p>	<p>4.1.3.1.1 Provide staff with training refreshers on substance abuse screening, education and referrals. FY24</p>
				<p>4.1.3.1.2 Complete chart audits for compliance with substance abuse screening, education and referrals. FY24</p>

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 4.1.3 Support collaborative local and state efforts to reduce the negative impacts of substance use and misuse and support individuals with substance use disorder. FY24	 (VI) 4.1.3.2a # of organizations participating in the substance abuse task force FY24	
		 4.1.3 Support collaborative local and state efforts to reduce the negative impacts of substance use and misuse and support individuals with substance use disorder. FY24	 (PI) 4.1.3.2 Reach at least 4 additional local organizations to participate in quarterly Washoe County Substance Abuse Task Force partner meetings focusing on reducing drug-related overdoses in Washoe County. FY24	 4.1.3.2.1 Coordinate and schedule at least 6 presentations during SATF meetings of exemplary strategies and emerging best practices in the field of SUD and drug-related overdose prevention. FY24
				 4.1.3.2.2 Coordinate sharing of local drug-related overdose statistics, trends and prevention activities and initiative updates in at least 6 instances among SATF participants. FY24
	 4.2 Advance efforts to improve health living behaviors with an emphasis on prevention. FY24	 4.2.1 Develop and maintain collaborative community initiatives to increase access to prevention activities and resources. FY24	 (PI) 4.2.1.1 Increase the number of corner stores engaged in offering healthy food with the addition of 3 new stores. FY24	 4.2.1.1.1 Provide education and technical assistance to store owners/managers on store conversion process to connect community to healthier food options. FY24
		 4.2.1 Develop and maintain collaborative community initiatives to increase access to prevention activities and resources. FY24	 (PI) 4.2.1.2 Expand the number of sites that are implementing the 5210 Healthy Washoe program from 5 to 10 elementary schools. FY24	 4.2.1.2.1 Provide technical assistance to partner sites. FY24
	 4.3 Advance efforts to improve access to health care. FY24	 4.3.1 Support collaborative local and state efforts to increase access to health care for residents of Washoe County. FY24	 (VI) 4.3.1.1a # of FHF attendees FY24	

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		<p>● 4.3.1 Support collaborative local and state efforts to increase access to health care for residents of Washoe County. FY24</p>	<p>● (PI) 4.3.1.1 At least 80% of FHF participants will receive the services needed. FY24</p>	<p>● 4.3.1.1.1 Screen 100% of FHF attendees during intake for primary care homes and insurance. FY24</p>
				<p>● 4.3.1.1.2 Conduct outreach for partners and community-based organization's to participate in FHF's and promote events to underserved communities. FY24</p>
				<p>● 4.3.1.1.3 Secure partnerships with healthcare providers and Managed Care Organizations. FY24</p>
		<p>● 4.3.1 Support collaborative local and state efforts to increase access to health care for residents of Washoe County. FY24</p>	<p>● (PI) 4.3.1.2 Create 1 new coalition to increase the number of individuals in Washoe County covered by health insurance. FY24</p>	<p>● 4.3.1.2.1 Facilitate coalition convenings and identify strategies and actions to be implemented. FY24</p>
				<p>● 4.3.1.2.2 Complete 2023 health insurance enrollment campaign. FY24</p>
		<p>● 4.3.1 Support collaborative local and state efforts to increase access to health care for residents of Washoe County. FY24</p>	<p>● (PI) 4.3.1.3 Implement at least three initiatives designed to improve access to care. FY24</p>	<p>● 4.3.1.3.1 Convene community health care stakeholders at least four times to identify strategies and actions Washoe County as a community can implement to increase access to quality care in an appropriate care setting and decrease utilization of emergency resources. FY24</p>

















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
	<p>4.4 Improve targeted elements of social determinants of health that negatively impact the health of residents. FY24</p> 	<p>4.4.1 Develop and maintain collaborative community initiatives to improve housing, employment, education, poverty, or other upstream conditions that negatively impact health. FY24</p> 	<p>(PI) 4.4.1.1 Serve an average of 500 seniors monthly through all Golden Groceries pantries in Washoe County. FY24</p> 	<p>4.4.1.1.1 Promote access to existing Golden Grocery Client Choice pantries in Washoe County. FY24</p> 
	<p>4.5 Enhance the regional emergency medical services system. FY24</p> 	<p>4.5.1 Provide EMS oversight to enhance system performance. FY24</p> 	<p>(PI) 4.5.1.1 Implement/execute 4 strategies in the EMS Strategic Plan FY24-29. FY24</p> 	<p>4.5.1.1.1 Reduce EMS practitioner exposures to infectious illnesses. FY24</p>  <p>4.5.1.1.2 Decrease EMS practitioner physical and psychological injuries due to active shooter and civil unrest. FY24</p>  <p>4.5.1.1.3 Increase EMS practitioner driver safety. FY24</p>  <p>4.5.1.1.4 Create and implement a CQI process for pre-hospital treatment/patient outcome. FY24</p> 
	<p>4.6 Engage the community in public health improvement. FY24</p> 	<p>4.6.1 Engage the community in assessing community health needs. FY24</p> 	<p>(PI) 4.6.1.1 Increase community access to CHA data via online dashboard from 0 to 500. (# of web visits) FY24</p> 	<p>4.6.1.1.1 Work with TMT to develop a dashboard. FY24</p>  <p>4.6.1.1.2 Maintain a dashboard with CHA indicators as data. FY24</p> 
	<p>4.6.2 Engage the community in planning for community health improvement with a focus on disparate health outcomes. FY24</p> 	<p>(VI) 4.6.2.1a # of collaborative initiatives in the CHIP FY24</p> 		














Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 4.6.2 Engage the community in planning for community health improvement with a focus on disparate health outcomes. FY24	 (PI) 4.6.2.1 Complete at least 60% of activities planned in the CHIP. FY24	 4.6.2.1.1 Invest in community partners to improve community health improvement outcomes. FY24
		 4.6.2 Engage the community in planning for community health improvement with a focus on disparate health outcomes. FY24	 (PI) 4.6.2.2 Maintain the number of organizations leading CHIP initiatives FY24	
		 4.6.2 Engage the community in planning for community health improvement with a focus on disparate health outcomes. FY24	 (PI) 4.6.2.3 Implement at least 2 CHIP initiatives focused on policy changes that alleviate causes of health inequities. FY24	 4.6.2.3.1 Review policies or laws that have a disproportionate effect on one or more subpopulations in Washoe County; impact CHIP focus areas or the Health District's legislative priority areas. FY24
				 4.6.2.3.2 Gather input from stakeholders about policies under review and collaborate with stakeholders to share findings of the review. FY24
		 4.6.2 Engage the community in planning for community health improvement with a focus on disparate health outcomes. FY24	 (PI) 4.6.2.4 Increase the number of partners representing underserved parts of our community participating in CHIP initiatives from 2 to 8. FY24	 4.6.2.4.1 Build partnerships through community based meetings, discussions with community leaders and events. (HE Plan Goal 3, Initiative 1) FY24
		 4.6.2 Engage the community in planning for community health improvement with a focus on disparate health outcomes. FY24	 (PI) 4.6.2.5 Maintain the number of individuals who provide input to the CHIP. (# of people at Steering Committee, subcommittee meetings, and planning meetings) FY24	 4.6.2.5.1 Engage community members in the decision making process to update initiatives for year 2. FY24
				 4.6.2.5.2 Complete CHIP Annual Report. FY24















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		<p>● 4.6.2 Engage the community in planning for community health improvement with a focus on disparate health outcomes. FY24</p>	<p>● (PI) 4.6.2.6 Recruit at least 10 community representatives to establish 1 cross-sector health coalition. (# of committee members) FY24</p>	<p>● 4.6.2.6.1 Develop a process to respond to community members and organizations on commitments. FY24</p>
		<p>● 4.6.2 Engage the community in planning for community health improvement with a focus on disparate health outcomes. FY24</p>	<p>● (PI) 4.6.2.7 Maintain a network of relationships with key organizations and leaders, and address at least 3 gaps in relationships to address disparate health outcomes. FY24</p>	<p>● 4.6.2.7.1 Identify, pilot and implement a system to track health equity relationships with key community partners and leaders. FY24</p>
				<p>● 4.6.2.7.2 Establish participatory leadership opportunities for community members to influence public health through the CHIP Steering Committee, CHIP initiative subcommittees, Health District Advisory Boards, and/or Health District Hearing Boards or other opportunities. FY24</p>
		<p>● 4.6.3 Facilitate community engagement in public health improvement initiatives designed to improve health outcomes and/or reduce health disparities utilizing community organizing principles. FY24</p>	<p>● (PI) 4.6.3.1 Identify at least 3 initiatives or projects for divisions to work with community-based partners to impact health disparities. FY24</p>	<p>● 4.6.3.1.1 Apply community organizing principles and health equity best practices among Health District programs to address health disparities. (HE Plan Goal 3, Initiative 2) FY24</p>
	<p>● 4.7 Improve the ability of the community to respond to health emergencies. FY24</p>	<p>● 4.7.1 Improve public health emergency preparedness. FY24</p>	<p>● (PI) 4.7.1.1 Execute a Chemical Surge Exercise with regional healthcare partners and finalize After Action Report within 90 days following. FY24</p>	<p>● 4.7.1.1.1 Develop a MOU for partner utilization of the mobile medical/command post vehicle. FY24</p> <p>● 4.7.1.1.2 Participate in 90% of requested school EOP meetings. FY24</p>

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				<ul style="list-style-type: none"> 4.7.1.1.3 Produce an after action/improvement plan within 90 days following the exercise. FY24
				<ul style="list-style-type: none"> 4.7.1.1.4 Conduct HSEEP planning meetings. FY24
		<ul style="list-style-type: none"> 4.7.2 Improve health care emergency preparedness. FY24 	<ul style="list-style-type: none"> (PI) 4.7.2.1 Complete 75% of planned activities identified by the IHCC. FY24 	<ul style="list-style-type: none"> 4.7.2.1.1 Update IHCC guidelines annually. FY24
				<ul style="list-style-type: none"> 4.7.2.1.2 Complete Resource and Gap Analysis annually. FY24
				<ul style="list-style-type: none"> 4.7.2.1.3 EMS/FIRE Planned Activities: MCI Plan Updates and Interagency training with law enforcement. FY24
				<ul style="list-style-type: none"> 4.7.2.1.4 Hospital Planned Activities: Training and Exercising the MAEA and MCI plans. FY24
				<ul style="list-style-type: none"> 4.7.2.1.5 Skilled Nursing/ Memory Care/Assisted Living PLanned Activities: Evacuation planning/training and staff and resource sharing plan. FY24
				<ul style="list-style-type: none"> 4.7.2.1.6 Clinic/Ambulatory Surgery Center Planned Activities: COOP, Recovery/ Business Continuity Planning; Staff and Resource Sharing Plan; Emergency Operations Planning; Staff and Resource Sharing Planning. FY24

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				<p>4.7.2.1.7 Home Health/ Hospice Planned Activities: Informaiton Sharing/ Communications Plan and Exercise Plan. FY24</p>
				<p>4.7.2.1.8 Public Health Planned Activities: MCI/MAEA Plan updates and Shelter Support Plan. FY24</p>
	<p>4.8 Partner with academia to advance public health goals. FY24</p>	<p>4.8.1 Maintain Academic Health Department with the University of Nevada, Reno. FY24</p>	<p>(PI) 4.8.1.1 Initiate at least one new project collaboration with UNR per year. (# project collaborations) FY24</p>	<p>4.8.1.1.1 Maintain regular communications through a joint advisory committee for new research and developments. FY24</p>
				<p>4.8.1.1.2 Participate on UNR's graduate committee. FY24</p>
				<p>4.8.1.1.3 Increase research resources through identifying shared resources. FY24</p>
				<p>4.8.1.1.4 Identify joint research opportunities and joint grant funding resources. FY24</p>
				<p>4.8.1.1.5 Identify training opportunities for WCHD staff through UNR. FY24</p>
				<p>4.8.1.1.6 Maintain the continuity of and improve joint course on real world public health applications. FY24</p>

















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 4.8.1 Maintain Academic Health Department with the University of Nevada, Reno. FY24	 (PI) 4.8.1.2 Ensure standardized, recurring intership opportunities. (# of recurring intership opportunities) (maintain minimum of 3 per year) FY24	 4.8.1.2.1 Improve the quality of intership opportunities for UNR students in all disciplines. FY24
Strategic Priority 5: ORGANIZATIONAL CAPACITY: Strengthen our workforce and increase operational capacity to support a growing population.	 5.1 Attract and retain a talented public health workforce to meet the needs of Washoe County. FY24	 5.1.1 Create a positive and productive work environment. FY24	 (VI) 5.1.1.1a # of retirements. FY24	
		 5.1.1 Create a positive and productive work environment. FY24	 (VI) 5.1.1.1b # of non-retirements, promotion or transfer departures FY24	 5.1.1.1b.1 Conduct exit interviews with all departing staff via online survey. FY24
		 5.1.1 Create a positive and productive work environment. FY24	 (VI) 5.1.1.1c # of promotions/transfers. FY24	
		 5.1.1 Create a positive and productive work environment. FY24	 (PI) 5.1.1.1 Maintain 5% or less employee vacancy rate (vacancy rate= average monthly vacancy rate including all employees). FY24	 5.1.1.1.1 Provide monthly vacancy report to include insights/trends on hard to fill positions. FY24
				 5.1.1.1.2 Recruit and promote career opportunities via social media outlets and other direct channels that reach individuals within the community. FY24
		 5.1.1 Create a positive and productive work environment. FY24	 (PI) 5.1.1.2 Increase mandatory training completion rate from 96% to 98%. FY24	 5.1.1.2.1 Remind staff of mandatory trainings via email. FY24
				 5.1.1.2.2 Track mandatory training completion rate to present to DDs and Supervisors. FY24

















Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 5.1.1 Create a positive and productive work environment. FY24	 (PI) 5.1.1.3 Increase probationary/annual evaluation completion rate from 80% to 85%. FY24	 5.1.1.3.1 Generate monthly communication to DDs and supervisors to keep them informed of schedule. FY24
				 5.1.1.3.2 Provide training related to running effective and meaningful evaluations. FY24
		 5.1.1 Create a positive and productive work environment. FY24	 (PI) 5.1.1.4 Increase percentage of employees who recommend WCHD as a good place to work from 76% to 78%. FY24	 5.1.1.4.1 Continue to provide thoughtful, consistent, optional flex, hybrid, and remote work as appropriate based on position. FY24
				 5.1.1.4.2 Identify and provide ongoing opportunities for staff to provide input. FY24
				 5.1.1.4.3 Support and implement an employee recognition program. FY24
				 5.1.1.4.4 Create opportunities for staff to work across divisions on projects and task forces. FY24
				 5.1.1.4.5 Provide onboarding program to integrate staff into WCHD team. FY24
				 5.1.1.4.6 Provide a quarterly orientation about the full organization to new employees. FY24
				 5.1.1.4.7 Promote key takeaways activity. FY24

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 5.1.1 Create a positive and productive work environment. FY24	 (PI) 5.1.1.5 Increase transparent internal communications from 0 to 4. FY24	 5.1.1.5.1 Launch internal newsletter. (promote Tell Kevin, workforce development, budget) FY24
		 5.1.2 Focus on building staff expertise. FY24	 (VI) 5.1.2.1a # of staff participating in district-wide professional development opportunities. FY24	 5.1.2.1a.1 Provide at least 2 leadership development opportunities to staff. FY24
				 5.1.2.1a.2 Identify at least one professional development opportunity as part of each employee goal setting. FY24
				 5.1.2.1a.3 Collaborate with DDs and ODHO to identify training challenges. FY24
		 5.1.2 Focus on building staff expertise. FY24	 (PI) 5.1.2.1 At least 50% of employees will report feeling proficient on targeted core competencies. FY24	 5.1.2.1.1 Provide targeted core competency training on areas identified through staff and supervisor input. FY24
				 5.1.2.1.2 Identify 1-2 core competencies for trainings to include on pre-post assessments. FY24
				 5.1.2.1.3 Evaluate improvement on targeted core competencies as assessed by employees and supervisors. FY24
				 5.1.2.1.4 Train DDs and supervisors on the budget process. FY24








Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				<ul style="list-style-type: none"> 5.1.2.1.5 Provide FAQs for staff on budget process and grants. FY24 5.1.2.1.6 Build out additional onboarding activities for supervisors over their first year. FY24
		<ul style="list-style-type: none"> 5.1.3 Maintain and build staff resiliency. FY24 	<ul style="list-style-type: none"> (PI) 5.1.3.1 Increase the number of mental health resources provided to staff in the workplace from 2 to 3. FY24 	<ul style="list-style-type: none"> 5.1.3.1.1 Provide optional opportunities to learn about wellness techniques and strategies. FY24
	<ul style="list-style-type: none"> 5.2 Meet and exceed national public health best practice standards. FY24 	<ul style="list-style-type: none"> 5.2.1 Maintain National Public Health Accreditation. FY24 	<ul style="list-style-type: none"> (PI) 5.2.1.1 Meet 100% of requirements to maintain accreditation. FY24 	<ul style="list-style-type: none"> 5.2.1.1.1 Submit annual reports with all required documentation. FY24 5.2.1.1.2 Convene reaccreditation committee. FY24 5.2.1.1.3 Gather at least 50% of documents required for reaccreditation by the end of year. FY24
		<ul style="list-style-type: none"> 5.2.1 Maintain National Public Health Accreditation. FY24 	<ul style="list-style-type: none"> (PI) 5.2.1.2 Increase the number of QI projects implemented across the HD from 0 to 3. FY24 	<ul style="list-style-type: none"> 5.2.1.2.1 Establish and convene QI team. FY24 5.2.1.2.2 Develop a QI plan. FY24 5.2.1.2.3 Train staff about QI concepts and internal process. FY24 5.2.1.2.4 Communicate with leadership, governing body, and stakeholders about QI activities. FY24

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
	<p>5.3 Invest in expanded Health District capacity and targeted services to meet the needs of a growing and diverse community. FY24</p>	<p>5.3.1 Increase workforce capacity. FY24</p>	<p>(VI) 5.3.1.1a # of filled positions FY24</p>	
		<p>5.3.1 Increase workforce capacity. FY24</p>	<p>(VI) 5.3.1.1b # of FTE FY24</p>	
		<p>5.3.1 Increase workforce capacity. FY24</p>	<p>(VI) 5.3.1.1c # of filled FT/PT employees FY24</p>	
		<p>5.3.1 Increase workforce capacity. FY24</p>	<p>(VI) 5.3.1.1d # of internship opportunities at NNPH FY24</p>	
		<p>5.3.1 Increase workforce capacity. FY24</p>	<p>(PI) 5.3.1.1 Increase investment in personnel where workforce capacity is a barrier to productivity. (% increase in FTE) FY24</p>	<p>5.3.1.1.1 Update FPHS assessment for FY24 and work statewide to build the case for support for ongoing public health funding. FY24</p>
		<p>5.3.2 Increase organizational capacity to address health equity and reduce disparate health outcomes. FY24</p>	<p>(PI) 5.3.2.1 Make progress on the health equity plan by completing 8 initiatives. FY24</p>	
		<p>5.3.3 Recruit, retain and train a workforce that meets the diverse needs of our community. FY24</p>	<p>(PI) 5.3.3.1 Review at least 10 job descriptions to evaluate for systemic barriers to hiring a diverse workforce. FY24</p>	<p>5.3.3.1.1 Review targeted job descriptions to evaluate for systemic barriers such as language, educational requirements, or other access issues, starting with those positions that have the highest potential to impact health equity (HE Plan Goal 7, Initiative 2) FY24</p>
				<p>5.3.3.1.2 Annually review how the demographics of the health district workforce compare to the demographics of the community we serve. (HE Plan Goal 7, Initiative 3) FY24</p>














Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				 5.3.3.1.3 Create inclusive job descriptions that attract candidates. FY24
		 5.3.3 Recruit, retain and train a workforce that meets the diverse needs of our community. FY24	 (VI) 5.3.3.2a # of existing staff who complete asynchronous cultural competency training. FY24	
		 5.3.3 Recruit, retain and train a workforce that meets the diverse needs of our community. FY24	 (PI) 5.3.3.2 100% of new staff will take asynchronous cultural competency training as part of the onboarding process. FY24	 5.3.3.2.1 In partnership with the Larson Institute build, pilot and launch an asynchronous, online training designed specifically to build health equity competencies from the Council on Linkages and Public Health Practices. Require all new staff to complete within the first 180 days and offer to all existing staff regularly. FY24
		 5.3.3 Recruit, retain and train a workforce that meets the diverse needs of our community. FY24	 (VI) 5.3.3.3a # of staff participating in district offered DEI/cultural competency professional development opportunities. FY24	 5.3.3.3a.1 Offer district-wide diversity, equity, inclusion, cultural competency and/or health equity training to health district staff. FY24
		 5.3.3 Recruit, retain and train a workforce that meets the diverse needs of our community. FY24	 (VI) 5.3.3.4a # of staff participating in informal opportunities to explore DEI, cultural competency and equity topics FY24	 5.3.3.4a.1 Continue and expand optional opportunities for staff to participate in dialogue and reflection on diversity and equity topics. (HE Plan Goal 1, Initiative 3) FY24
	 5.4 Maximize and expand facilities to meet the needs of staff and clients. FY24	 5.4.1 Maximize the 9th Street facility to efficiently use and improve existing work and meeting spaces. FY24	 (PI) 5.4.1.1 Develop and implement a plan to meet the office space needs of the Health District employees. (% of completion) FY24	 5.4.1.1.1 Redesign floor plans to maximize the use of current space and implement changes. FY24

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				<p> 5.4.1.1.2 Develop and implement plan for hybrid/remote work to address unmet space needs. FY24</p>
		<p> 5.4.2 Complete a facility expansion. FY24</p>	<p> (PI) 5.4.2.1 Ensure completion of new TB and expanded office space building. (Complete 3 steps - location identified, building design complete, contractor identified) FY24</p>	<p> 5.4.2.1.1 Confirm final location based on Washoe County Commissioners and County Manager decisions. FY24</p> <p> 5.4.2.1.2 Support CSD in the approval of contractors and building design. FY24</p>
	<p> 5.5 Leverage technology to improve services, increase effectiveness and efficiency, and provide access to higher quality data. FY24</p>	<p> 5.5.1 Increase access to self-service platforms and systems. FY24</p>	<p> (PI) 5.5.1.1 Increase the percentage of AQMD customers paying through the Accela Customer Access platform to 25%. (estimated average for all programs) FY24</p>	<p> 5.5.1.1.1 Work with Technology Services and consultant to streamline Accela Customer Access submittal process. FY24</p>
		<p> 5.5.1 Increase access to self-service platforms and systems. FY24</p>	<p> (PI) 5.5.1.2 Increase payments made via Accela. (EHS) FY24</p>	<p> 5.5.1.2.1 Ensure kiosk is set up and available to customers by August 1, 2023. FY24</p> <p> 5.5.1.2.2 Create written instructions by August 1, 2023. FY24</p> <p> 5.5.1.2.3 Create videos by September 1, 2023. FY24</p> <p> 5.5.1.2.4 Distribute public service announcements. FY24</p> <p> 5.5.1.2.5 Add announcement to website. FY24</p>

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				<p>5.5.1.2.6 Educate customers to help them understand how to submit payment via Accela by November 1, 2023. FY24</p>
				<p>5.5.1.2.7 Revise and communicate instructions with customers by October 1, 2023. FY24</p>
				<p>5.5.1.2.8 Communicate November 1, 2023 Accela launch date to customers via distribution lists, press releases, etc. FY24</p>
				<p>5.5.1.2.9 Monitor and document lessons learned. FY24</p>
		<p>5.5.2 Improve data tracking and information sharing. FY24</p>	<p>(PI) 5.5.2.1 % of new/renewed sources integrated into the software. FY24</p>	<p>5.5.2.1.1 Draft SOP for use of software by January 2024. FY24</p>
		<p>5.5.3 Assure technology needs are addressed by a health district technology resource or County Technology Services. FY24</p>	<p>(VI) 5.5.3.1a # of all Health IT help desk tickets FY24</p>	
		<p>5.5.3 Assure technology needs are addressed by a health district technology resource or County Technology Services. FY24</p>	<p>(VI) 5.5.3.1b # of health desk tickets going through County TS FY24</p>	
		<p>5.5.3 Assure technology needs are addressed by a health district technology resource or County Technology Services. FY24</p>	<p>(PI) 5.5.3.1 Monitor average time (in minutes) to close help desk ticket. FY24</p>	<p>5.5.3.1.1 Establish help desk ticketing system workflow for employees. FY24</p>

Strategic Priority	District Goal	Division Goal	Outcome	Initiative
				 5.5.3.1.2 Train employees on the help desk ticketing system workflow. FY24
				 5.5.3.1.3 Track 100% of IT time by cost allocation. FY24
				 5.5.3.1.4 Identify TS capacity dedicated to each division and identify workload capacity. FY24
				 5.5.3.1.5 Track 100% of projects by category. FY24
				 5.5.3.1.6 Work with TS to revamp ticket categories based on type and then track going forward. FY24
				 5.5.3.1.7 Categorize help desk tickets to identify problem areas/projects where staff need support. FY24
				 5.5.3.1.8 Create training for staff based on challenging areas identified. FY24






Strategic Priority	District Goal	Division Goal	Outcome	Initiative
<p>Strategic Priority 6: FINANCIAL STABILITY: Enable the Health District to make commitments in areas that will positively impact the community's health through reliable and sustainable funding.</p>	<p>6.1 Update the WCHDs financial model to align with the needs of the community. FY24</p>	<p>6.1.1 Increase dedicated public health funding support to Washoe County. FY24</p>	<p>(VI) 6.1.1.1a Amount of expenditures. FY24</p>	
		<p>6.1.1 Increase dedicated public health funding support to Washoe County. FY24</p>	<p>(VI) 6.1.1.1b Amount of income. FY24</p>	<p>6.1.1.1b.1 Advocate for dedicated public health funding at the federal, state and local level. FY24</p>
		<p>6.1.2 Capture grant and federal relief resources to meet public health goals. Pursue funding opportunities to promote health equity and address health disparities. FY24</p>	<p>(PI) 6.1.2.1 Maintain 100% compliance with purchasing and contract procedures. FY24</p>	<p>6.1.2.1.1 Deliver and record 1 staff training on the purchasing and contract process. FY24</p>
				<p>6.1.2.1.2 Provide FAQs for staff. FY24</p>
		<p>6.1.2 Capture grant and federal relief resources to meet public health goals. Pursue funding opportunities to promote health equity and address health disparities. FY24</p>	<p>(PI) 6.1.2.2 Maintain 100% of grant compliance. FY24</p>	<p>6.1.2.2.1 Meet with program managers to understand areas of opportunity to learn about grant process FY24</p>
				<p>6.1.2.2.2 Standardize training process to ensure staff is clear on grant process and compliance expectations. FY24</p>
				<p>6.1.2.2.3 Provide 1 training on grant compliance to staff. FY24</p>
		<p>6.1.2 Capture grant and federal relief resources to meet public health goals. Pursue funding opportunities to promote health equity and address health disparities. FY24</p>	<p>(VI) 6.1.2.3a Amount of revenue generated by grants and relief funding FY24</p>	






Strategic Priority	District Goal	Division Goal	Outcome	Initiative
		 6.1.2 Capture grant and federal relief resources to meet public health goals. Pursue funding opportunities to promote health equity and address health disparities. FY24	 (VI) 6.1.2.3b # of grants received FY24	
		 6.1.3 Maximize revenue generated from cost recovery. FY24	 (PI) 6.1.3.1 Set a baseline for % of costs recovered for clinic services through client and third-party payer payments. FY24	
		 6.1.3 Maximize revenue generated from cost recovery. FY24	 (PI) 6.1.3.2 Maintain or increase access to services and revenue through billable services. (# of contracted insurance companies) (10 to 12) FY24	 6.1.3.2.1 Review error and rejection report daily to minimize inaccurate claim submission. FY24
				 6.1.3.2.2 Submit clean claims to insurance companies the first time to eliminate costly appeals and ensure maximum reimbursement for services. FY24
		 6.1.3 Maximize revenue generated from cost recovery. FY24	 (PI) 6.1.3.5 Maintain 100% cost recovery for vital records services. FY24	
		 6.1.4 Provide the DBOH the information necessary to provide financial oversight. FY24	 (PI) 6.1.4.1 Make progress toward maintaining an ending fund balance of 10-17%. FY24	 6.1.4.1.1 Provide monthly financial review to the Board. FY24




NNPH Quarterly Report









FY24

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 1.1.1.1 Reach at least 3,000 residents and visitors about the impact of secondhand cannabis smoke exposure through communications efforts. (# of residents reached)</p>	<p>Staff developed one (1) social media post on the harms of cannabis secondhand smoke exposure, and resources available for quitting. The post was shared on three social media platforms (Instagram, X, and Facebook), resulting in 493 impressions and 10 engagements. Staff also distributed 100 Need to Know cannabis educational cards to local dispensaries for their clients.</p>	300	2,029	2,590	3,000	3,183	 <p>1.1.1.1.1 Provide education about the dangers of secondhand cannabis smoke exposure through distributing Need to Know cards and developing posts to be shared on social media platforms.</p>
 <p>(PI) 1.1.1.2 Maintain breastfeeding rates at 80% among WIC clients who report ever breastfeeding.</p>	<p>Breastfeeding rates for those who report ever breastfeeding are at 80% for NNPH WIC clients. This is higher than the State breastfeeding rate, which is 74%.</p>	80.00%	80.00%	80.00%	80.00%	80.00%	 <p>1.1.1.2.1 Support staff receiving breastfeeding training.</p>
							 <p>1.1.1.2.2 Offer clients breastfeeding support and services.</p>
 <p>(PI) 1.1.1.3 Increase multi-family housing properties that have smoke free policies by at least 2.</p>	<p>One new property, Dick Scott Manor, opened with a Smoke free/ Vape Free policy in place. This property consists of 12 units, primarily serving low-income veterans.</p>	0	1	3	2	4	 <p>1.1.1.3.1 Recruit and provide technical assistance to owners and managers of multi-unit housing properties.</p>




Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 1.1.1.4 Reach at least 4 groups or stakeholders with information on how smoke-free workplace policies impact overall community health. (# of partners that receive smoke-free workplace policy information)</p>	<p>Shared information about smokefree workplace policies, including the benefits to businesses and the community, with a group of business leaders at the Young Professionals Network.</p>	2	3	5	4	6	 <p>1.1.1.4.1 Provide education and technical assistance to new community partners about smoke-free workplaces.</p>
 <p>(PI) 1.1.2.1 Reach seniors with fall prevention messaging at least once per quarter. (# of messaging/ education attempts including events, tabling, and media)</p>	<p>Staff provided senior falls prevention outreach at the Washoe County Senior Services Older Americans Month Resource Fair on 5/1/2024. Approximately 118 seniors received information and resources on falls prevention. In addition, staff provided senior falls prevention education at the Family Health Festival 5/22/2024, reaching approximately 123 participants.</p>	1	2	3	4	5	 <p>1.1.2.1.1 Provide education, outreach, and support to seniors and senior groups in Washoe County.</p>
 <p>(VI) 1.2.1.1a # of WIC participants (quarterly average enrollment, annual average enrollment in Q4)</p>		3,463	3,410	3,342		3,393	




Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 1.2.1.1 Maintain at least 95% of enrolled WIC participants as compared to last FY enrollment.	<p>The FY24 average for monthly WIC enrollment (3393) was 0.52% more than the FY23 average monthly enrollment (3375). Changes in data can be attributed to several factors including fluctuations in community demand, changes in staffing, and changes in scope of work/grant deliverables. The WIC program continues functioning strongly and delivering good results.</p>	102.60%	102.10%	100.25%	95.00%	99.47%	 1.2.1.1.1 Implement retention efforts and new participant recruitment and enrollment activities.
							 1.2.1.1.2 Provide outreach to underserved communities.
 (VI) 1.2.1.2a # of clients served in the immunization program		1,007	2,396	3,271		4,136	
 (VI) 1.2.1.3a # of VFC compliance visits		0	8	17		25	








Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 1.2.1.3 Assure 50% of Vaccine for Children (VFC) providers receive a compliance visit yearly.</p>	<p>Immunization Program VFC (Vaccines for Children) Site Visit Reviewers conducted 8 compliance visits with county VFC medical providers during Q4. This activity meets or exceeds FY23-24 goals set forth by the Nevada State Immunization Program and CDC outlining that at least 50% of providers receive this visit every two years. NNPH visited 25 of 43 providers this year (58%).</p>	0%	18.00%	40.00%	50.00%	58.00%	 <p>1.2.1.3.1 Perform compliance visits.</p>
 <p>(VI) 1.2.1.4a # of clients served in the Family Planning and Sexual Health program</p>		1,003	1,951	2,948		3,634	





Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 1.2.1.5 Implement 100 community/provider Sexual Health education and outreach activities.	During FY25, Sexual Health outreach activities consisted of educational sessions, community testing opportunities, and providing the community with information on services provided at NNPH. These activities were provided by the Supervisor, Public Health Investigators, per diem Health Educators and per diem nurses, and Community Health Workers.	21	58	97	100	145	 1.2.1.5.1 Provide educational presentations as requested by the community.
							 1.2.1.5.2 Conduct Academic Detailing to providers addressing sexual health topics.
							 1.2.1.5.3 Participate in community outreach events.
							 1.2.1.5.4 Provide offsite testing in partnership with community organizations and businesses.
 (VI) 1.2.2.1a # of reported HIV cases investigated		11	27	39		51	
 (PI) 1.2.2.1 Initiate investigation of 90% of reported HIV cases within 5 business days of report.	All reported cases of HIV had case investigations initiated within 5 days of the report.	100.00%	100.00%	100.00%	90.00%	100.00%	
 (VI) 1.2.2.2a # of primary, secondary syphilis cases investigated		35	60	85		98	





Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 1.2.2.2 % of primary, secondary syphilis cases initiated within 5 days.	During the reporting period, 12 of the 13 primary and secondary syphilis cases investigations were initiated within 5 days of report. Cumulatively, 85 out of 98 (86.7%) case investigations were initiated within 5 days during the FY.	68.60%	80.00%	100.00%	90.00%	86.70%	
 (VI) 1.2.2.3a # of maternal syphilis cases investigated		4	8	13		18	
 (PI) 1.2.2.3 % of maternal syphilis cases initiated within 5 days	During the reporting period, 100% of maternal syphilis case investigations were initiated within 5 days of report.	100.00%	100.00%	100.00%	90.00%	100.00%	
 (VI) 1.2.2.4a # of other syphilis cases investigated (early latent, late latent/ unknown duration, biological false positives, old disease)		181	219	505		765	





Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 1.2.2.4 % of other syphilis cases initiated within 5 days	<p>During the reporting period, 258 of the 260 other syphilis case investigations were initiated within 5 days of report. Other syphilis cases include early latent, late latent/unknown duration, biological false positives, old disease, and pending cases. Cumulatively, 829 out of 946 (87.6%) case investigations were initiated within 5 days of report during the FY.</p>	76.80%	74.00%	96.00%	90.00%	87.60%	
 (VI) 1.2.2.5a # of congenital syphilis cases investigated		6	7	10		18	
 (PI) 1.2.2.5 % of congenital syphilis cases initiated within 5 days	<p>During the reporting period, all 8 congenital syphilis case investigations were initiated within 5 days of report.</p>	100.00%	100.00%	100.00%	90.00%	100.00%	
 (VI) 1.2.2.6a # of reported gonorrhea cases investigated		126	311	458		579	





Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 1.2.2.6 Initiate 90% of prioritized gonorrhea case investigations within 5 business days of report.	Of the 121 gonorrhea cases reported, 117 case investigations were initiated within 5 days of report for the fourth quarter. This is a significant improvement over previous reporting periods due to staff training and diligence, as well as increased staff capacity. For the FY, 488 out of 579 (84.3%) gonorrhea case investigations were initiated within 5 days of report.	60.00%	74.68%	77.51%	90.00%	84.30%	
 (VI) 1.2.2.7a # of reported chlamydia cases investigated		608	1,156	1,718		2,250	
 (PI) 1.2.2.7 Review 90% of chlamydia cases within 5 days of report.	During the reporting period, 522 of the 532 (98%) chlamydia case investigations were initiated within 5 days of report. Case investigations for chlamydia consist mostly of verifying treatment and providing appropriate treatment if needed, through the NNPH Sexual Health Clinic. Cumulatively, 2110 out of 2250 (97.8%) case investigations were initiated within 5 days during the entire FY.	100.00%	89.62%	95.87%	90.00%	98.00%	




Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (VI) 1.2.2.8a # of individuals suspected to have active tuberculosis disease and investigated		5	12	18		21	
 (PI) 1.2.2.8 % of all individuals suspected to have active TB status confirmed within 1 business day via Nucleic Acid Amplification Test (NAAT).	<p>For this quarter, 3 out of 4 TB cases were confirmed with a NAAT within 24 hours of sputum collection for the reporting period. These cases were started on standard TB treatment within the same day NAAT confirmation was received. This brings the YTD percentage for NAAT testing to 92%, considering this and previous quarters' data.</p>	100.00%	80.00%	88.00%	100.00%	92.00%	<ul style="list-style-type: none">  1.2.2.8.3 Collect, review, and process lab and provider reports for suspected or confirmed active TB disease.  1.2.2.8.4 Utilize Directly Observed Therapy (DOT) and virtual DOT to assist with case treatment adherence.  1.2.2.8.5 Establish partnerships with community providers to effectively communicate case management and treatment status.  1.2.2.8.6 Utilize contact tracing for all sputum smear positive disease cases.  1.2.2.8.1 Increase staff who are trained to take select high frequency diseases, in order to reduce burden on any one person or set of staff.




Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
							 1.2.2.8.2 Ensure workflows are designed so staff know when a lab is reported so they can begin the investigation as soon as feasible.
 (PI) 1.2.2.9 For clients with active tuberculosis, increase the percentage that have sputum culture conversion within 60 days of treatment initiation.	<p>There was 1 case during Q4-24 that was confirmed within the prescribed time frame to have culture converted to no mycobacterium tuberculosis in their sputum within 2 months of treatment. This was the only case that had a pending culture during this time period.</p>	100.00%	100.00%	100.00%	83.00%	100.00%	
 (PI) 1.2.2.10 Initiate the index/source case interview and contact investigation for 100% of sputum smear positive tuberculosis cases within 14 days.	<p>For Q4-24 the TB Clinic had one new case diagnosed during this period in which contact investigation was elicited within 14 days. All contacts were negative for TB.</p>	100.00%	100.00%	100.00%	100.00%	100.00%	
 (VI) 1.2.2.11a # of foodborne, vector borne, vaccine preventable, disease of unusual occurrence, etc. cases investigated		430	673	1,073		1,216	


Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 1.2.2.11 Investigate 100% of foodborne, vector borne, vaccine preventable, disease of unusual occurrence, etc. disease cases within their designated time frame.</p>	<p>Q4 total = 237/280 = 84.6%</p> <p>Same day follow up = 49/61 reported = 80%</p> <p>Within 1 day follow up = 121/142 reported = 85%</p> <p>Within 1 week follow up = 57/57 reported = 100%</p> <p>Outbreaks = 10/20 declared = 50%</p> <p>Total FY24 = 907/1071 = 84.7%</p> <p>Factors preventing 100% investigations on time: NNPH does not have 24/7 coverage, cannot pick up calls or labs that come in Friday when staff doesn't get in until Monday.</p>	85.60%	80.70%	84.70%	100.00%	84.70%	
 <p>(VI) 1.2.3.1a # of community-based vaccine provision events</p>		12	26	40		52	 <p>1.2.3.1a.1 Provide education at 1 outreach event per quarter.</p>
 <p>(VI) 1.3.1.1a # of clients that see the Enrollment Assister annually</p>		37	73	104		110	

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 1.3.1.1 Maintain or increase the number of clients that see the Enrollment Assister annually.	<p>The program reached the target for the fiscal year. Nevertheless, in the last quarter of the year, the Department of Welfare and Social Services management made the decision not to have a worker at NNPH. Thus, the numbers were lower than expected. This is in contrast to when appointments were made onsite, and more clients were able to easily access that service. NNPH staff is also working on an agreement to place a bilingual enrollment assister onsite through Nevada Health Centers, as many clients are Spanish speakers and translations often take a significant amount of additional time for existing staff.</p>	37	73	104	64	110	 1.3.1.1.1 Collaborate with State Enrollment Assister onsite to provide assistance, by educating staff, thus increasing education to clients and providing proper paperwork and education to clients prior to appointments.
							 1.3.1.1.2 Provide reminder calls for scheduled appointments with the Enrollment Assister.
 (VI) 1.3.2.1a # of clients and community members provided assistance with navigation of community resources		119	263	524		756	



Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 1.3.2.1 Increase the number of clients and community members provided assistance with navigation of community resources. (# provided assistance)	<p>The CHWs provided individual health navigation and resources to 232 clients this past quarter. This is a slight decrease from the prior quarter due to less clients seen in the clinic-based programs. The greatest need for clients continues to be assistance establishing with a primary care provider and insurance assistance.</p>	119	263	524	360	756	 1.3.2.1.1 Monitor number of referrals from each CCHS program.
							 1.3.2.1.2 Evaluate need for standardized referral process.
							 1.3.2.1.3 Meet with intermittent hourly staff from each program to educate on services provided by CHWs.





Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 1.3.2.2 Increase community reach through new partnerships and outreach activities. (# of outreach activities)</p>	<p>The CHWs continue to conduct recurring outreach at Eddy House, TMCC, and at multiple Mobile Harvest distribution sites. During the last quarter, CHWs also conducted outreach at TMCC's Take Back the Night event and multiple Family Resource Centers at Sparks and North Valleys schools. Additionally, the CHWs continue to provide Cribs For Kids classes and NNPH resources at the Anthem Wellness Center.</p> <p>* Special note: when this performance measure was created for FY24, it was believed that all outreach activities done by the CHWs would count toward accomplishing this goal. It was later determined that the CHWs could only count outreach activities that were not program-specific, so outreach activities were not being double counted. For example, the outreach at the Eddy House is done by the CHWs but counted in the Sexual Health program as one of</p>	15	22	37	90	46	<p> 1.3.2.2.1 Identify 2 new community partners for recurring outreach.</p> <p> 1.3.2.2.2 Identify 2 new community outreach events to table.</p>







Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
	their outreach activities. The measure has been reevaluated for FY25 to obtain more accurate data.						
 (PI) 1.3.3.1 Increase access to programs and services through completing 3 system improvements.	<ol style="list-style-type: none"> 1. CCHS Intranet was implemented this quarter. This SharePoint site allows for one location for staff to visit for most up-to-date policies and procedures, forms, and program information. 2. Teams group chats implemented and refined for quick alerts regarding client needs between front office and back office and between clinical staff. 3. Family Planning Sexual Health clinic workflow changed so that clients do not change exam rooms. Various staff now go to the client instead of the client having to go to them. 	0	3	5	3	8	 1.3.3.1.1 Establish and evaluate contactless client services. (provider contact, appointments/self-scheduling, telemedicine, results, payments)
							 1.3.3.1.2 Implement centralized clerical services.

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 2.1.1.1 Meet or exceed a 75% data capture rate for ozone.</p>	<p>FY24 Q4 Data Completeness Reports will not be available until September 2024. In order to have data to report, we ran EPA's AMP 430 Data Completeness Report for the January 1 to March 31, 2024, reporting period. This report summarizes the number of hourly ozone observations as well as data completeness percentages for all ozone monitors in the ambient air monitoring network. The actual data capture rate is an average of all network monitors.</p>	98.60%	98.40%	97.90%	75.00%	98.40%	 <p>2.1.1.1.1 Follow EPA QA/QC data capture requirements and report data capture rate on a quarterly basis. (ozone)</p>

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 2.1.1.2 Meet or exceed a 75% data capture rate for PM2.5.</p>	<p>FY24 Q4 Data Completeness Reports will not be available until September 2024. In order to have data to report, we ran EPA's AMP 430 Data Completeness Report for the January 1 to March 31, 2024, reporting period. This report summarizes the number of hourly PM2.5 observations as well as data completeness percentages for all PM2.5 monitors in the ambient air monitoring network. The actual data capture rate is an average of all network monitors.</p>	98.40%	98.80%	99.60%	75.00%	98.20%	 <p>2.1.1.2.1 Follow EPA QA/QC data capture requirements and report data capture rate on a quarterly basis. (PM2.5)</p>

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 2.1.1.3 Meet or exceed a 75% data capture rate for PM10.</p>	<p>FY24 Q4 Data Completeness Reports will not be available until September 2024. In order to have data to report, we ran EPA's AMP 430 Data Completeness Report for the January 1 to March 31, 2024, reporting period. This report summarizes the number of hourly PM10 observations as well as data completeness percentages for all PM10 monitors in the ambient air monitoring network. The actual data capture rate is an average of all network monitors.</p>	98.40%	98.50%	98.20%	75.00%	98.00%	 <p>2.1.1.3.1 Follow EPA QA/QC data capture requirements and report data capture rate on a quarterly basis. (PM10)</p>





Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 2.1.1.4 Meet or exceed a 75% data capture rate for carbon monoxide.</p>	<p>FY24 Q4 Data Completeness Reports will not be available until September 2024. In order to have data to report, we ran EPA's AMP 430 Data Completeness Report for the January 1 to March 31, 2024, reporting period. This report summarizes the number of hourly CO observations as well as data completeness percentages for all CO monitors in the ambient air monitoring network. The actual data capture rate is an average of all network monitors.</p>	98.50%	97.00%	96.00%	75.00%	98.00%	 <p>2.1.1.4.1 Follow EPA QA/QC data capture requirements and report data capture rate on a quarterly basis. (carbon monoxide)</p>
 <p>(PI) 2.1.1.5 Meet or exceed a 75% data capture rate for nitrogen dioxide.</p>	<p>FY24 Q4 Data Completeness Reports will not be available until September 2024. In order to have data to report, we ran EPA's AMP 430 Data Completeness Report for the January 1 to March 31, 2024, reporting period. This report summarizes the number of hourly NO2 observations as well as data completeness percentages for all NO2 monitors in the ambient air monitoring network. The actual data capture rate is an average of all network monitors.</p>	97.00%	98.00%	98.00%	75.00%	97.00%	 <p>2.1.1.5.1 Follow EPA QA/QC data capture requirements and report data capture rate on a quarterly basis. (nitrogen dioxide)</p>

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 2.1.1.6 Meet or exceed a 75% data capture rate for sulfur dioxide.	<p>FY24 Q4 Data Completeness Reports will not be available until September 2024. In order to have data to report, we ran EPA's AMP 430 Data Completeness Report for the January 1 to March 31, 2024, reporting period. This report summarizes the number of hourly SO2 observations as well as data completeness percentages for all SO2 monitors in the ambient air monitoring network. The actual data capture rate is an average of all network monitors.</p>	96.00%	96.00%	95.50%	75.00%	96.00%	 2.1.1.6.1 Follow EPA QA/QC data capture requirements and report data capture rate on a quarterly basis. (sulfur dioxide)
 (VI) 2.1.2.1a # of air quality plans and reports worked on during this period.		8	15	21		25	 2.1.2.1a.1 Develop Ozone Mitigation Plan and submit to EPA for approval.  2.1.2.1a.2 Complete Dixie/Antelope Exceptional Event demonstration and submit to EPA for concurrence.  2.1.2.1a.3 Complete Dixie/Caldor Exceptional Event demonstraion and submit to EPA for concurrence.

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
							 <p>2.1.2.1a.4 Complete Dixie/ Tamarack Exceptional Event demonstration and submit to EPA for concurrence.</p>
							 <p>2.1.2.1a.5 Complete Mosquito Exceptional Event demonstraion and submit to EPA for approval.</p>
							 <p>2.1.2.1a.6 Develop Second 10-Year PM10 Maintenance Plan and submit to EPA for approval.</p>
							 <p>2.1.2.1a.7 Update 2024 Ambient Air Monitoring Network Plan and submit to EPA for approval.</p>
							 <p>2.1.2.1a.8 Update 2014-2023 Air Quality Trends Report and present to DBOH for acceptance.</p>

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
<p>(PI) 2.1.2.1 Educate and empower leaders, decision makers and regulated entities through a minimum of 3 AQ outreach opportunities. (# of outreach events)</p>	<p>Outreach opportunities completed by AQMD staff during the April 1 to June 30, 2024, reporting period include:</p> <ol style="list-style-type: none"> 1. Health Equity Initiatives Presentation at NNPH General Staff Meeting – Craig Petersen, April 3, 2024. 2. Air Quality Management in Washoe County Presentation to the NRS 433/633 Fate and Transport Class at the University of Nevada, Reno – Brendan Schnieder and Genine Rosa, April 3, 2024. 3. Street Sanding, Salting, and Sweeping Working Group Meeting Presentation – Brendan Schnieder, June 18, 2024. 4. Second 10-Year Maintenance Plan for the Truckee Meadows 24-Hour PM10 Attainment Area Presentation to the DBOH – Brendan Schnieder, June 27, 2024. 5. 2014-2023 Washoe County, Nevada Air Quality Trends Report Presentation to the DBOH – Ben 	8	12	13	3	18	<p>2.1.2.1.1 Identify and contact community groups and partners.</p>

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
	McMullen, June 27, 2024 The total number of outreach opportunities completed by AQMD staff in FY2024 is 18.						
● (VI) 2.1.2.2a # of community planning efforts where AQMD commented.		2	4	14		24	
● (VI) 2.1.2.2b # of community planning efforts where AQMD participated as a technical advisor.		5	13	26		44	





Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative	
 (PI) 2.1.2.3 Complete updates of 11 parts of regulation chapters.	<p>There were no Updates to regulation parts completed by AQMD staff during the April 1 to June 30, 2024.</p> <p>Updates worked on by AQMD staff during the reporting period, but not completed include:</p> <ol style="list-style-type: none"> 030.000 – Source Permitting 030.100 – General Permitting 030.200 – Minor Source Permitting 030.300 – Nonattainment New Source Review 030.400 – Prevention of Significant Deterioration 030.500 – Permit to Construct Requirements for Part 70 Sources <p>This project is not limited to one fiscal year. AQMD is constantly revising regulations, and they are not on any set schedule. With reviews from internal staff, EPA, and the regulated community, the revisions are continual and can only go as fast as the processes governing each of these stakeholder groups.</p>	0	4	4	11	4	 2.1.2.3.1 Update Chapter 020 – Parts 020.000 – 020.200 (3 parts)	
								 2.1.2.3.2 Update Chapter 030 – Parts 030.000 – 030.500 (6 parts)
								 2.1.2.3.3 Update Chapter 040 – Asbestos Control Standards and Asbestos Acknowledgements (2 parts)





Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
● (VI) 2.1.3.1a # of wood-burning devices inspections completed		88	164	231		322	● 2.1.3.1a.1 Inspect properties which have removed a wood-burning device prior to the close of escrow.
● (PI) 2.1.3.1 % wood-burning permits managed within internal best practice standard (NOE 2 business days, COC 10 business days)	The AQMD developed a system to track this best practice standard during Quarter 4 of FY24 and will be able to report out during Q1 of FY25.				100.00%		
● (VI) 2.1.3.1b # of wood-burning device registrations		2,129	3,744	5,281		7,272	● 2.1.3.1b.1 Process and issue Notice of Exemption Registrations submitted to the Air Quality Management Division. ● 2.1.3.1b.2 Process and issue Certificate of Compliance Registrations submitted to the Air Quality Management Division. ● 2.1.3.1b.3 Process and issue Dealers Affidavit of Sale Registrations submitted to the Air Quality Management Division.



Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
● (VI) 2.1.3.2a # of dust control permit inspections completed		117	251	396		539	● 2.1.3.2a.1 Complete dust control inspections to determine compliance with dust control permit requirements.
● (VI) 2.1.3.2b # of dust control permits		45	100	146		196	● 2.1.3.2b.1 Process and issue Dust Control Permit applications submitted to the Air Quality Management Division.
● (PI) 2.1.3.2 % of dust permits managed within 10 business days.	The AQMD developed a system to track this best practice standard during Quarter 4 of FY24 and will be able to report out during Q1 of FY25.				100.00%		
● (VI) 2.1.3.2c Total acreage disturbed by dust permits		443	1,246	2,022		2,523	
● (VI) 2.1.3.3a # of asbestos renovation and demolition inspections completed		37	70	105		135	● 2.1.3.3a.1 Complete inspections of asbestos notifications for demolitions and renovations to determine compliance with asbestos NESHAP standards.
● (VI) 2.1.3.3b # of asbestos renovation and demolition notifications		37	77	119		154	● 2.1.3.3b.1 Process asbestos NESHAP notifications for demolition and renovation activities.








Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
● (VI) 2.1.3.3c Total square feet of asbestos materials		78,300	185,464	302,091		393,182	
● (VI) 2.1.3.3d Total linear feet of asbestos materials		5,948	6,371	6,410		8,263	
● (PI) 2.1.3.3 % of asbestos permits managed within internal best practice standard.	The AQMD developed a system to track this best practice standard during Quarter 4 of FY24 and will be able to report out during Q1 of FY25.				100.00%		
● (VI) 2.1.3.3e Total cubic feet of asbestos materials		0	0	0		0	
● (VI) 2.1.3.4a # of complaint inspection/ investigations		47	84	111		158	
● (VI) 2.1.3.5a # of warnings and notices of violations issued		13	19	42		63	
● (VI) 2.1.3.6a # of stationary source inspections assigned		153	263	385		532	
● (PI) 2.1.3.6 Complete 100% of stationary source inspections assigned.	Of (147) Stationary Source inspections assigned in Quarter 4 of FY24, (147) were completed, for a completion rate of 100%.	100.00%	100.00%	100.00%	100.00%	100.00%	● 2.1.3.6.1 Complete inspections of stationary sources to determine compliance with permit and regulatory requirements.












Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
● (VI) 2.1.3.7a # of stationary source authority to construct/ permit to operate permits issued		15	31	44		59	
● (PI) 2.1.3.7 100% of stationary source authority to construct/ permit to operate permits are issued within 180 days.	Of the (15) Stationary Source Authority to Construct permits issued in Quarter 4 of FY24, (15) Stationary Source Authority to Construct permits were issued within 180 days. Times throughout the year when AQMD fell slightly behind goal deadlines regarding Permits to Operate for Stationary Sources or completing Plan Reviews were attributable to staffing shortages and building new staff members' knowledge/expertise. As the division builds staffing and experience, AQMD is increasingly on track meeting all deadlines.	93.00%	90.00%	93.00%	100.00%	95.00%	● 2.1.3.7.1 Issue authorities to construct to new sources of regulated air pollutants in Washoe County. ● 2.1.3.7.2 Reissue permits to operate on an annual basis to sources of regulated air pollutants in Washoe County.
● (VI) 2.1.4.1a # of inspections completed at permitted waste management facilities per year.		52	111	200		270	
● (VI) 2.1.4.1b # of waste management facility permits		307	299	302		308	










Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (VI) 2.1.4.1c # of waste related complaints		59	95	125		177	
 (PI) 2.1.4.1 Complete 100% of inspections at permitted waste management facilities per year.	<p>During the fourth quarter of FY24, 23% of permitted waste management facilities were inspected. This meets the target of approximately 25% per quarter. Due to the fact that the target of 100% of inspections is calculated on the calendar year, rather than the fiscal year, the percentages below do not add up to 100% (different quarters in different years will naturally fluctuate). However, with the exception of 6 permits that were overlooked, all permitted waste management facilities were inspected in CY23, yielding a percentage completion of 98% for CY23.</p>	14.00%	34.00%	63.00%	100.00%	86.00%	<p> 2.1.4.1.1 Develop an audit system and conduct a minimum of 3 audits per staff member.</p> <p> 2.1.4.1.2 Update SOPs and develop standardized processes for solid waste complaints.</p>









Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 2.1.4.2 Partner with a minimum of 3 outside agencies to assist in waste reduction/clean up initiatives.</p>	<p>Over the fourth quarter of FY24, EHS partnered with the County Manager's office and Commissioner Garcia to put together a large clean up in Sun Valley. EHS utilized the Tire Fund, a restricted funding source from the State for assisting in the waste management activities of NNPH, to pay for the dumpsters used in the cleanup.</p>	1	1	2	3	3	<p> 2.1.4.2.1 Collaborate with KTMB on community engagement regarding reduced waste initiatives.</p> <p> 2.1.4.2.2 Utilize tire funds to create grant program to assist local groups with clean up and sustainability efforts in the community.</p>
 <p>(VI) 2.1.5.1a # of first review plans reviewed for compliance with AQ regulations and processed (AQM)</p>		293	460	596		763	





Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 2.1.5.1 Ensure 90% of first review plans for compliance with AQ regulations meet jurisdictional timeframes. (AQM)</p>	<p>Of the (167) plans assigned for AQM review in Quarter 4 of FY24, (167) met jurisdictional timeframes for a rate of 100%.</p> <p>It should be noted, (3) additional plans were received by the AQMD after the due date for that plan review, however those plans were reviewed on the date of receipt.</p> <p>Times throughout the year when AQMD fell slightly behind goal deadlines were attributable to staffing shortages and building new staff members' knowledge/expertise. As the division builds staffing and experience, AQMD is increasingly on track meeting all deadlines.</p>	90.00%	92.00%	94.00%	90.00%	95.00%	
 <p>(VI) 2.1.5.2a # of residential septic and well plans reviewed and processed</p>		200	362	600		852	

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p data-bbox="142 164 289 367">(PI) 2.1.5.2 Ensure 90% of residential septic and well plan reviews meet jurisdictional timeframe. (EHS)</p>	<p data-bbox="331 164 548 513">Of the 252 plans that the program took in the fourth quarter of FY24, 247, or 97%, met the desired outcome of meeting the jurisdictional time frame for review. Cumulatively for the full FY24, the team is at 796 on time out of 852, or 93%.</p>	92.00%	91.00%	92.00%	90.00%	93.00%	 <p data-bbox="1850 164 1997 318">2.1.5.2.1 Build record types for Land Development Program in Accela by the end of FY24.</p>
							 <p data-bbox="1850 342 1997 496">2.1.5.2.2 Update Land Development regulations and set a schedule for updating by the end of FY24.</p>
							 <p data-bbox="1850 521 1997 659">2.1.5.2.3 Update SOPs and develop standardized comments by the end of FY24.</p>
							 <p data-bbox="1850 683 1997 837">2.1.5.2.4 Develop an audit system and conduct a minimum of 3 audits per staff member.</p>
							 <p data-bbox="1850 862 1997 1032">2.1.5.2.5 Establish training requirements for programs and provide staff the opportunity to attend.</p>
							 <p data-bbox="1850 1057 1997 1195">2.1.5.2.6 Update Land Development electronic stamps and plan review process.</p>

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 2.1.5.3 Conduct a minimum of 4 outreach events to inform interested stakeholders on residential septics and wells. (# of outreach events)	No outreach event occurred for residential septic and wells over the course of the 4th quarter of FY24. Outreach did occur for public water systems in regard to the revised Lead and Copper rule. 4 outreach events a year may be a bit too high - 3 is a more realistic goal that EHS will set for FY25.	1	2	3	4	3	 2.1.5.3.1 Conduct social media campaigns in collaboration with partners.
							 2.1.5.3.2 Track number of event attendees.
 (VI) 2.1.5.4a # of UST inspections		61	101	152		207	
 (VI) 2.1.5.4b # of UST permits		211	212	212		212	
 (PI) 2.1.5.4 Complete 100% of inspections at UST permitted facilities per year.	Over the fourth quarter of FY24, the team has inspected 26% of the 212 UST permits. This meets the target of completing approximately 25% each quarter. In CY23, all permits were inspected.	28.00%	47.00%	72.00%	100.00%	98.00%	 2.1.5.4.1 Establish training requirements for programs and provide staff the opportunity to attend.
							 2.1.5.4.2 Develop an audit system and conduct a minimum of 3 audits per staff member.
							 2.1.5.4.3 Create checklist/tools to assist permit holders with compliance.
 (PI) 2.2.1.1 Set a baseline for the occurrence of foodborne illness risk factors in inspected facilities.	Waiting on completion of VIP Accela project - project delayed. Risk Factor Study complete.	0%	0%	0%	0%	0%	 2.2.1.1.3 Create system to track food related complaints for surveillance purposes.







Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
							<p> 2.2.1.1.1 Develop a system to track occurrence of foodborne illness risk factors in inspected facilities.</p> <p> 2.2.1.1.2 Complete the 2023 Food Safety Risk Factor Assessment</p>
 (VI) 2.2.1.2a # of foodborne illness assessments.		2	3	7		3	
 (VI) 2.2.1.2b # of inspections for food establishments.		558	1,259	2,047		2,909	
 (VI) 2.2.1.2c # of temporary food event inspections.		637	889	939		1,392	
 (VI) 2.2.1.2d # of permitted food establishments		4,033	4,036	3,994		4,099	
 (VI) 2.2.1.2e # of temporary food permits		968	1,118	1,177		1,510	
 (VI) 2.2.1.2f # of complaints responded to.		60	121	183		264	
 (VI) 2.2.1.2g 1# of other permitted facilities		1,193	1,179	1,208		1,209	







Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
<p>(PI) 2.2.1.2 Complete at least 4 components of standards to make progress toward conformance with FDA retail food program standards. (# of components completed)</p>	<p>Currently meet 4 of 9 standards and are working toward meeting additional criteria for each standard not currently met, with a goal of meeting 2 additional standards by FY25 Q2.</p>	1	1	2	4	2	<p> 2.2.1.2.1 Standard 2- Complete initial training for all employees.</p>
	<p>1. Regulatory Foundation - Fully met</p>						<p> 2.2.1.2.2 Standard 2- Maintain CEUs.</p>
	<p>2. Trained Regulatory Staff - 90% met</p>						<p> 2.2.1.2.3 Standard 2- Complete initial standardization for all employees.</p>
	<p>3. Inspection Program Based on Hazard Analysis and Critical Control Point (HACCP) Principles - Fully met</p>						<p> 2.2.1.2.4 Standard 3- Develop and implement annual permit for temporary food vendors.</p>
	<p>4. Uniform Inspection Program - 93.8% met</p>						<p> 2.2.1.2.5 Standard 3- Develop assessment documents for change of ownership and new facilities.</p>
	<p>5. Foodborne Illness and Food Defense Preparedness and Response - Fully met</p>						<p> 2.2.1.2.6 Standard 4- Develop schedule for process to review inspection reports and conduct field evaluations of assigned staff.</p>
	<p>6. Compliance and Enforcement - 85% met</p>						<p> 2.2.1.2.7 Standard 4- Transition opening inspection report review.</p>
	<p>7. Industry and Community Relations - Fully met</p>						<p> 2.2.1.2.8 Standard 5- Revise Outbreak Response Plan with CD.</p>
<p>8. Program Support and Resources - 61.5% met</p>							
<p>9. Program Assessment - 90%</p>							













Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
							<p> 2.2.1.2.9 Standard 6- Implement active managerial control (AMC) program.</p>
							<p> 2.2.1.2.10 Standard 6- Develop a new compliance and enforcement branch.</p>
							<p> 2.2.1.2.11 Standard 7- Increase outreach and education opportunities through social media, public workshops, videos, handouts, and newsletter.</p>
							<p> 2.2.1.2.12 Standard 7- Identify barriers to language accessibility.</p>
							<p> 2.2.1.2.13 Standard 8- Develop a plan to ensure adequate inspection staff to complete inspections and increase conformance with program standards.</p>
							<p> 2.2.1.2.14 Standard 9- Meet Standard 9 and demonstrate status of foodborne illness risk factors over the last 5 years.</p>









Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
							<p>2.2.1.2.15 Standard 9- Develop intervention strategies to address the foodborne illness risk factors identified as needing priority attention.</p>
<p>(PI) 2.2.1.3 Percentage of required inspections of food establishments completed.</p>	<p>Percent of routine inspections conducted is off target due to lack of staffing resources and trained staff to complete inspections.</p>	11.00%	24.00%	40.00%	100.00%	60.53%	
<p>(PI) 2.2.1.4 Number of permitted facility (non-food based) programs with the foundation necessary to complete risk-based inspections from 0 to 1. (programs developed)</p>	<p>Accela VIP project has allowed some progress to be made in transitioning into a risk-based program model. Staff were able to create a new checklist and update checklists in the inspection software to better align with a risk-based inspection program.</p>	0	0	0	1	0	<p>2.2.1.4.1 Pool & Spa program finalized in Accela and in use (complete draft review of pool regulations, finalize working drafts of pool regulations, provide outreach, draft field guide, host public workshops, boards for approval, finalize working drafts of pool regulations).</p> <p>2.2.1.4.2 PACC program finalized in Accela and in use (finalize inspection form, upload form into Accela, finalize field guide, develop guidance documents).</p>

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
● (VI) 2.2.1.5a # of total inspections of non-food based permitted facilities including other elements (reinspections etc).		226	408	726		1,667	
● (VI) 2.2.1.5b # of non food-based facility permits		1,193	1,179	1,208		1,209	
● (VI) 2.2.1.6a # of other permitted facility complaints		19	27	40		47	
● (VI) 2.2.1.7a # of sanitary surveys of public water systems		9	23	25		30	
● (VI) 2.2.1.7b # of public water system permits		75	76	75		77	
● (PI) 2.2.1.7 Complete 100% of required sanitary surveys of public water systems to help ensure proper public health protection.	Over the fourth quarter of FY24, the team conducted 25 surveys out of a total of 77 water systems, or 32%. This exceeds the target of completing approximately 25% each quarter. In CY23, all required surveys were completed.	25.00%	30.00%	76.00%	100.00%	100.00%	<ul style="list-style-type: none"> ● 2.2.1.7.1 Establish training requirements for programs and provide staff the opportunity to attend. ● 2.2.1.7.2 Update chemical compliance templates and SOPs. ● 2.2.1.7.3 Implement continuous verification process for possible water systems.


Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
							 2.2.1.7.4 Conduct outreach to public water systems on upcoming lead and copper rule revisions.
 (VI) 2.2.2.2a # of New Jersey daily trap counts that contain more than 10 mosquitos from May to October	Three New Jersey traps have counts that have been above 10 mosquitos per day.	80	80	80		83	 2.2.2.2a.1 Transition to drone treatment.
 (VI) 2.2.2.3a # of mosquito pools submitted for testing.		742	742	742		839	
 (VI) 2.2.2.4a # of mosquito pools positive for arbovirus (West Nile/St. Louis Encephalitis/ Western Equine virus).		0	0	0		0	
 (VI) 2.2.3.1a # of commercial plans reviewed for health standards (Including food establishments)		469	862	1,281		1,791	

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 2.2.3.1 Ensure 90% of first review for commercial plans meet jurisdictional deadlines.	<p>For the 4th quarter, 66% of plans were reviewed within the jurisdictional goal. For the entire reporting period, EHS reviewed 75% of plans within the jurisdictional goal of 10 business days. As a note, the health department has a goal to review all plans (including revisions) within the jurisdictional goal. At this time, EHS does not have the staffing resources to consistently meet this goal. Staff are required to complete routine inspections, pool openings, complaints, and construction inspections, and with the increase in plan submittals, the division does not have the capacity to review all commercial plans within the time frame.</p>	77.39%	81.17%	81.34%	90.00%	75.15%	 2.2.3.1.1 Test an updated workflow into Accela for each jurisdiction to create a uniform plan review mechanism.
 (VI) 3.1.1.1a # total social media posts		384	898	1,445		1,987	
 (VI) 3.1.1.1b # of culturally relevant or health equity social media posts		106	191	368		539	 3.1.1.1b.1 Work with community members or organizations to create culturally relevant content.
 (VI) 3.1.1.1c # of social media followers		11,094	11,518	11,868		12,117	

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (VI) 3.1.1.1d # of web hits		76,102	182,812	322,590		468,625	
 (PI) 3.1.1.2 Increase audience growth on all platforms by 10%. (followers)	With a 4.1% increase in NNPH's social media audience in Q4, this goal was exceeded with a 12% mark.	2.00%	4.90%	7.90%	10.00%	12.00%	 3.1.1.2.1 Launch LinkedIn profile.
 (PI) 3.1.1.3 Increase engagement on all social media posts by 10%. (comments, shares, link, clicks and more)	NNPH social media posts had a 32 percent increase in Q4, far exceeding what the comms team projected as a target not only for Q4, but for the entire fiscal year.	20.00%	41.10%	114.80%	10.00%	146.80%	 3.1.1.3.1 Create and post videos and graphic design content to drive engagement.
 (PI) 3.1.2.1 Garner 1 million impressions through rebranding effort. (# of rebranding effort impressions)	NNPH had more than 4.1 million impressions in April alone. May and June data has yet to be returned to the health district by the Abbi Agency, which is the group responsible for the rebrand from WCHD to NNPH and tracks these numbers. Despite this, NNPH exceeded its end-of-year goal by more than 25 million impressions.	1,500,000	8,930,000	26,206,506	4,000,000	30,306,506	 3.1.2.1.1 Launch new website.
							 3.1.2.1.2 Execute outreach plan.
							 3.1.2.1.3 Implement outdoor signage.
							 3.1.2.1.4 Advertise buy.
							 3.1.2.1.5 Update style guide.
							 3.1.2.1.6 Maintain brand standards internally.



Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 3.1.2.2 Reach at least 10,000 people per quarter through paid media featuring equity content promoted by WCHD. (# of people reached through paid media featuring equity content)	NNPH slowed down the paid media strategy as expected due to lower funding allotment; however, there were still 67,872 impressions in Q4 from paid media on the "NNPH en Español" Facebook page from COVID-19 ads.	60,500	320,284	353,221	40,000	421,093	 3.1.2.2.1 Maintain and increase Spanish language presence on live media and on Spanish-language radio. (HE Plan Goal 4, Initiative 2)
							 3.1.2.2.2 Implement public information campaigns designed to promote health equity and reduce health disparities. Include 5210 Healthy Washoe and other campaigns targeting co-morbidities of COVID. (HE Plan Goal 4, Initiative 1)
 (VI) 3.1.2.3a # of public records request fulfilled (ODHO)		0	0	0		0	
 (VI) 3.1.2.3b # of public records request fulfilled (AQM)		14	23	38		65	
 (VI) 3.1.2.3c # of public records request fulfilled (CCHS)		0	0	1		2	
 (VI) 3.1.2.3d # of public records request fulfilled (EPHP)		11	30	48		59	
 (VI) 3.1.2.3e # of public records request fulfilled (EHS)		1,656	2,951	4,023		4,883	



Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
● (VI) 3.1.2.4a # of press releases, media alerts, media availability.		23	70	91		111	
● (VI) 3.1.2.5a # of community presentations (ODHO)			10	19		25	
● (VI) 3.1.2.5b # of community presentations (AQM)		8	12	13		7	
● (VI) 3.1.2.5c # of community presentations (CCHS)		9	31	39		56	
● (VI) 3.1.2.5d # of community presentations (EPHP)		11	18	24		32	
● (VI) 3.1.2.5e # of community presentations (EHS)		7	11	15		23	
● (VI) 3.2.1.1a # of vital records requests and services		13,538	25,454	39,221		52,294	

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative	
 (PI) 3.2.1.1 Process 90% of vital records requests and services within 96 hours.	Death Requests		100.00%	100.00%	100.00%	90.00%	100.00%	3.2.1.1.1 Assist the state by testing and implementing the NETSMART system and providing feedback. 3.2.1.1.2 Improve communications with other Nevada vital statistics jurisdictions through monthly meetings. 3.2.1.1.3 Identify gaps to improve procedures and processing time with funeral homes. 3.2.1.1.4 Identify gaps to improve procedures and processing time with physicians and medical examiner's office
		Number of Request						
	July 2023	2037						
	August 2023	2356						
	September 2023	1937						
	October 2023	1895						
	November 2023	2169						
	December 2023	1962						
	January 2024	2364						
	February 2024	2153						
	March 2024	2018						
	April 2024	2113						
	May 2024	2382						
	June 2024	1860						
Birth Requests								
	Number of Request							







Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative																								
	<table border="1"> <tr> <td>July 2023</td> <td>1397</td> </tr> <tr> <td>August 2023</td> <td>1790</td> </tr> <tr> <td>September 2023</td> <td>1068</td> </tr> <tr> <td>October 2023</td> <td>1055</td> </tr> <tr> <td>November 2023</td> <td>958</td> </tr> <tr> <td>December 2023</td> <td>901</td> </tr> <tr> <td>January 2024</td> <td>1389</td> </tr> <tr> <td>February 2024</td> <td>1389</td> </tr> <tr> <td>March 2024</td> <td>1274</td> </tr> <tr> <td>April 2024</td> <td>1218</td> </tr> <tr> <td>May 2024</td> <td>1225</td> </tr> <tr> <td>June 2024</td> <td>1072</td> </tr> </table>	July 2023	1397	August 2023	1790	September 2023	1068	October 2023	1055	November 2023	958	December 2023	901	January 2024	1389	February 2024	1389	March 2024	1274	April 2024	1218	May 2024	1225	June 2024	1072						
July 2023	1397																														
August 2023	1790																														
September 2023	1068																														
October 2023	1055																														
November 2023	958																														
December 2023	901																														
January 2024	1389																														
February 2024	1389																														
March 2024	1274																														
April 2024	1218																														
May 2024	1225																														
June 2024	1072																														
	<p>In addition to this, there were 207 internal county requests of birth and death certificates sold and 11,335 registrations with 770 corrections. All of these were completed within 96hrs.</p>																														




Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
● (VI) 3.2.2.1a # of reports (Communicable Disease Annual; CPO Quarterly; COVID-Bi-Weekly; ILI Weekly) provided to the community		4	19	38		50	
● (PI) 3.2.2.1 Publish 100% of reports (Communicable Disease Annual; CPO Quarterly; Covid-Bi-Weekly; ILI Weekly) provided to the community based on designated time frame.	Q1 4/6 = 66.6% out on time	66.00%	90.50%	92.10%	100.00%	92.10%	● 3.2.2.1.1 Build a tracking mechanism to know which reports were released on which dates.
	Q2 15/15 = 100% out on time Q3 16/17 = 94.1% out on time Q4 12/13 = 92.3% out on time Total = 92.1% out on time						● 3.2.2.1.2 Increase staff who are trained to take select high frequency diseases, in order to reduce burden on any one person or set of staff.
● (VI) 3.2.3.1a # of statistical analysis requests met.		13	30	33		37	
● (PI) 3.2.3.1 Deliver on 95% of requests for statistical analysis. (# of requests)	In Q4, there were three public records and external partner requests, and all were met. One record request asked for information on COVID-related hospitalizations and deaths. The other two requests were for Fire Agencies to pull EMS data to help support decision making.	100.00%	100.00%	100.00%	95.00%	100.00%	● 3.2.3.1.1 Capture measurable outcomes for all programs.
							● 3.2.3.1.2 Maintain statistical capacity to serve EPHP and the WCHD.



Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (VI) 3.3.1.1a # of interim committee meetings, public workshops, and coalition meetings attended/monitored.		17	43	65		114	 3.3.1.1a.1 Generate a list of potential 2025 legislative priorities.




Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 3.3.1.1 Pursue and achieve 2 local government health in all policies initiatives.</p>	<p>There were two policy initiatives pursued during this quarter as follows:</p> <p>5/30/24- Discussion with NNPH Health Equity Team and the Chronic Disease and Injury Prevention team members to discuss policy tobacco-reduction strategy at a local level. For various political reasons, there is currently not a lot of local energy or appetite to pursue local smoke-free policy.</p> <p>6/3/24- Discussion with engineering consultant working on a local roadway project to discuss policy and project changes for roadway design. The discussions centered around answering the question: How can public health have more impact related to promoting public transit, carpooling, and otherwise reducing vehicular traffic?</p> <p>At this time, conversations surrounding both of these initiatives did not yield immediate results and are simply</p>	0	0	0	2	2	 <p>3.3.1.1.1 Generate a list and identify local government priority initiatives to pursue.</p>








Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
	in the discussion/ exploratory phase.						
 (PI) 4.1.1.1 Residents have access to multiple elements of a best practice crisis response system.	Efforts continue to be made to build out a best practice crisis response system.	1	1	1	2	2	 4.1.1.1.1 Work with community partners and the state to implement additional elements of the behavioral health crisis system.
 (PI) 4.1.2.1 Pilot the Zero Suicide Program in 2 CCHS clinic programs.	Implementation of the Zero Suicide program in clinics program is on hold. CCHS leadership is currently exploring moving this activity to a supervisor within the clinics, as opposed to the non-clinic staff member that the ZS program has lived with. Since clinicians are the ones actually implementing ZS, they should be in charge of the program's daily implementation.	0	0	1	2	1	 4.1.2.1.1 Facilitate at least 2 suicide prevention training opportunities and assist with the creation and implementation of program-specific suicide prevention internal procedures.  4.1.2.1.2 Identify at least one community partner to accept warm hand-offs for Community and Clinical Health Services clients determined at-risk of suicide.





Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 4.1.2.2 Implement at least one lethal means reduction strategy in coordination with the Washoe County Lethal Means Coalition.</p>	<p>Staff continued facilitating regular Washoe Suicide Prevention Alliance (WSPA) meetings and activities. Staff also led the coordination of the design and content for the WSPA social media platforms and developed a strategy for sharing messages regularly. Finally, staff led the design and purchase of WSPA branded outreach and educational materials. These activities were all done to further the overall initiative's goal/reduction strategy.</p>	1	1	1	1	1	 <p>4.1.2.2.1 Facilitate the formation and operation of a Lethal Means Coalition in Washoe County, and collaborate with local and state stakeholders.</p>
 <p>(PI) 4.1.3.1 90% of applicable WIC participant interactions will receive substance abuse screening, education and referrals.</p>	<p>Chart audits indicate that staff need reminders to provide substance abuse screening, education, and referrals, and also to document in the clients' charts that this was done. Only 81.1% of randomly selected chart audits shows that clients were receiving this screening, education and referral.</p>	100.00%	92.00%	87.00%	90.00%	81.10%	 <p>4.1.3.1.1 Provide staff with training refreshers on substance abuse screening, education and referrals.</p>
							 <p>4.1.3.1.2 Complete chart audits for compliance with substance abuse screening, education and referrals.</p>
 <p>(VI) 4.1.3.2a # of organizations participating in the substance abuse task force</p>		26	14	25		28	









Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 4.1.3.2 Reach at least 4 additional local organizations to participate in quarterly Washoe County Substance Abuse Task Force partner meetings focusing on reducing drug-related overdoses in Washoe County.</p>	<p>Staff reached three (3) new local organizations to participate in the Washoe County SATF. These include Reno Behavioral Healthcare Hospital, Catholic Charities of Northern Nevada, and Washoe County Specialty Courts.</p>	0	2	4	4	7	 <p>4.1.3.2.1 Coordinate and schedule at least 6 presentations during SATF meetings of exemplary strategies and emerging best practices in the field of SUD and drug-related overdose prevention.</p>
							 <p>4.1.3.2.2 Coordinate sharing of local drug-related overdose statistics, trends and prevention activities and initiative updates in at least 6 instances among SATF participants.</p>





Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 4.2.1.1 Increase the number of corner stores engaged in offering healthy food with the addition of 3 new stores.</p>	<p>The store that was recruited in Quarter 3 decided not to move forward with being part of the program. The store owner would like to try at a different time. Staff will keep this store in mind and will reassess for future recruitment. Staff met with the store owner of Ballpark Market and had great discussion on potentially becoming a Healthy Corner Store. The store owner would like to have another formal meeting to discuss program further. Staff has reached out to set a time to touch base again. Although the target of three stores was not met this fiscal year, staff will continue the HCS recruitment into fiscal year 2025. Staff are working on re-structuring recruitment guidelines and strategies with hopes to get more interest and buy-in.</p>	0	0	0	3	0	 <p>4.2.1.1.1 Provide education and technical assistance to store owners/managers on store conversion process to connect community to healthier food options.</p>


Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 4.2.1.2 Expand the number of sites that are implementing the 5210 Healthy Washoe program from 5 to 10 elementary schools.</p>	<p>Two additional sites were recruited at the end of SY23/24 and the team modified the number of sites recruited to 5 instead of 10 as they need additional capacity to provide more technical assistance. Additionally, the team applied for a grant with the Robert Wood Johnson Foundation to expand the team's capacity to take on more school sites implementing the program.</p>	0	0	2	10	2	 <p>4.2.1.2.1 Provide technical assistance to partner sites.</p>
 <p>(VI) 4.3.1.1a # of FHF attendees</p>		397	550	550		803	

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 4.3.1.1 At least 80% of FHF participants will receive the services needed.	<p>There was one Family Health Festival held at the Neil Road Recreation Center in late May 2024. 208 families representing a total of 803 individual people attended and received a variety of services, including blood pressure checks, vaccinations, a fresh food distribution, and the ability to apply for energy assistance and SNAP benefits. Participants filled out a brief survey as they exited the festival, and 98% indicated that they received the services and information they needed onsite.</p>	96.00%	95.00%	95.00%	80.00%	98.00%	 4.3.1.1.1 Screen 100% of FHF attendees during intake for primary care homes and insurance.
							 4.3.1.1.2 Conduct outreach for partners and community-based organization's to participate in FHF's and promote events to underserved communities.
							 4.3.1.1.3 Secure partnerships with healthcare providers and Managed Care Organizations.
 (PI) 4.3.1.2 Create 1 new coalition to increase the number of individuals in Washoe County covered by health insurance.	<p>Efforts were redirected to increase access to health care. This item is completed.</p>	0	0	0	1	0	 4.3.1.2.1 Facilitate coalition convenings and identify strategies and actions to be implemented.
							 4.3.1.2.2 Complete 2023 health insurance enrollment campaign.






Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 4.3.1.3 Implement at least three initiatives designed to improve access to care.</p>	<p>The CHIP includes efforts to improve access to primary care homes through the FHF events. Additionally, efforts were implemented to convene emergency responders to address pathways to the right care, and NNPH conducted a statewide assessment of access to health care services to better understand the barriers to receiving care services.</p>	3	3	3	3	3	 <p>4.3.1.3.1 Convene community health care stakeholders at least four times to identify strategies and actions Washoe County as a community can implement to increase access to quality care in an appropriate care setting and decrease utilization of emergency resources.</p>
 <p>(PI) 4.4.1.1 Serve an average of 500 seniors monthly through all Golden Groceries pantries in Washoe County.</p>	<p>About 650 clients are accessing Golden Grocery pantries each month. Alternative efforts to improve access to fresh produce will be underway starting in FY25. As a result, NNPH's role with the Golden Groceries will transition, although the pantries will continue being promoted in other CHIP programs.</p>	0	1,328	3,273	500	3,923	 <p>4.4.1.1.1 Promote access to existing Golden Grocery Client Choice pantries in Washoe County.</p>




Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 4.5.1.1 Implement/execute 4 strategies in the EMS Strategic Plan FY24-29.</p>	<p>In Q4, EPHP personnel conducted a full-Scale MCI Exercise, which was held on May 14th with involvement from hospitals, fire and EMS agencies, and emergency management. Lessons learned from the exercise were incorporated into the MCI Plan. The MCI Plan was reviewed and approved by the coalition on June 14, 2024.</p> <p>A timeline is currently being developed for MCI/MAEA plan updates.</p>	1	1	1	4	1	 <p>4.5.1.1.1 Reduce EMS practitioner exposures to infectious illnesses.</p>
							 <p>4.5.1.1.2 Decrease EMS practitioner physical and psychological injuries due to active shooter and civil unrest.</p>
							 <p>4.5.1.1.3 Increase EMS practitioner driver safety.</p>
							 <p>4.5.1.1.4 Create and implement a CQI process for pre-hospital treatment/patient outcome.</p>
 <p>(PI) 4.6.1.1 Increase community access to CHA data via online dashboard from 0 to 500. (# of web visits)</p>	<p>Q1 - 0 Q2 - 0 Q3 - 353 visits, 185 new users</p> <p>Online dashboard just launched near the end of Q3.</p> <p>Q4 - 128 visits, 17 new users.</p> <p>Sessions: 160 Total Users: 128 New Users: 17 Engagement rate: 46.25% Average session duration: 00:01:46</p> <p>Cumulative - 481 visits, 202 users</p>	0	0	353	500	481	 <p>4.6.1.1.1 Work with TMT to develop a dashboard.</p>
							 <p>4.6.1.1.2 Maintain a dashboard with CHA indicators as data.</p>



Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (VI) 4.6.2.1a # of collaborative initiatives in the CHIP		19	19	23		23	
 (PI) 4.6.2.1 Complete at least 60% of activities planned in the CHIP.	<p>71% of CHIP Activities were achieved as planned in year 1 of implementation. Included in the 2023 CHIP Annual Report are the details about year 1 activities and updates going into year 2 of implementation. Efforts to measure progress of CHIP year 2 implementation will occur again at the end of the calendar year.</p>	59.00%	60.00%	71.00%	60.00%	71.00%	 4.6.2.1.1 Invest in community partners to improve community health improvement outcomes.
 (PI) 4.6.2.2 Maintain the number of organizations leading CHIP initiatives	<p>Our partnerships have continued with existing organizations, and the team continues to explore opportunities for additional partnerships.</p>	27	27	31	30	31	











Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 4.6.2.3 Implement at least 2 CHIP initiatives focused on policy changes that alleviate causes of health inequities.	<p>Aca Entre Nos targeting Spanish Speaking communities is underway in the community to improve access to mental health services and to reduce stigma about the topic. Expansion efforts are being explored with Clayton Middle School to offer students and their families 4 sessions that build on the topic. Additionally, Hello Real Estate and NNPH continue to provide financial literacy to the Spanish Speaking community to improve social determinants of health/financial stability. 7 classes have been provided and have been well attended.</p>	0	3	3	2	5	 4.6.2.3.1 Review policies or laws that have a disproportionate effect on one or more subpopulations in Washoe County; impact CHIP focus areas or the Health District's legislative priority areas.
							 4.6.2.3.2 Gather input from stakeholders about policies under review and collaborate with stakeholders to share findings of the review.





Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
<p>(PI) 4.6.2.4 Increase the number of partners representing underserved parts of our community participating in CHIP initiatives from 2 to 8.</p>	<p>The financial literacy CHIP initiative partnered with Sierra Pacific Federal Credit Union to deliver presentations in Spanish to Spanish-speaking communities about the importance of having a checking account. They further discussed how families can set up checking accounts for children aged 11 and older to start discussing financial literacy in their households. Also, the 5210 CHIP initiative partnered with Glenn Duncan Elementary to develop an access map for their community along the Oddie corridor including information about the Summer Café Program, parks for physical activity, healthy corner stores, and libraries in the area. Lastly, the Aca Entre Nos CHIP initiative initiated a partnership with the Clayton Middle School Counseling Department to collaborate in the 2024-2025 school year on a 4-part bilingual mental health series.</p>	3	5	10	8	13	<p>4.6.2.4.1 Build partnerships through community based meetings, discussions with community leaders and events. (HE Plan Goal 3, Initiative 1)</p>








Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 4.6.2.5 Maintain the number of individuals who provide input to the CHIP. (# of people at Steering Committee, subcommittee meetings, and plannings meetings)</p>	<p>The planning process for the CHIP wrapped up earlier this year and efforts are being explored to build out CHIP year 3. As such, the project committees have met outside of the larger convenings. CHIP Focus Area Subcommittee meetings will be scheduled in the fall 2024.</p>	0	198	229	350	229	 <p>4.6.2.5.1 Engage community members in the decision making process to update initiatives for year 2.</p>
							 <p>4.6.2.5.2 Complete CHIP Annual Report.</p>
 <p>(PI) 4.6.2.6 Recruit at least 10 community representatives to establish 1 cross-sector health coalition. (# of committee members)</p>	<p>The CHIP Steering Committee continues to serve as the body representing a cross-sector coalition. Other discussions are in progress to explore the potential of expanding the coalition to include pillars that uplift the diversity of our community on a larger scale with more subject matter experts.</p>	0	16	16	10	16	 <p>4.6.2.6.1 Develop a process to respond to community members and organizations on commitments.</p>







Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 4.6.2.7 Maintain a network of relationships with key organizations and leaders, and address at least 3 gaps in relationships to address disparate health outcomes.</p>	<p>The health equity team is beginning to maintain a network of relationships in a better way through their relationship management software pilot project. A new partner the HET has connected with is One APIA Nevada (OAN). OAN is a grassroots organization that advocates for policies that empower Asian American, Native Hawaiian, and Pacific Islander (AANHPI) Nevadans. An area to strengthen relationships is with the faith-based community. A HET representative is attending recurring law enforcement and faith-based community meetings and has reached out to another partner, ACDC, to help facilitate introductions to other faith-based leaders.</p>	2	4	8	3	9	 <p>4.6.2.7.1 Identify, pilot and implement a system to track health equity relationships with key community partners and leaders.</p>
							 <p>4.6.2.7.2 Establish participatory leadership opportunities for community members to influence public health through the CHIP Steering Committee, CHIP initiative subcommittees, Health District Advisory Boards, and/or Health District Hearing Boards or other opportunities.</p>







Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 4.6.3.1 Identify at least 3 initiatives or projects for divisions to work with community-based partners to impact health disparities.</p>	<p>The Health Equity Team (HET) collaborated with the Food Safety and Communications Team along with community partners such as Make the Road Nevada and IC Media Strategies to assist with the Food Vendor Resource Fair. Additionally, a representative from the HET met with the Washoe County Green Team to discuss strategies to incorporate community feedback into their first ever County Climate Action Plan. The HET connected the Green Team to local CBOs and community leaders such as the Latino Stakeholder Council, the Asian Community Development Council, and the Nevada Office of Minority Health and Equity to discuss the action plan and collect their feedback.</p>	1	1	2	3	4	 <p>4.6.3.1.1 Apply community organizing principles and health equity best practices among Health District programs to address health disparities. (HE Plan Goal 3, Initiative 2)</p>








Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 4.7.1.1 Execute a Chemical Surge Exercise with regional healthcare partners and finalize After Action Report within 90 days following.</p>	<p>The chemical exercise was conducted on April 9 and 10. The after-action report/ improvement plan was also completed on time.</p>	25.00%	50.00%	75.00%	100.00%	100.00%	 <p>4.7.1.1.1 Develop a MOU for partner utilization of the mobile medical/ command post vehicle.</p>
							 <p>4.7.1.1.2 Participate in 90% of requested school EOP meetings.</p>
							 <p>4.7.1.1.3 Produce an after action/ improvement plan within 90 days following the exercise.</p>
							 <p>4.7.1.1.4 Conduct HSEEP planning meetings.</p>
 <p>(PI) 4.7.2.1 Complete 75% of planned activities identified by the IHCC.</p>	<p>IHCC completed 100% of the planned activities.</p>	10.00%	40.00%	75.00%	75.00%	100.00%	 <p>4.7.2.1.1 Update IHCC guidelines annually.</p>
							 <p>4.7.2.1.2 Complete Resource and Gap Analysis annually.</p>
							 <p>4.7.2.1.3 EMS/ FIRE Planned Activities: MCI Plan Updates and Interagency training with law enforcement.</p>
							 <p>4.7.2.1.4 Hospital Planned Activities: Training and Exercising the MAEA and MCI plans.</p>










Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
							<p>4.7.2.1.5 Skilled Nursing/ Memory Care/ Assisted Living Planned  Activities: Evacuation planning/ training and staff and resource sharing plan.</p>
							<p>4.7.2.1.6 Clinic/ Ambulatory Surgery Center Planned  Activities: COOP, Recovery/ Business Continuity Planning; Staff and Resource Sharing Plan; Emergency Operations Planning; Staff and Resource Sharing Planning.</p>
							<p>4.7.2.1.7 Home Health/Hospice Planned  Activities: Informaiton Sharing/ Communication s Plan and Exercise Plan.</p>
							<p>4.7.2.1.8 Public Health Planned  Activities: MCI/ MAEA Plan updates and Shelter Support Plan.</p>









Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 4.8.1.1 Initiate at least one new project collaboration with UNR per year. (# project collaborations)	<p>The new project initiated this year with UNR is the asynchronous training course for public health professionals who have not received formal public health degree training. UNR has been updating and improving this comprehensive online overview course. It has received several rounds of feedback and is being updated to reflect the desired changes. The course is being finalized, but specifics on how to offer it to public health staff are still being worked out, pending logistical details on UNR's side being finalized.</p>	0	0	0	1	1	 4.8.1.1.1 Maintain regular communications through a joint advisory committee for new research and developments.
							 4.8.1.1.2 Participate on UNR's graduate committee.
							 4.8.1.1.3 Increase research resources through identifying shared resources.
							 4.8.1.1.4 Identify joint research opportunities and joint grant funding resources.
							 4.8.1.1.5 Identify training opportunities for WCHD staff through UNR.
							 4.8.1.1.6 Maintain the continuity of and improve joint course on real world public health applications.













Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 4.8.1.2 Ensure standardized, recurring internship opportunities. (# of recurring internship opportunities) (maintain minimum of 3 per year)	<p>Recurring internship opportunities are continuously being discussed with programs, and staff is always working to implement them. Currently, two internship projects that can be recurring are being discussed and are looking for MPH students, one being in government affairs and another in EMS data-cleaning and reporting. The one in EMS statistics has been implemented and is receiving great feedback. Future opportunities continue to be discussed and methods are being put forward for streamlined internship opportunities.</p>	0	0	0	3	1	 4.8.1.2.1 Improve the quality of internship opportunities for UNR students in all disciplines.
 (VI) 5.1.1.1a # of retirements.		1	1	0		2	
 (VI) 5.1.1.1b # of non-retirements, promotion or transfer departures		10	17	28		32	 5.1.1.1b.1 Conduct exit interviews with all departing staff via online survey.
 (VI) 5.1.1.1c # of promotions/transfers.		5	7	8		11	

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 5.1.1.1 Maintain 5% or less employee vacancy rate (vacancy rate= average monthly vacancy rate including all employees).</p>	<p>As NNPH transitions from COVID activities, positions that will ultimately be eliminated are currently reflected as vacant, thus leading to artificially high vacancy numbers. This trend will likely continue through FY 26.</p>	11.00%	13.64%	7.94%	5.00%	9.83%	 <p>5.1.1.1.1 Provide monthly vacancy report to include insights/trends on hard to fill positions.</p>
							 <p>5.1.1.1.2 Recruit and promote career opportunities via social media outlets and other direct channels that reach individuals within the community.</p>
 <p>(PI) 5.1.1.2 Increase mandatory training completion rate from 96% to 98%.</p>	<p>Staff ultimately are accomplishing all required training; however, sometimes it doesn't get done within the target time frame due to staff needing to balance training on the job requirements of their positions alongside the mandatory County and NNPH trainings.</p>	0%	91.38%	96.41%	98.00%	96.00%	 <p>5.1.1.2.1 Remind staff of mandatory trainings via email.</p>
							 <p>5.1.1.2.2 Track mandatory training completion rate to present to DDs and Supervisors.</p>

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 5.1.1.3 Increase probationary/annual evaluation completion rate from 80% to 85%.	<p>Supervisors required to perform staff performance evaluations are sometimes stretched thin in terms of workloads and existing priorities. Unfortunately, yearly staff evaluations can sometimes fall through the cracks because of this. NNPH is mindful of this and trying to get back on track, but staff turnover and new supervisors have also played a role in why staff can fall behind.</p>	79.00%	75.55%	68.20%	85.00%	69.57%	 5.1.1.3.1 Generate monthly communication to DDs and supervisors to keep them informed of schedule.
							 5.1.1.3.2 Provide training related to running effective and meaningful evaluations.
 (PI) 5.1.1.4 Increase percentage of employees who recommend WCHD as a good place to work from 76% to 78%.	<p>Survey results for each County department are being processed and will be shared in the fall 2024</p>	0%	0%	0%	78.00%	0%	 5.1.1.4.1 Continue to provide thoughtful, consistent, optional flex, hybrid, and remote work as appropriate based on position.
							 5.1.1.4.2 Identify and provide ongoing opportunities for staff to provide input.
							 5.1.1.4.3 Support and implement an employee recognition program.






Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
							<p> 5.1.1.4.4 Create opportunities for staff to work across divisions on projects and task forces.</p> <p> 5.1.1.4.5 Provide onboarding program to integrate staff into WCHD team.</p> <p> 5.1.1.4.6 Provide a quarterly orientation about the full organization to new employees.</p> <p> 5.1.1.4.7 Promote key takeaways activity.</p>
<p> (PI) 5.1.1.5 Increase transparent internal communications from 0 to 4.</p>	<p>The bi-weekly cadence of the employee newsletter, NNPH Buzz, is established moving forward. Noah Glick is doing a great job curating content that is both informational and entertaining.</p>	0	2	9	4	16	<p> 5.1.1.5.1 Launch internal newsletter. (promote Tell Kevin, workforce development, budget)</p>
<p> (VI) 5.1.2.1a # of staff participating in district-wide professional development opportunities.</p>		114	239	280		321	<p> 5.1.2.1a.1 Provide at least 2 leadership development opportunities to staff.</p> <p> 5.1.2.1a.2 Identify at least one professional development opportunity as part of each employee goal setting.</p>







Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
							 5.1.2.1a.3 Collaborate with DDs and ODHO to identify training challenges.
 (PI) 5.1.2.1 At least 50% of employees will report feeling proficient on targeted core competencies.	Core competencies on health equity are included in the Core Competency training provided through NNPH's Onboarding Program. The structure of the reports are being created to provide data on knowledge increased.	0%	78.00%	78.00%	50.00%	78.00%	 5.1.2.1.1 Provide targeted core competency training on areas identified through staff and supervisor input.
							 5.1.2.1.2 Identify 1-2 core competencies for trainings to include on pre-post assessments.
							 5.1.2.1.3 Evaluate improvement on targeted core competencies as assessed by employees and supervisors.
							 5.1.2.1.4 Train DDs and supervisors on the budget process.
							 5.1.2.1.5 Provide FAQs for staff on budget process and grants.
							 5.1.2.1.6 Build out additional onboarding activities for supervisors over their first year.







Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 5.1.3.1 Increase the number of mental health resources provided to staff in the workplace from 2 to 3.	The Calm App continues to be promoted internally through the employee newsletter and on the WFD portal. As more opportunities arise, we will update the platforms to include the information.	0	0	3	3	3	 5.1.3.1.1 Provide optional opportunities to learn about wellness techniques and strategies.
 (PI) 5.2.1.1 Meet 100% of requirements to maintain accreditation.	The PHAB committee continues to collect information to for NNPH's Reaccreditation application. The application opens on July 1st 2024.	100.00%	100.00%	100.00%	100.00%	100.00%	 5.2.1.1.1 Submit annual reports with all required documentation.
							 5.2.1.1.2 Convene reaccreditation committee.
							 5.2.1.1.3 Gather at least 50% of documents required for reaccreditation by the end of year.
 (PI) 5.2.1.2 Increase the number of QI projects implemented across the HD from 0 to 3.	The QI program is being built out to support continuous improvement efforts across NNPH. Additionally, the ODHO team is working on a QI project to improve the process to translate documents.	0	0	0	3	1	 5.2.1.2.1 Establish and convene QI team .
							 5.2.1.2.2 Develop a QI plan.
							 5.2.1.2.3 Train staff about QI concepts and internal process.
							 5.2.1.2.4 Communicate with leadership, governing body, and stakeholders about QI activities.
 (VI) 5.3.1.1a # of filled positions		224	227	220		172	


Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
● (VI) 5.3.1.1b # of FTE		197	202	202		202	
● (VI) 5.3.1.1c # of filled FT/PT employees		172	176	177		172	
● (VI) 5.3.1.1d # of internship opportunities at NNPH		9	9	9		6	
● (PI) 5.3.1.1 Increase investment in personnel where workforce capacity is a barrier to productivity. (% increase in FTE)	Due to budget issues at the State level. NNPH has had reductions in multiple subawards. In addition, budget concerns at the County level have resulted in Above Base position freezes through December of 2024. Leadership is involved in ongoing budget discussions at the state and county level to address current budget issues and begin long term budget planning.	0%	0%	0%	1.00%	0%	● 5.3.1.1.1 Update FPHS assessment for FY24 and work statewide to build the case for support for ongoing public health funding.











Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p data-bbox="142 164 281 297">(PI) 5.3.2.1 Make progress on the health equity plan by completing 8 initiatives.</p>	<p data-bbox="331 164 548 1040">The health equity team is currently developing the annual report for the second year of the health equity plan. A total of seventeen initiatives are considered complete. Some of the initiatives include strategically participating in community outreach activities to bring public health information directly to communities, implementing language accessibility best practices, promoting job opportunities using methods designed to reach diverse audiences, and annually reviewing how the demographics of the NNPH workforce compare to Washoe County demographics.</p>	0	7	11	8	17	










Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 5.3.3.1 Review at least 10 job descriptions to evaluate for systemic barriers to hiring a diverse workforce.	<p>The pilot project around efforts related to recruiting and hiring a diverse workforce is taking longer than expected, so no job descriptions have been evaluated. However, the project team has a plan moving forward and has identified a few job positions and class specifications that will be revised in FY25.</p>	0	0	0	10	0	 5.3.3.1.1 Review targeted job descriptions to evaluate for systemic barriers such as language, educational requirements, or other access issues, starting with those positions that have the highest potential to impact health equity (HE Plan Goal 7, Initiative 2)
							 5.3.3.1.2 Annually review how the demographics of the health district workforce compare to the demographics of the community we serve. (HE Plan Goal 7, Initiative 3)
							 5.3.3.1.3 Create inclusive job descriptions that attract candidates.
 (VI) 5.3.3.2a # of existing staff who complete asynchronous cultural competency training.		0	0	2		7	












Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 5.3.3.2 100% of new staff will take asynchronous cultural competency training as part of the onboarding process.</p>	<p>The online cultural competency training that is part of the onboarding process was put on pause to make modifications to the training. Therefore, staff that joined the organization this quarter have not completed the training.</p>	0%	0%	58.00%	100.00%	58.00%	 <p>5.3.3.2.1 In partnership with the Larson Institute build, pilot and launch an asynchronous, online training designed specifically to build health equity competencies from the Council on Linkages and Public Health Practices. Require all new staff to complete within the first 180 days and offer to all existing staff regularly.</p>
 <p>(VI) 5.3.3.3a # of staff participating in district offered DEI/cultural competency professional development opportunities.</p>		90	116	160		208	 <p>5.3.3.3a.1 Offer district-wide diversity, equity, inclusion, cultural competency and/or health equity training to health district staff.</p>
 <p>(VI) 5.3.3.4a # of staff participating in informal opportunities to explore DEI, cultural competency and equity topics</p>		0	0	0		0	 <p>5.3.3.4a.1 Continue and expand optional opportunities for staff to participate in dialogue and reflection on diversity and equity topics. (HE Plan Goal 1, Initiative 3)</p>

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 5.4.1.1 Develop and implement a plan to meet the office space needs of the Health District employees. (% of completion)	<p>The ability to develop a plan is contingent upon knowing how much space will be provided to Health District staff. While the Space Plan was presented to the BCC, the space available to NNPH in building C has not been finalized. This is most likely occurring by December 2024.</p>	10.00%	10.00%	10.00%	100.00%	10.00%	 5.4.1.1.1 Redesign floor plans to maximize the use of current space and implement changes.
							 5.4.1.1.2 Develop and implement plan for hybrid/remote work to address unmet space needs.
 (PI) 5.4.2.1 Ensure completion of new TB and expanded office space building. (Complete 3 steps - location identified, building design complete, contractor identified)	<p>The County closed escrow on February 26, 2024, for the West Hills property. The TB Clinic will be located on this property (Step 1). A bid process was conducted for the selection of a contractor with final presentations held on March 5th, and a vendor was selected through this process (Step 3). In addition, multiple building designs have been created, discussed, and edited. A final design is anticipated to be submitted for permitting in August 2024 for ground breaking in December 2024.</p>	1	1	2	3	2	 5.4.2.1.1 Confirm final location based on Washoe County Commissioners and County Manager decisions.
							 5.4.2.1.2 Support CSD in the approval of contractors and building design.


Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p>(PI) 5.5.1.1 Increase the percentage of AQMD customers paying through the Accela Customer Access platform to 25%. (estimated average for all programs)</p>	<p>The AQMD has made tremendous strides in improving the customer experience of its self-serve platforms. Many of the programs such as the Asbestos and Dust Control programs have been able to achieve nearly 100% online processing. Unfortunately, the Accela system continues to be a barrier to the organization achieving 100% online processing, given how it is not a system certified by the EPA Cross-Media Electronic Reporting Rule and is unable to become certified. In addition, the wood-burning device program will need significant improvement in order to transition to a more customer self-service process.</p>	15.00%	17.00%	18.00%	25.00%	18.00%	 <p>5.5.1.1.1 Work with Technology Services and consultant to streamline Accela Customer Access submittal process.</p>







Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 5.5.1.2 Increase payments made via Accela. (EHS)	<p>Accela VIP project is still under way, and this will streamline online renewal process and submittal for all EHS record types. Temporary Food Event permits are currently live, and staff will be requiring electronic submittal for the following Temporary Food Event season, which will improve online payment rates and admin processing.</p>	12.45%	19.00%	20.38%	50.00%	14.25%	 5.5.1.2.1 Ensure kiosk is set up and available to customers by August 1, 2023.
							 5.5.1.2.2 Create written instructions by August 1, 2023.
							 5.5.1.2.3 Create videos by September 1, 2023.
							 5.5.1.2.4 Distribute public service announcements.
							 5.5.1.2.5 Add announcement to website.
							 5.5.1.2.6 Educate customers to help them understand how to submit payment via Accela by November 1, 2023.
							 5.5.1.2.7 Revise and communicate instructions with customers by October 1, 2023.
							 5.5.1.2.8 Communicate November 1, 2023 Accela launch date to customers via distribution lists, press releases, etc.
							 5.5.1.2.9 Monitor and document lessons learned.



Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 (PI) 5.5.2.1 % of new/renewed sources integrated into the software.	The AQMD continues to build out and refine the UNICON Impact software. It is expected that beginning 1/1/25, the AQMD will begin integrating sources into the software. This is timely as it is also the expected implementation date of the new Chapter 030 regulations.	0%	0%	0%	100.00%	0%	 5.5.2.1.1 Draft SOP for use of software by January 2024.
 (VI) 5.5.3.1a # of all Health IT help desk tickets			683	1,034		1,370	
 (VI) 5.5.3.1b # of health desk tickets going through County TS			198	277		319	
 (PI) 5.5.3.1 Monitor average time (in minutes) to close help desk ticket.	County TS is implementing a new ticketing system that will be implemented through summer 2024. This activity will be completed when the new system is in place.	0	0	0		0	 5.5.3.1.1 Establish help desk ticketing system workflow for employees.  5.5.3.1.2 Train employees on the help desk ticketing system workflow.  5.5.3.1.3 Track 100% of IT time by cost allocation.  5.5.3.1.4 Identify TS capacity dedicated to each division and identify workload capacity.




Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
							<ul style="list-style-type: none">  5.5.3.1.5 Track 100% of projects by category.  5.5.3.1.6 Work with TS to revamp ticket categories based on type and then track going forward.  5.5.3.1.7 Categorize help desk tickets to identify problem areas/projects where staff need support.  5.5.3.1.8 Create training for staff based on challenging areas identified.
 (VI) 6.1.1.1a Amount of expenditures.		\$ 0.00	\$ 16,278,184.00	\$ 26,012,232.00		\$ 36,309,231.00	
 (VI) 6.1.1.1b Amount of income.		\$ 0.00	\$ 13,495,237.00	\$ 22,231,930.00		\$ 33,291,267.00	 6.1.1.1b.1 Advocate for dedicated public health funding at the federal, state and local level.
 (PI) 6.1.2.1 Maintain 100% compliance with purchasing and contract procedures.	As a government agency, NNPH must stay 100% compliant with this measure, so it is a top priority always attended to.	100.00%	100.00%	100.00%	100.00%	100.00%	<ul style="list-style-type: none">  6.1.2.1.1 Deliver and record 1 staff training on the purchasing and contract process.  6.1.2.1.2 Provide FAQs for staff.
 (PI) 6.1.2.2 Maintain 100% of grant compliance.	As a government agency, NNPH must stay 100% compliant with this measure, so it is a top priority always attended to.	100.00%	100.00%	100.00%	100.00%	100.00%	 6.1.2.2.1 Meet with program managers to understand areas of opportunity to learn about grant process

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
							<p>6.1.2.2.2 Standardize training process to ensure staff is clear on grant process and compliance expectations.</p> <p>6.1.2.2.3 Provide 1 training on grant compliance to staff.</p>
● (VI) 6.1.2.3a Amount of revenue generated by grants and relief funding		\$ 0.00		\$ 8,056,904.00		\$ 14,635,082.00	
● (VI) 6.1.2.3b # of grants received		0		53		53	

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p data-bbox="142 164 302 342">(PI) 6.1.3.1 Set a baseline for % of costs recovered for clinic services through client and third-party payer payments.</p>	<p data-bbox="331 164 548 1252">The goal for FY24 was just to set a percentage, but after reviewing it with AHS leadership and the DDHO, CCHS is not going to move forward in FY25 with this as a goal. Instead, the intention will be to just report the percentage of costs recovered annually. CCHS is different from divisions such as EHS and AQM because it can raise its fees as high as desired, but it does not impact the division's revenue. This is because Medicaid has set reimbursement rates, so they do not pay CCHS more just because the fees set internally are higher. CCHS personnel mainly bill Medicaid, and they also have a sliding fee scale since the NNPH clinic is here to serve clients that do not have insurance or a medical home, so clients often slide to "0 pay."</p> <p data-bbox="331 1289 548 1458">Given these factors, this goal is being reevaluated/ restructured for FY25, and no consistent or meaningful data could</p>			100.98%		0%	

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
	be derived for this measure in FY24.						
 (PI) 6.1.3.2 Maintain or increase access to services and revenue through billable services. (# of contracted insurance companies) (10 to 12)	<p>During this last quarter, CCHS was able to secure a contract with Silver Summit, bringing the total to 12 contracted insurance companies. At this point, CCHS is able to bill most insurance companies, creating greater access for community members and revenue for the division's programs.</p>	10	11	11	12	12	 6.1.3.2.1 Review error and rejection report daily to minimize inaccurate claim submission.
							 6.1.3.2.2 Submit clean claims to insurance companies the first time to eliminate costly appeals and ensure maximum reimbursement for services.
 (PI) 6.1.3.3 Maintain 100% cost recovery for AQM permitting and compliance programs.	<p>Over the last six (6) fiscal years, the AQMD has been able to cover both direct and indirect expenses. Moreover, during this period of time, the AQMD has contributed nearly \$2 million dollars to the Health Fund. Due to forgoing of the CPI increase to our fees and the 35% increase in salaries and benefits from the Korn Ferry study, with FY23-24, the AQMD has only been able to cover direct expenses. It is expected that the AQMD will be returning to covering both direct and indirect expenses with FY24-25.</p>	0%	0%	0%	100.00%	100.00%	 6.1.3.3.1 Work with DDHO and AHS staff to assess current fee structure and develop new methodology.
							 6.1.3.3.2 Present new fee methodology to regulated community, stakeholders and DBOH.

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
 <p data-bbox="142 164 300 293">(PI) 6.1.3.4 Increase the percent of costs recovered through EHS fees.</p>	<p data-bbox="331 164 548 1458">The cost recovery is higher than anticipated (55%) due to revenues coming in higher than projected but still under the target of 100% cost recovery. The increases were in temp food events, which doubled their projected revenue, and increases in new applications and food permit fees. Additionally, costs were surprisingly lower than projected due to turnover and vacancies in staffing. These netted 10% savings when comparing actuals to budgeted values, along with some minor savings in operating expenses. These savings came despite the recent implementation of the Korn Ferry classification and compensation study. The current fiscal year is still in the process, and there is potential for decrease in the cost recovery percentage as final costs are processed with the end of year closeout. Additionally, this number reflects restricted grant funds</p>	0%	0%	0%	100.00%	73.24%	 <p data-bbox="1850 164 2007 293">6.1.3.4.1 Meet with admin staff at least quarterly to monitor fee trends.</p>

Outcome	Analysis	Q1-24 Actual	Q2-24 Actual	Q3-24 Actual	Q4-24 Target	Q4-24 Actual	Initiative
	<p>that are not used in daily operation.</p> <p>Under the current fee structure, EHS is unlikely to ever recover 100% of costs via fees. While the fees cover many costs associated with inspections, they do not account for administrative support or the time staff spends giving extra help and follow-up assistance to certain establishments and individuals in the community who need more support.</p>						
 <p>(PI) 6.1.3.5 Maintain 100% cost recovery for vital records services.</p>	<p>EPHP has exceeded 100% cost recovery for vital records services, with revenues and expenses as follows:</p> <p>Revenue= 702,565</p> <p>Expenditures= 504,061</p>	0%	0%	0%	100.00%	139.00%	
 <p>(PI) 6.1.4.1 Make progress toward maintaining an ending fund balance of 10-17%.</p>	<p>AHS books close around September 2024. However, expenses have been tracked consistently throughout the year and appear to be in order. Based on current projections, NNPH is expected to be within the 10-17% range within the next 24 months.</p>				30.00%	0%	 <p>6.1.4.1.1 Provide monthly financial review to the Board.</p>

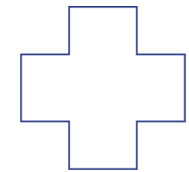
NORTHERN NEVADA
Public Health

FY24 Strategic Plan Results

**Rayona LaVoie, Director of Programs and Projects
Office of the District Health Officer**

AHS

Accomplishments



District Goal: 5.3 Invest in expanded Health District capacity and targeted services to meet the needs of a growing and diverse community.

Division Goal 5.3.1 Increase workforce capacity.

- ✓ Expanded remote working with staff

District Goal- 5.5 Leverage technology to improve services, increase effectiveness and efficiency, and provide access to higher quality data.

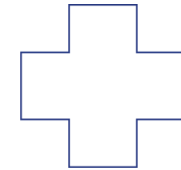
Division Goal- 5.5.3 Assure technology needs are addressed by a health district technology resource or County Technology Services.

- ✓ Implemented new technology in CCHS (the “aquarium”)



AHS

Accomplishments



District Goal- 6.1 Update the WCHDs financial model to align with the needs of the community.

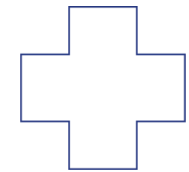
Division Goal- 6.1.1 Increase dedicated public health funding support to Washoe County.

- ✓ Fund for Healthy Nevada grant
- ✓ SB 118
- ✓ Budget development and spend-down plans
- ✓ Created new fee schedules for AQM, CCHS, and EHS



AHS

Challenges



District Goal- 5.1 Attract and retain a talented public health workforce to meet the needs of Washoe County.

Division Goal- 5.1.1 Create a positive and productive work environment.

- Ambiguity related to Korn-Ferry implementation required considerable staff time

District Goal 5.5 Leverage technology to improve services, increase effectiveness and efficiency, and provide access to higher quality data.

Division Goal- 5.5.3 Assure technology needs are addressed by a health district technology resource or County Technology Services.

- High workloads/increased responsibilities as TS gives more work to NNPH



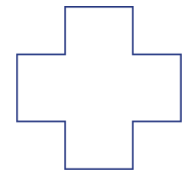
AHS

Challenges

District Goal- 6.1 Update the WCHDs financial model to align with the needs of the community.

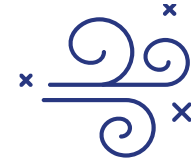
Division Goal- 6.1.1 Increase dedicated public health funding support to Washoe County.

- ✓ Budget reductions in many grants
- ✓ Increased expenditures related to salary, overhead, and inflation



AQM

Accomplishments



District Goal- 2.1 Protect people from negative environmental impacts.

Division Goal- 2.1.1 Monitor ambient air to assess attainment status of criteria air pollutants (Monitoring).

- ✓ Monitoring of criteria pollutants exceeded 96%

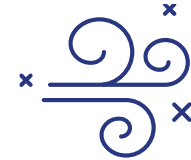
Division Goal-2.1.3 Reduce negative health impacts from regulated air pollutants in Washoe County. (Permitting & Compliance)

- ✓ 95% stationary source permits and building plans issued/reviewed within prescribed timeframes



AQM

Accomplishments



District Goal- 2.1 Protect people from negative environmental impacts.

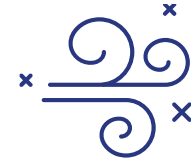
Division Goal- 2.1.2 Maintain and improve air quality through planning and community education (Planning).

- ✓ Completed update to Chapter 020 air quality regulations



AQM

Challenges



District Goal- 2.1 Protect people from negative environmental impacts.

Division Goal- 2.1.5 Reduce negative environmental health impacts associated with development and infrastructure.

- Regional land use planning/infrastructure decisions

District Goal- 5.5 Leverage technology to improve services, increase effectiveness and efficiency, and provide access to higher quality data.

Division Goal- 5.5.1 Increase access to self-service platforms and systems.

- Accela barriers





CCHS

Accomplishments

District Goal- 1.3 Improve access to health care so people of all means receive the health care services they need.

Division Goal- 1.3.2 Build a bridge between communities, clients and services with community health workers.

- ✓ Expanded the role of our Community Health Workers

Division Goal- 1.3.3 Provide efficient, effective and culturally sensitive services.

- ✓ Centralized Clerical Services
- ✓ 18 CCHS staff completed the Interpreter Certification course





CCHS

Accomplishments

District Goal- 6.4 Update the WCHDs financial model to align with the needs of the community.

Division Goal- 6.1.3 Maximize revenue generated from cost recovery.

- ✓ Commercialization of COVID-19 vaccine



CCHS

Challenges



District Goal- 1.2 Promote preventive health services that are proven to improve health outcomes in the community.

Division Goal- 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention.

- Congenital Syphilis increased 340% from 2018-2023

District Goal-6.1 Update the WCHDs financial model to align with the needs of the community.

Division Goal- 6.1.3 Maximize revenue generated from cost recovery.

- Decreased and delayed grant funding
- Difficulty maintaining the same level of service without staff



EHS

Accomplishments

District Goal- 5.5 Leverage technology to improve services, increase effectiveness and efficiency, and provide access to higher quality data.

Division Goal- 5.5.1 Increase access to self-service platforms and systems.

- ✓ Improved the functionality of Accela to provide a better customer experience

Division Goal 6.1.3 Maximize revenue generated from cost recovery.

- ✓ Created an Annual Itinerant Permit



EHS

Accomplishments

District Goal- 2.2 Keep people safe where they live, work and play.

Division Goal- 2.2.1 Improve safety of residents through education, inspections and enforcement.

- ✓ Implemented the Active Managerial Control Program
- ✓ Safe Drinking Water program conducted outreach



EHS

Challenges

District Goal- 2.2 Keep people safe where they live, work and play.

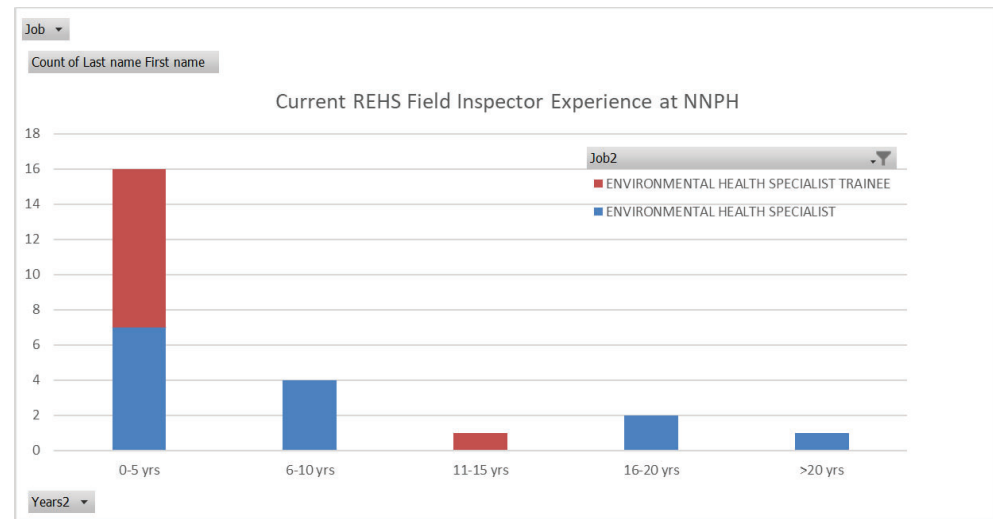
Division Goal- 2.2.1 Improve safety of residents through education, inspections and enforcement.

- Staff turnover
- Limited capacity among existing staff to train new staff

District Goal- 5.5 Leverage technology to improve services, increase effectiveness and efficiency, and provide access to higher quality data.

Division Goal- 5.5.1 Increase access to self-service platforms and systems.

- Accela



EPHP

Accomplishments



District Goal- 3.2 Inform the community of important community health trends by capturing and communicating health data.

Division Goal- 3.2.1 Increase data integrity and data standardization.

- ✓ Staff processed 52,294 certificates

District Goal- 3.2 Inform the community of important community health trends by capturing and communicating health data.

Division Goal- 3.2.2 Regularly share timely public health data and trends with the community.

- ✓ Almost 80 reports and Epi News were published in FY24



EPHP

Accomplishments



District Goal- 3.2 Inform the community of important community health trends by capturing and communicating health data.

Division Goal- 3.2.3 Build the capacity of the health district to process data.

- ✓ Created a secure file transfer protocol for better and more secure data sharing between partners

District Goal- 4.7 Improve the ability of the community to respond to health emergencies.

Division Goal- 4.7.1 Improve public health emergency preparedness.

- ✓ Full-scale Chemical Exercise successfully executed in April 2024



EPHP

Challenges



District Goal- 1.2 Promote preventive health services that are proven to improve health outcomes in the community.

Division Goal- 1.2.2 Reduce the spread of disease through proactive surveillance, monitoring and intervention.

- Funding shifts and restrictions

District Goal- 3.2 Inform the community of important community health trends by capturing and communicating health data.

Division Goal- 3.2.1 Increase data integrity and data standardization.

- Ongoing updates the new vital statistics registration system



EPHP

Challenges



District Goal- 4.7 Improve the ability of the community to respond to health emergencies.

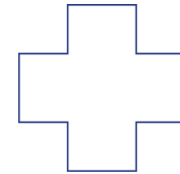
Division Goal- 4.7.2 Improve health care emergency preparedness.

- Temporary gap in the EMS Coordinator position for 4 months



ODHO

Accomplishments



District Goal- 3.1 Ensure community access to actionable public health information via website, media and social media.

Division Goal- 3.1.2 Position the Health District to be the trusted, reputable source of public health information for our community.

- ✓ Transformed NNPH's social media presence to connect with the community
- ✓ Increased accessibility to information among Spanish Speaking communities

District Goal- 3.3 Drive better health outcomes in Washoe County through improved public health systems and policies.

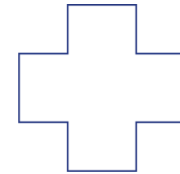
Division Goal- 3.3.1 Advocate for state and local policies that positively impact public health using a health in all policies framework.

- ✓ Gained consensus with public health stakeholders on 2025 legislative priorities



ODHO

Accomplishments



District Goal- 4.6 Engage the community in public health improvement.

Division Goal- 4.6.2 Engage the community in planning for community health improvement with a focus on disparate health outcomes.

- ✓ Over 70% of the initiatives were achieved and continue to make progress on deliverables.

District Goal- 5.2 Meet and exceed national public health best practice standards.

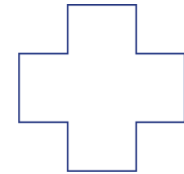
Division Goal- 5.2.1 Maintain National Public Health Accreditation.

- ✓ Successfully launched a QI program aimed to strengthen the organization's relevance and viability to meet its goals and strengthen NNPH's impact in the community.



ODHO

Accomplishments



District Goal- 5.3 Invest in expanded Health District capacity and targeted services to meet the needs of a growing and diverse community.

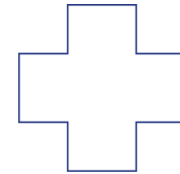
Division Goal- 5.3.2 Increase organizational capacity to address health equity and reduce disparate health outcomes.

✓ 92% of initiatives were achieved in FY24



ODHO

Challenges



District Goal- 6.1 Update the WCHDs financial model to align with the needs of the community.

Division Goal- 6.1.1 Increase dedicated public health funding support to Washoe County.

- Unknown regarding sustainable funding



Questions?

Staff Report
Board Meeting Date: August 22, 2024

DATE: August 15, 2024
TO: District Board of Health
FROM: Rayona LaVoie, Management Analyst
775-328-2404, rlavoie@washoecounty.gov
SUBJECT: Presentation and possible acceptance of the NNPH 2024-2026 Quality Improvement Plan.

SUMMARY

In March 2023, staff completed the NACCHO Culture of Quality Improvement Survey. The QI self-assessment provides a foundation for understanding current culture, identifying strengths and areas for improvement, and prioritizing strategies for the QI plan. The tool is based on the six foundational elements of a culture of quality, including employee empowerment, teamwork and collaboration, leadership commitment, customer focus, QI infrastructure, and continuous process improvement. Local Health Authorities are evaluated on a continuum of phases between one and six, with six being the ideal state of supporting a culture of quality improvement that fosters innovation. A 75% response rate was gathered from staff and leadership, which provided a valid starting point to determine areas of improvement. Generally, staff and leadership perceive teamwork, collaboration, and staff empowerment as areas where the organization excels. Furthermore, findings suggest building QI infrastructure is of greatest need to support a continuous learning environment. A Quality Improvement (QI) Council was convened of members across the organization to create a QI Plan. The purpose of the QI Plan is to provide an action plan of efforts focused on building a system and structure to achieve a culture of quality. The QI program aligns with the organization's mission, vision, and strategic plan and is linked to the organization's performance management system.

District Health Strategic Priority supported by this item:

This item addresses all Health District Strategic Priorities.

PREVIOUS ACTION

The QI Plans, including FY15-16, FY17-18, and FY20, were previously presented and adopted by DBOH.

BACKGROUND

A Quality Improvement Plan is one of the core elements that must be demonstrated to maintain Public Health Board Accreditation (PHAB). Quality improvement in public health is the use of a deliberate and defined improvement process, such as Plan-Do-Check-Act, which is focused on activities that are responsive to community needs and improving population health. It refers to a continuous and ongoing effort to achieve measurable improvements in the efficiency, effectiveness, performance, accountability, outcomes, and other indicators of quality in services or processes that achieve equity and improve the health of the community.

FISCAL IMPACT

There is no additional fiscal impact on the FY25 budget should the Board accept the NNPH 2024-2026 Quality Improvement Plan.

RECOMMENDATION

Staff recommends the District Board of Health accept the NNPH 2024-2026 Quality Improvement Plan.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be "Move to accept the NNPH 2024-2026 Quality Improvement Plan."

NORTHERN NEVADA
Public Health

Quality Improvement

Rayona LaVoie, Director of Programs and Projects

Quality Improvement Program

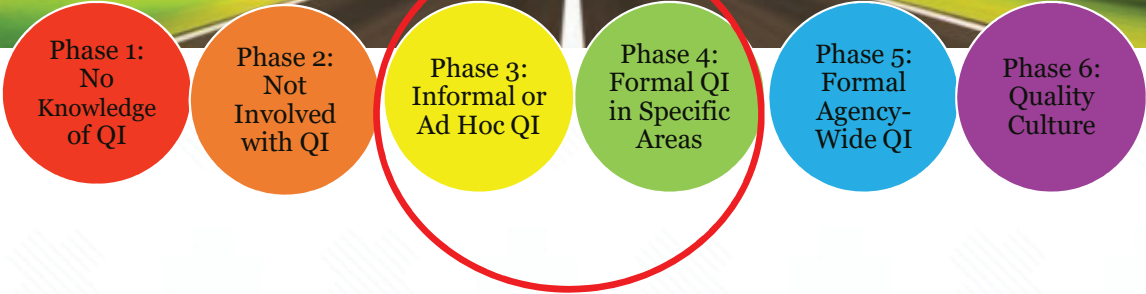
Purpose: Create a culture of continuous learning and innovation

- Enable adherence to best practices
- Improve efficiencies
- Greater impact





Roadmap to a Culture of Quality



Culture of Quality Survey

Key Findings

Element 1: Staff Empowerment

- Access to tools to train and complete job responsibilities

Element 2: Teamwork and Collaboration

- Information is being shared within the divisions

Element 5: QI Infrastructure

- Data driven decision making for strategic planning



Quality Improvement Plan

1. Establishes accountability
2. Provides an action plan for how to grow the QI culture.
3. The QI Council developed a process to measure progress annually
4. Aligns with other NNPH plans including to maintain focus on overall strategy and performance.



Next Steps

1. Create a culture of continuous improvement that fosters innovation
2. Provide QI training to all staff
3. Utilize the performance management system to make data informed decision
4. Increase the implementation of QI practices across the organization



Questions?

NORTHERN NEVADA
Public Health+

**Air Quality Management Division
Division Director Staff Report
Board Meeting Date: August 22, 2024**

DATE: August 5, 2024

TO: District Board of Health

FROM: Francisco Vega, P.E., Division Director
775-784-7211; fvega@nnph.org

SUBJECT: **Air Quality Management** - Research Shows Wildfire Smoke “Greatly Raises” Risk of Dementia, EPA Finds That Agencies Did Not Regulate Synthetic Minor Sources Appropriately, Calls for FEMA to Make Smoke Events Eligible for Disaster Relief Funds, June 2024 EPA Small Business Newsletter, Divisional Update, Program Reports, Monitoring and Planning, Permitting and Compliance

1. Program Update

a. Research Shows Wildfire Smoke “Greatly Raises” Risk of Dementia

Research presented this week at the Alzheimer’s Association International Conference in Philadelphia shows wildfire smoke may be “particularly hazardous” to brain health, increasing the risk of being diagnosed with dementia more than other forms of air pollution. Based on a 10-year study of 1.2 million residents of southern California, researchers found “the risk of exposure to fine particulate matter (PM2.5) air pollution is much more pronounced when the source is wildfire smoke than when it comes from other sources, such as motor vehicles and factories.” According to Joan A. Casey, Ph.D., senior author of the study and Assistant Professor in the Department of Environmental and Occupational Health Sciences at the University of Washington, Seattle, “The findings appeared most pronounced among individuals from racially and ethnically minoritized groups and in high poverty areas. These findings underscore that clinical and health policies seeking to prevent dementia-associated disparities should include efforts to reduce exposure to long-term wildfire and non-wildfire PM2.5.” In addition, the researchers advise that risk can be reduced if home air filtration systems are updated and people stay inside when the air quality is unhealthy and wear an N95 mask outside when the Air Quality Index reaches 100.



Residents of Washoe County are encouraged to visit the “Be Smoke Smart” page (<https://www.nnph.org/programs-and-services/air-quality/be-smoke-smart.php>) for critical information on how to protect your health during wildfire events.

For additional information on the study, please visit the link below.
<https://aaic.alz.org/releases-2024/exposure-wildfire-smoke-raises-dementia-risk.asp>

b. EPA Finds That Agencies Did Not Regulate Synthetic Minor Sources Appropriately
Environmental Protection Agency's (EPA) Office of Inspector General (OIG) found that from at least 2006 through 2021, EPA did not ensure that the Texas Commission on Environmental Quality (TCEQ) and California's South Coast Air Quality Management District identified a subset of high-emitting synthetic minor sources, known as SM-80s.



The conclusion is the result of an audit launched by OIG in November 2021 to determine whether EPA's oversight has ensured that state and local agencies with large compliance-monitoring programs identified SM-80s in accordance with EPA's Clean Air Act Stationary Source Compliance Monitoring Strategy. The audit focused on Texas and California (particularly South Coast), which

have the two largest compliance-monitoring programs in the country. The report faults EPA Regions 6, 9 and the Office of Enforcement and Compliance Assurance (OECA) for “oversight deficiencies” that potentially increased the public's risk of exposure from air pollution. OIG made nine recommendations to improve EPA oversight of state and local air agencies. The recommendations include the following:

- Develop a plan to ensure state and local agencies are audited a minimum of once every five years.
- Communicate to state and local agencies the steps the EPA will take, if any, to periodically identify and inspect SM-80s if these entities do not meet such expectations.
- Clearly define SM-80 sources.
- Confirm state and local agencies list of SM-80 sources is complete and accurate and ensure that the agencies report SM-80 data in the EPA's data systems by August 2025.
- Collect and review state and local agencies Clean Air Act Stationary Source Compliance Monitoring Strategy plan and ensure that each plan includes a list of SM-80 sources along with an expected inspection date.

This is another example of how EPA continues to turn their focus to minor sources. The Air Quality Management Division (AQMD) has made it a top priority to ensure that all facilities in Washoe County are accurately permitted and report our understanding of these sources to the EPA. This undertaking has been a challenge when it is taken into account that Washoe County has approximately 1,300 to 1,400 minor sources with historically incorrect emission inventories. To this point, the AQMD has assessed approximately 10% of the sources and has already identified eight (8) sources that were incorrectly permitted.

To review the report, please visit the link below.

https://www.epaioig.gov/sites/default/files/reports/2024-07/full_report_-_24-p-0049.pdf

c. Calls for FEMA to Make Smoke Events Eligible for Disaster Relief Funds

Thirteen state attorneys general (AG) and their counterpart in Washington, D.C. have sent a letter to the Federal Emergency Management Agency (FEMA) supporting calls for the agency to take regulatory action to make extreme heat and wildfire smoke events eligible for major disaster declarations. On June 17, 2024, a coalition of unions and public interest groups petitioned FEMA to expand its regulatory definition of "major disasters" to include heat and smoke, thereby making the agency's funds and resources available to communities that face high dangerous temperatures and smoke from wildfires. In the letter, the AGs highlight the need for grant funding to address wildfire smoke health impacts by providing HEPA air filtration devices and other equipment, supplies and services to vulnerable communities.



For additional information and to read the letter, please visit the link below.

<https://www.azag.gov/sites/default/files/2024-07/FEMA%20Petition%20Letter%20of%20Support%20-%20Final%20-%207%2016%2024.pdf>

d. June 2024 EPA Small Business Newsletter

Please visit the link below to view the June 2024 EPA small business monthly newsletter which highlights environmental regulation, compliance assistance, resources, and upcoming events. Contact asbo@epa.gov to subscribe to the newsletter. For more information about small business resources and Small Business Environmental Assistance Programs (SBEAPs), visit <https://www.epa.gov/resources-small-businesses>.

SMALLBIZ@EPA

EPA's Asbestos and Small Business Ombudsman Program

A MONTHLY NEWSLETTER FOR THE REGULATED SMALL BUSINESS COMMUNITY

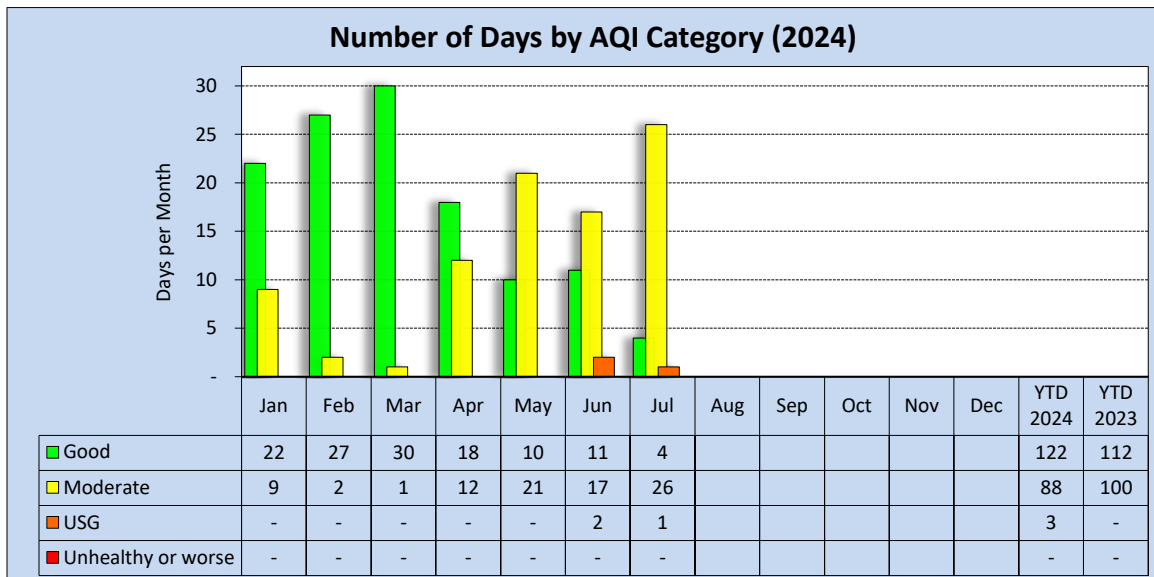
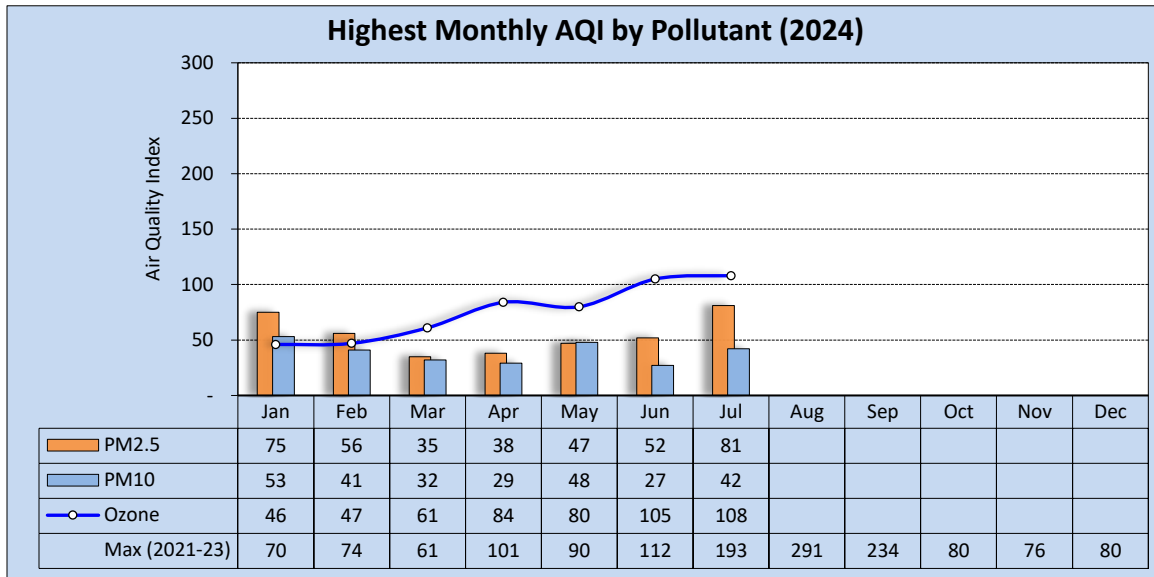
June Newsletter

<https://www.epa.gov/system/files/documents/2024-07/asbo-june-2024-smallbiz-final.pdf>

Francisco Vega, P.E., MBA
Division Director

2. Divisional Update

- a. Below are two charts detailing the most recent ambient air monitoring data. The top chart indicates the highest AQI by pollutant and includes the highest AQI from the previous three (3) years in the data table, for comparison. The bottom chart indicates the number of days by AQI category and includes the previous year to date for comparison.



Ambient air monitoring data in these charts represent midnight to midnight concentrations to illustrate comparisons to the NAAQS. These data are neither fully verified nor validated and should be considered PRELIMINARY. As such, the data should not be used to formulate or support regulation, guidance, or any other governmental or public decision.

3. Program Reports

a. **Monitoring and Planning**

July Air Quality: There was one exceedance of the ozone and no exceedance of the PM₁₀ and PM_{2.5} National Ambient Air Quality Standards (NAAQS). The highest ozone, PM_{2.5}, and PM₁₀ concentrations for the month are listed in the table below.

Pollutant	Concentration	Date(s)	Site(s)	Notes
Ozone (8-hour)	0.073 ppm	7/11	Spanish Springs	Fire influence due to Royal Fire
PM _{2.5} (24-hour)	25.1 µg/m ³	7/31	Reno4	Smoke from Park Fire
PM ₁₀ (24-hour)	45 µg/m ³	7/31	Sparks	Smoke from Park Fire

Emergency Episode: On Tuesday, July 30, the Health Officer for Northern Nevada Public Health issued a Stage 1 Emergency Episode. The air quality index (AQI) for PM_{2.5} was forecasted to Unhealthy for Sensitive Groups (USG) to Unhealthy at times on Wednesday, July 31 and Thursday, August 1. As forecasted, smoke from the Park Fire, burning near Chico in Northern California, traveled to the area overnight and settled into the valleys leading to the elevated AQI. Numerous scientific studies have linked particle pollution exposure to a variety of problems, including irritation of the airways, coughing, difficulty breathing, decreased lung function, aggravated asthma, development of chronic bronchitis, irregular heartbeat, nonfatal heart attacks, and premature death in people with heart or lung disease. On Friday, August 2, the emergency episode was rescinded as air quality improved.

Heat and Smoke Project: NNPH has partnered with Desert Research Institute (DRI) on a project to support household health adaptation to the compound events of extreme heat and wildfire smoke in Washoe County. When extreme heat and wildfire smoke occur simultaneously, many households face serious challenges for mitigating vulnerability due to the lack of or inability to operate a central air-conditioning (AC) system, the primary tool for limiting exposure. Recruitment has begun for a sample of 25 households (20 without and 5 with central AC) to participate in the project. Heat and air quality data, physical and mental health data, and protective action decision-making data corresponding to each household will be collected before and during compound events. All data types will be correlated, analyzed, and summarized at both the individual household and collective household levels and used to inform compound events education and risk communication materials for the community.

Craig A. Petersen
Supervisor, Monitoring and Planning

b. Permitting and Compliance

July

Staff reviewed forty-six (46) sets of plans submitted to the Reno, Sparks, or Washoe County Building Departments to assure the activities complied with Air Quality requirements.

In July 2024, staff conducted fifty-four (54) stationary source inspections and one (1) initial compliance inspection. Staff were assigned seven (7) new asbestos abatement projects – monitoring the removal of approximately twenty-five thousand nine hundred forty-two (25,942) square feet and twenty (20) linear feet of asbestos containing materials. Staff received four (4) facility demolition projects to monitor. Further, there were eight (8) new construction/dust projects comprising an additional forty-four (44) acres of disturbance. Staff documented thirty-nine (39) construction site inspections. During the month, compliance staff also responded to twenty (20) complaints.

Type of Permit	2024		2023	
	July	YTD	July	Annual Total
Renewal of Existing Air Permits	102	710	101	1,079
New Authorities to Construct	1 (New and Major Modifications)	29	2 (New and Major Modifications)	42
Dust Control Permits	8 (44 acres)	104 (1,321 acres)	12 (110 acres)	193 (2,386 acres)
Wood Stove (WS) Certificates	19	145	21	242
WS Dealers Affidavit of Sale	7 (2 replacement)	51 (20 replacements)	3 (1 replacements)	124 (56 replacements)
WS Notice of Exemptions	611 (3 stoves removed)	3,969 (35 stoves removed)	669 (5 stoves removed)	6,495 (57 stoves removed)
Asbestos Assessments	61	416	46	731
Asbestos Demo and Removal (NESHAP)	11	88	12	196



Complaints	2024		2023	
	July	YTD	July	Annual Total
Asbestos	0	7	1	12
Diesel Idling	0	1	0	2
Dust	11	57	14	96
Nuisance Odor	1	9	1	7
Permit to Operate	0	0	0	0
Burn Code	1	2	1	4
General	7	18	2	40
TOTAL	20	94	19	161
Enforcement	July	YTD	July	Annual Total
Warnings	5	31	1	26
Notice of Violations	0	18	3	20
TOTAL	5	49	4	46

Joshua C. Restori
 Supervisor, Permitting & Compliance

**Community and Clinical Health Services
Division Director Staff Report
Board Meeting Date: August 22, 2024**

DATE: August 9, 2024

TO: District Board of Health

FROM: Lisa Lottritz, RN, MPH
775-328-6159; llotritz@nmph.org

SUBJECT: Community and Clinical Health Services – Divisional Update – National Immunization Awareness Month; Data & Metrics; Sexual Health (Outreach and Disease Investigation), Immunizations, Tuberculosis Prevention and Control Program, Reproductive and Sexual Health Services, Chronic Disease Injury Prevention Program, Maternal Child and Adolescent Health, Women Infants and Children, and Community Health Workers

1. Divisional Update

a. National Immunization Awareness Month



**National Immunization
Awareness Month**



August is National Immunization Awareness Month (NIAM), observed annually to bring awareness to the importance of vaccination for people of all ages. The Centers for Disease Control and Prevention (CDC) continues to highlight the importance of staying up to date with healthcare appointments and routine vaccinations due to the disruption caused by the COVID-19 pandemic. Healthcare professionals, parents, and patients can find resources about immunizations during August and throughout the year at [National Immunization Awareness Month \(NIAM\) | CDC](#).

Maintaining routine immunizations is essential to protect individuals, families, and communities from vaccine-preventable diseases. Routine vaccination prevents illnesses that can lead to additional medical visits and hospitalizations, resulting in a further strain on the healthcare system.

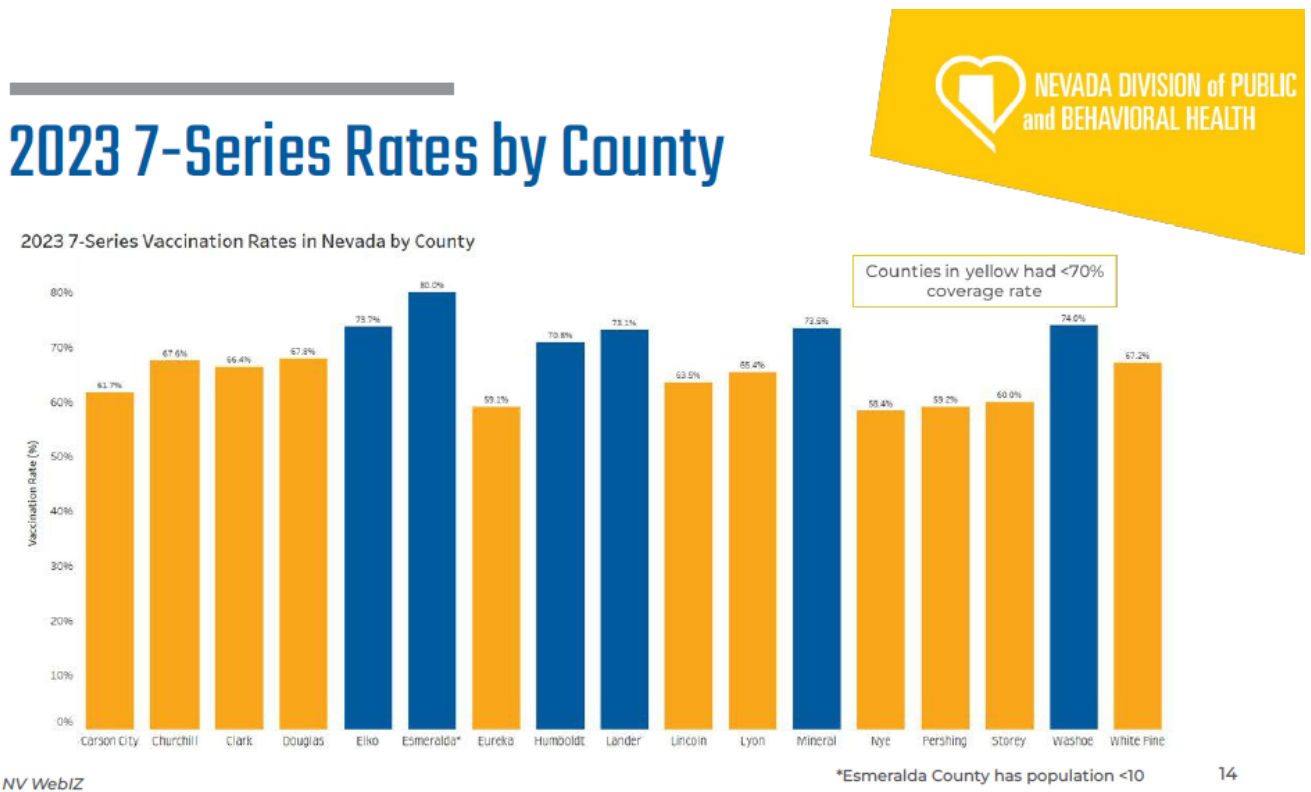
Annually, we highlight the efforts of the Northern Nevada Public Health (NNPH) in protecting patients of all ages against vaccine-preventable diseases with on-time vaccination. NNPH staff have been working diligently to provide citizens with routine vaccinations, influenza, and COVID-19 vaccines. The NNPH Immunization clinic remains open for public access five days a week.

The Immunization Program continues to be integral to COVID-19 vaccination in our community. On September 12, 2023, all COVID-19 vaccines were commercialized. The federal government supplemented 317 Immunization Programs with a newly funded Bridge Program with the sole purpose of purchasing COVID-19 vaccines for 317 providers. This allowed NNPH to continue to provide COVID-19 vaccines to uninsured or under insured adults. At the same time COVID-19 vaccines became available in the Vaccine for Children (VFC) Program. In the last year the team has pivoted from mass COVID-19 vaccinations to targeted events that eliminate barriers for individuals who wish to receive the COVID-19 vaccine. With commercialization NNPH quickly noticed there was a gap in the community as pharmacists were unable to provide COVID-19 vaccines to those under 5 years old, and many providers did not purchase the COVID-19 vaccine due to the expense. NNPH shifted efforts to provide COVID-19 vaccines to individuals 6 months to 5 years old, and to those who are uninsured or under insured.

Immunization Program staff are responsible for carrying out various grant-related activities. Staff conduct VFC provider visits to enhance stewardship and accountability for publicly purchased vaccines, work with VFC providers to implement quality improvement (QI) strategies to help increase vaccine uptake and ensure all VFC providers complete annual training requirements. In April of this year, the program received additional funding to conduct 317/Bridge Program activities for enrolled providers to receive publicly funded vaccines for uninsured or under insured adults. These activities are critical to increasing the rates of fully immunized children in Washoe County, ensuring proper use of valuable resources, supporting a competent workforce and supporting greater access to adult vaccines in vulnerable groups.

Staff completed their first year of case managing Perinatal Hepatitis B Prevention Program activities for the Washoe County jurisdiction. This program ensures persons infected with Hepatitis B virus and their providers receive education, resources, and guidance for completing testing, postexposure immunoprophylaxis, and vaccinations for themselves, close contacts, and the newborn infants as part of the national strategy to eliminate this disease from the United States. Staff continue to develop skills and strategies as training becomes available and caseloads increase.

Staff continues to provide Mpox vaccines. Staff maintain and report proper inventory accordingly as the jurisdictional depot and contribute to community events or requests for vaccine provision to minimize the spread of Mpox infections. Staff administered over 103 Jynneos doses last year at both offsite events and in the clinic.



The Nevada Division of Public and Behavioral Health provides updated infant 7-series vaccine statistics that are based on the current Advisory Committee on Immunization Practices (ACIP) recommendations for infants 0 – 24 months. The 7-series includes ≥ 4 doses DTaP (Diphtheria-Tetanus-Pertussis) and PCV (Pneumococcal), ≥ 3 doses Hepatitis B/ Hib (Haemophilus influenzae type b)/ Poliovirus, and ≥ 1 dose MMR (Measles- Mumps- Rubella) and VAR (Varicella). In 2023, Nevada’s 7-series infant completion rates rebounded but remained lower than pre-pandemic levels. Notably, the Washoe County region has the second highest 2023 completion rate compared to statewide counties, at 74.0%.

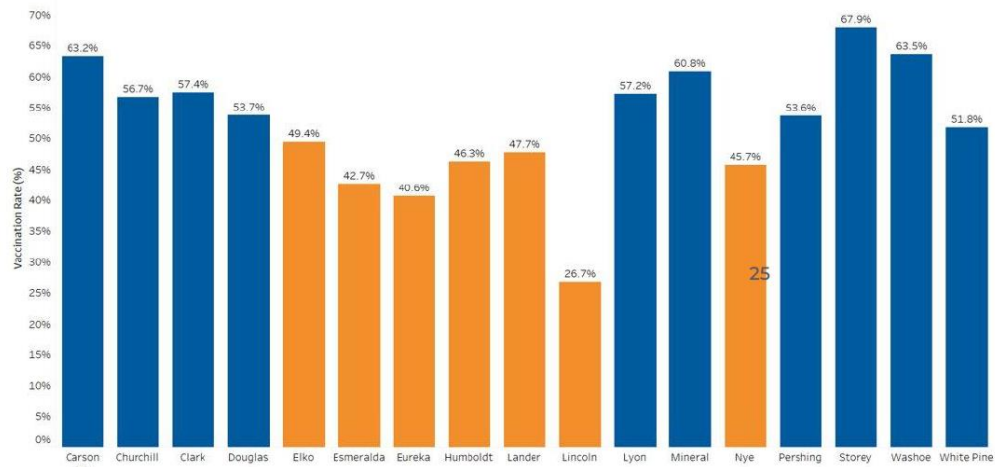
Clients continue to seek services from the NNPH to meet their immunization needs for employment, education, travel, immigration, or general health maintenance. The immunization clinic served 4,613 people and administered 11,076 vaccine doses in FY 2023-24. Of these vaccinations, 1,412 individuals received the influenza vaccines and 1,230 received COVID-19 vaccines.

In 2023, the Washoe County area increased the initiation of the HPV series to 63.5% while the State of Nevada rate remained at 57.8%. Vaccination against human papillomavirus (HPV) is recommended to prevent new HPV infections and HPV-associated diseases, including some cancers. ACIP routinely recommends HPV vaccination at age 11 or 12 years. It is important to note that ACIP updated the recommendations for HPV to a 2-dose schedule in December 2016 for girls and boys who initiated the vaccination series at ages 9 through 14 years. The three-dose series remains recommended for persons who initiate the vaccination series at ages 15 through 26 years and for immunocompromised persons.

2023 HPV Rates, 15-18 Years by Region



One Dose HPV Vaccination Rates in 15-18 Year Olds in Nevada by County, 2023



Source: NV WebIZ

In an effort to increase vaccination series completion rates for HPV and Meningococcal B (MenB) vaccines in adolescents, the Immunization Program conducted an Immunization Quality Improvement Project (IQIP), spanning a 12-month period from May of 2023 through May of 2024. This project consisted of enhanced efforts to provide take-home product information to eligible clients in all funding sources, staff training opportunities, increased social media presence, and ensuring next-dose scheduling took place routinely with reminders. These vaccines historically carry marginal reception, and uptake has remained consistent year-over-year when evaluating the results of this project. Staff

continue to provide brochures and information on HPV and MenB to eligible clients detected during appointment preparation (forecasting), supplementing standard strong vaccine recommendations. This project prompted meaningful conversations around capacity for quality improvement, aligning efforts with clerical teams, and collaborating with media for vaccine messaging.

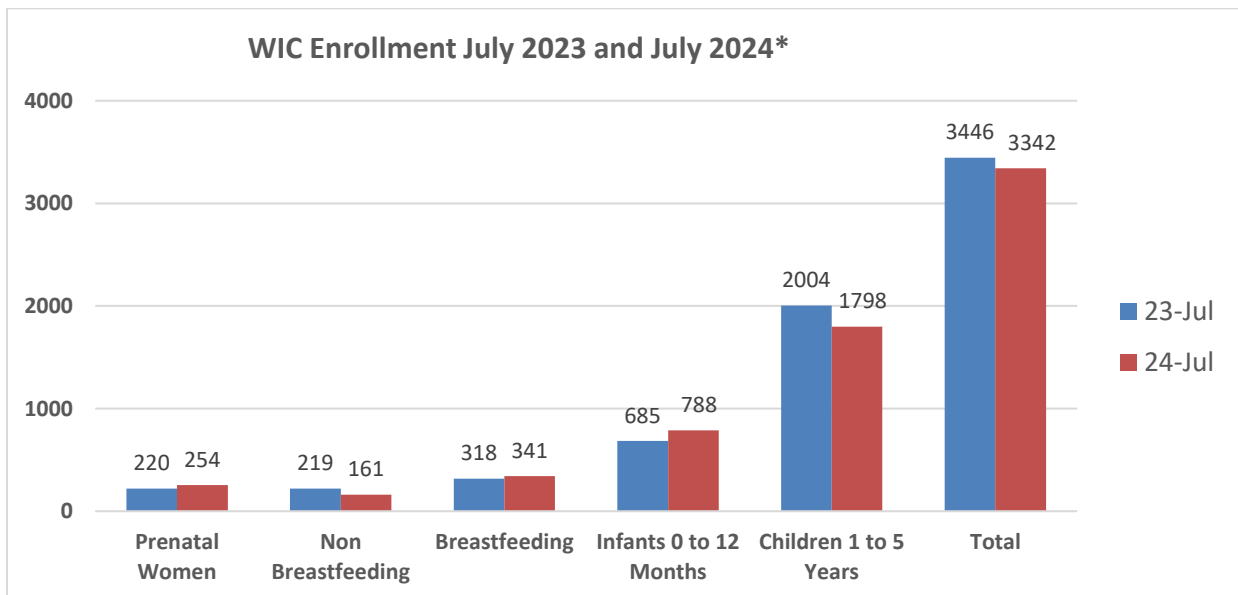
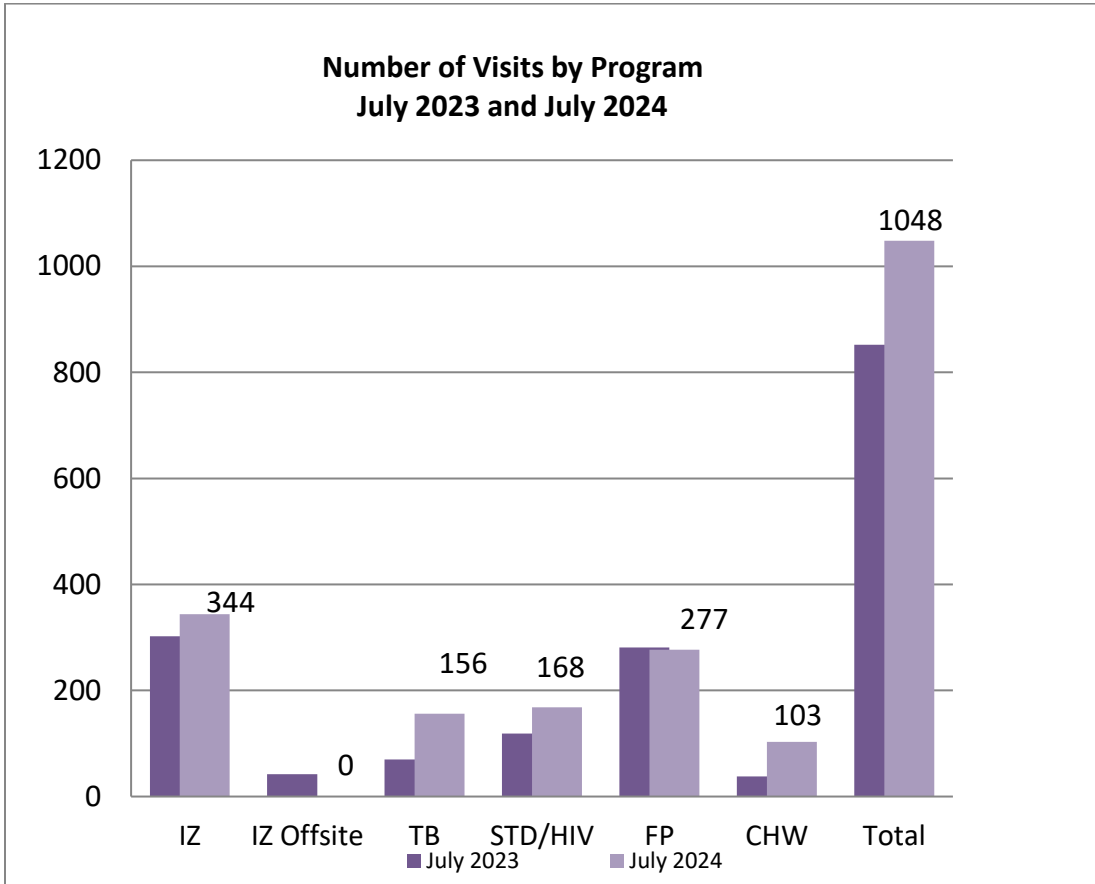
Robust community partnerships are essential to increasing immunization rates in Washoe County. Collaborations are valuable to reach vulnerable populations and to prepare the community for delivering new vaccinations as they become available. NNPH staff worked diligently to provide routine and recommended vaccines to persons of all ages. In 2023, the team participated in multiple outreach events with seven Back-to-School clinics, and 47 Community/Employee/Point-Of-Dispensing (POD) Influenza clinics. The influenza PODs provided an opportunity for the community to receive the annual influenza and COVID-19 vaccines.

In 2023, immunization staff conducted weekend Back-to-School events and participated in the Family Health Festival. All events were in collaboration with Community Health Alliance and Immunize Nevada. NNPH staff vaccinated 330 children and administered 858 individual vaccines.

Staff participated in the Back-to-School Family Health Festival at Hug High School on August 3, 2024. NNPH will host two Saturday Back-to-School events for kids aged 4-18 years old on August 10th and August 17th. The Back-to-School events will be held at the 9th and Wells Avenue location in partnership with Community Health Alliance.

Staff are preparing for the upcoming respiratory season and have plans to promote influenza, 2024-2025 COVID-19, and respiratory syncytial virus (RSV) for infants.

b. Data/Metrics



*Changes in data can be attributed to several factors including fluctuations in community demand, changes in staffing and changes in scope of work/grant deliverables

Month	Enrollment	Participation w/ Benefits
July 2023	3446	3075
Aug 2023	3493	3095
Sept 2023	3449	3040
Oct 2023	3406	3020
Nov 2023	3408	3031
Dec 2023	3415	2908
Jan 2024	3357	3076
Feb 2024	3328	3103
March 2024	3342	3114
April 2024	3342	3114
May 2024	3395	3152
June 2024	3335	3091
July 2024	3342	3117
Monthly avg	3389	3072
% change Jul 2023 / Jul 2024	-3.02%	1.37%

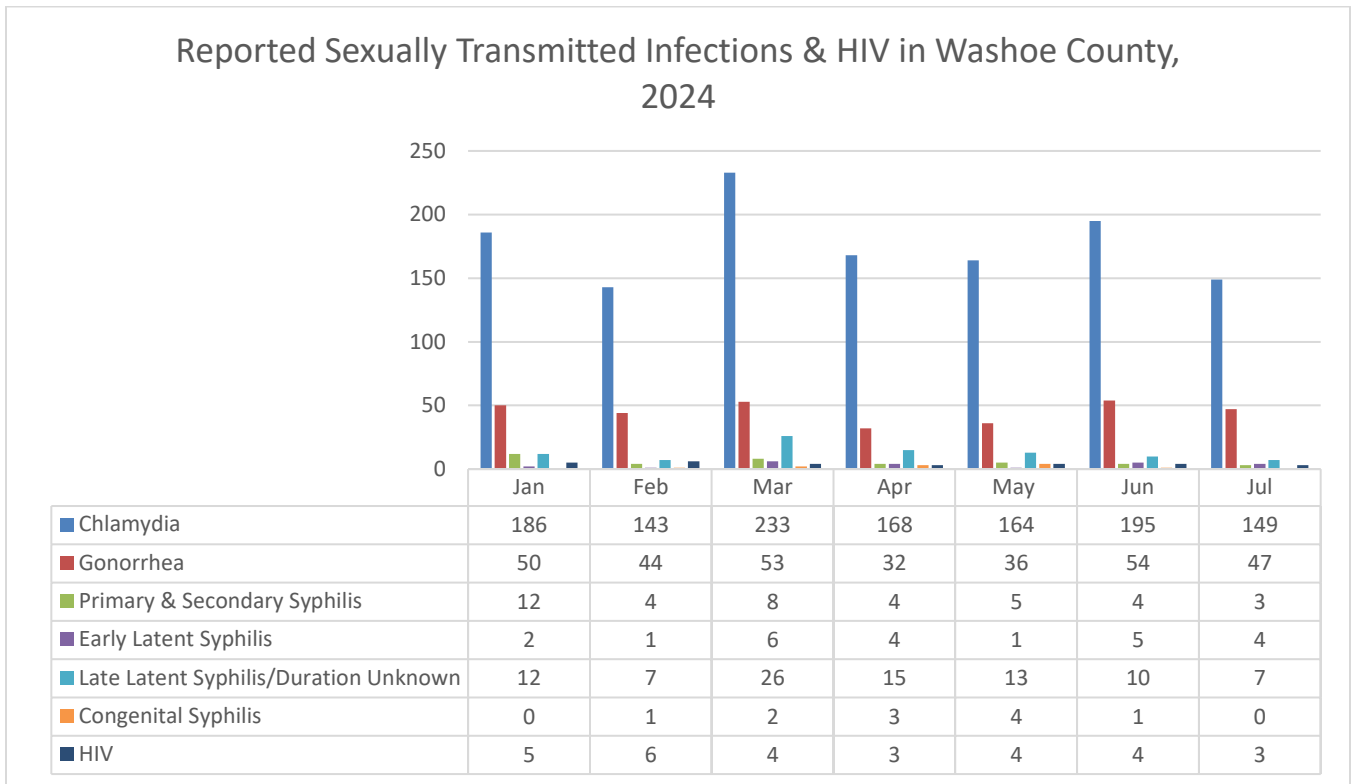
WIC participation numbers
Enrollment: All those enrolled in WIC: (women who are pregnant, breastfeeding, or post-partum; infants; and children up through age 5)
Participation with Benefits: All enrolled WIC participants receive food benefits except
 - Infants that are exclusively breastfed
 - Breastfeeding mothers whose infants receive more than 4 cans of formula per month

2. Program Reports – Outcomes and Activities

- a. **Sexual Health (Outreach and Disease Investigation)** – By the end of August, all Public Health Investigators (PHIs) will be conducting syphilis investigations, as each staff person has reached the Public Health Investigator (PHI) II level. Staff new to the PHI II level have been training with the Epidemiologist and the program’s Public Health Nurse.

The program is in the planning stages of organizing a Syphilis Taskforce, convening area providers from hospitals, emergency departments, pediatrics, support services for congenital syphilis cases, insurance companies, and other social service agencies and organizations. The purpose will be to disseminate consistent information on syphilis epidemiology, testing, treatment, and follow-up. In addition, a syndemic approach of sexual health issues (HIV, STI, substance use/behavioral health) with an emphasis on health equity, will be the foundation to present the information and facilitate action items for response improvement.

Through July, the following are case counts for all reported chlamydia, gonorrhea, syphilis, and HIV cases reported in Washoe County.



b. **Immunizations** – See Division Update

c. **Tuberculosis Prevention and Control Program** – The TB program is currently managing four cases of active TB. One of these cases is a newly diagnosed infant less than two years old. Infants and children are more likely than adults to get severe disease and without treatment TB can be fatal. Due to the due diligence of the NNPH PHN Case Manager, the infant was diagnosed in the early stages of TB and started daily treatment that will last for six months. The infant is currently without signs or symptoms.

In addition to the four active disease cases, the program is currently managing/evaluating over 50 clients for Latent Tuberculosis Infection (LTBI). In July 2024, the program completed six evaluations for LTBI, presented 18 cases to the consulting physician, performed 85 instances of directly observed therapy, and started one client on LTBI treatment.

d. **Reproductive and Sexual Health Services** – Family Planning Sexual Health Program (FPSHP) staff welcomed Stephanie Dominguez-Ayala as an Intermittent Hourly Community Health Aide on July 15th. She will be working to support clinic staff on Mondays and Wednesdays. Staff are hopeful to have her fully trained by mid-September. In July, FPSHP staff saw a significant increase in the number of walk-in appointments. The walk-in rate for appointments to see the APRN was

close to 55%. Staff have been tracking the number of walk-in appointments monthly since March and July has had the most walk-in appointments to date with 180 walk-in appointments.

FPSHP staff are working closely with the EMR vendor Patagonia and the Nevada State Lab to establish a bidirectional connection. With the bidirectional connection, FPSHP will not only receive lab results electronically but will also place lab orders electronically. This project has been ongoing for many years and staff is hopeful for a successful implementation by the end of August. Additionally, staff are in the process of writing a protocol and applying to the state of Nevada for point of care syphilis testing. With the addition of point of care syphilis testing it will be possible for a client to leave their clinic visit knowing the results of all their STI testing (chlamydia, gonorrhea, HIV, and syphilis). FPSHP staff would also like to demonstrate the ease of implementing point of care syphilis testing to other community providers. The CDC recommends point of care syphilis testing as one strategy to assist in the syphilis epidemic.

- e. **Chronic Disease and Injury Prevention (CDIP) Program** – The Healthy Corner Store media campaign concluded, and staff received information on the reach. The English and Spanish videos launched on Facebook with a total reach of 40,819. There was a total of 204,676 impressions of the English video, and 152,002 impressions of the Spanish video. In addition, the campaign was shared through YouTube ads, with a total of 538,531 impressions and 223,141 views for both English and Spanish videos.

One staff member attended the 2024 NACCHO conference which was themed: "Heard it Through the Grapevine: Public Health Partnerships, Collaboration, and Innovation." Knowledge gained on best practices was shared with other CDIP team members for exploration and/or implementation in our community.

Staff developed a youth vaping prevention workplan outlining priorities and strategies. Key components include collaborating with WCSD and other youth-focused organizations, parent education sessions, collecting data to help guide the development of outreach activities and media campaign(s). Staff began working on reestablishing partnerships with WCSD and youth-organizations as well as drafting survey instruments for data collection.

Two intermittent hourly health educators were identified to assist with the 5210 Healthy Eating Active Living (HEAL) provider outreach program. 5210 is a reminder of healthy daily living: 5 servings fruits & veggies, no more than 2 hours recreational screen time, 1-hour physical activity and 0 sugary drinks. High impressions and reach results from the 5210 media efforts from April 1 to May 30 were shared in the quarter four grant report to the state:

Platform	Impressions	Reach
Social Media (Hispanic campaign)	486,000 impressions 49,000 video views	135,000 509 reactions
Social Media General market	508,981 impressions 77,000 video views	173,000 1,185 reactions
ABC KOLO TV	459,000	182,535
English Radio	249,200	108,400
Spanish TV	164,000	33,100
Spanish Radio	302,000	18,400
Billboard	1,343,880	N/A

- f. **Maternal, Child and Adolescent Health (MCAH)** – Maternal, Child and Adolescent Health activities include Lead Screening, Newborn Screening, Cribs for Kids, and Fetal Infant Mortality Review (FIMR).

The NNPH Lead team works with the Nevada Department of Health and Human Services Lead Program Specialist. The NNPH Lead team is currently following 23 open cases.

Public Health Nurses and Community Health Workers (CHWs) continue to follow-up and provide coordination, education, and resources to referrals from the Nevada Newborn Screening Program to ensure all infants receive the second newborn screening.

NNPH CHW’s held two Cribs for Kids classes in July at the Anthem Wellness Center with five attendees and conducted three 1-1 classes. CHWs are Baby and Me Tobacco Free facilitators and promote PRAMS (Pregnancy Risk Assessment Monitoring System), Nevada 211 and Nevada Medical Home Portal.

The Fetal Infant Mortality Review Board (FIMR) meets monthly, except for June and December. The FIMR Board met on July 18, 2024, and reviewed five cases. One parental interview was completed in June. Since the beginning of the 2024 calendar year, six parental interviews have been scheduled, five were completed and there are three more parents willing to participate. FIMR staff attended the Maternal Child Health Listening Session for the Renown Health Community Needs Assessment on July 30, 2024. One family was assisted with resources from a Community Health Worker.

FIMR staff attended the “Features to Improve Data Quality: National Fatality Review-Case Reporting System Version 6.1” webinar on July 10, 2024. There was no Western Region FIMR Support meeting this quarter as the National Center for Fatality Review and Prevention is realigning the regions. FIMR staff met with the NNPH Health Equity Team, and one member joined the FIMR CRT to assist with health equity in the case reviews.

Staff continue to provide updates on fetal and infant deaths at the Washoe County Community Child Death Review as requested. The next Child Death Review meeting will be held on August 2, 2024. Child Death Review meetings are held every other month.

The Northern Nevada Maternal Child Health Coalition did not meet in July, the next meeting is August 8, 2024. The Coalition is currently co-chaired by NNPH FIMR staff members Rebecca Gonzales and Kelcie Atkin with Maricruz Schaefer as treasurer. At the next meeting, Molina staff will share information about programs and benefits for members, with a focus on pregnancy-related benefits and incentives. The Maternal and Child Health Coalition will be hosting a virtual and in-person Fall Symposium on September 20, 2024 “Camp Treasure: Navigate the Deep Sea of Maternal and Child Health.” Two FIMR staff members received scholarships to attend the training in-person in Las Vegas.

- g. **Women, Infants and Children (WIC)** – Two new HSSS employees will be joining the WIC team in August. They will fill the vacant positions – one at the 9th Street WIC location and the other at the Moana WIC location. WIC began offering evening appointments in July and held two night clinics on July 17th and July 31st. Schedules were full for both night clinics.

The WIC team invited Join Together Northern Nevada (JTNN) to their July 24th meeting to present on substance use. The team learned about the common substances that are being used in Washoe County and the impacts to pregnant women, breastfeeding infants, and fetuses.

- h. **Community Health Workers (CHWs)** – The CHWs provided services to 103 clients in July. Most of the referrals continue to be from the Family Planning Sexual Health Clinic (43) and Immunizations (26). The CHW assigned to Disease Investigation/HIV has been accompanying staff on field visits and offering resources to clients as needed. The CHWs have also seen an increase in the number of referrals from the WIC program as they have transitioned to more in-person visits. The CHWs conducted six outreach activities in July including serving 79 families at Mobile Harvest and 100 participants at Anthem's Biggest Little Summer Bash.

The job specification for the Community Health Workers was recently revised and the updated version is now available on the Human Resources website. The job specification further clarifies the roles and responsibilities of the CHW and includes outreach activities. The initial job specification was created in 2021 before the CHWs were hired. An update to the job specification was identified as a need as the role of the CHW has evolved in each CCHS program.

**Environmental Health Services
Division Director Staff Report
Board Meeting Date: August 22, 2024**

DATE: August 12, 2024

TO: District Board of Health

FROM: Robert Fyda, Director
775-328-2644; rfyda@nmph.org

SUBJECT: **Environmental Health Services Program Activities for: Consumer Protection** (Food Safety Plan Review & Operations, Commercial Plan Review, Foodborne Illness, Special Events, Permitted Facilities); **Environmental Protection** (Land Development, Safe Drinking Water, Vector-borne Disease Surveillance, Waste Management / Underground Storage Tanks).

Environmental Health Program Activities:

Consumer Protection Programs

Food Safety Plan Review & Operations

Special Processes & Program Standards Team

- Olivia Alexander-Leeder, Senior Environmental Health Specialist, successfully conducted 8 food safety inspections while being observed by a FDA Retail Food Specialist and has been standardized as a Retail Food Safety Inspection Officer. The FDA standardization process “promotes uniformity of regulatory retail food inspections among federal, state, local and tribal agencies”. Having been standardized as a Retail Food Safety Inspection Officer, Olivia is able to conduct standardization exercises with field inspectors in the Food Safety Program, further improving consistency and confidence in inspection observations.
- Four EHS staff members attended the National Environmental Health Association’s Annual Educational Conference in Pittsburg, PA. At the conference, attendees were able to learn about advancements in the field of environmental health, participate in cross-jurisdictional information sharing, and further prepare for their Registered Environmental Health Specialist exam and certification.

Food Safety Plan Review

- Currently, the construction team has been developing new guidelines and checklists for change of ownerships and how to build a food establishment for potential food business stakeholders and for EHS staff to use as a resource.

- Staff will be attending the FDA 207 plans course virtually starting next week.

Temp Foods / Special Events

- Other large events EHS staff worked in July in addition to several 4th of July events held throughout Washoe County, included The 10th Annual Biggest Little City Wing Fest, held in Downtown Reno; Bass Camp, a music festival held in Wingfield Park in Reno; Dancing in the Streets held in Midtown; The Gambler's Run Music Festival held in Incline Village; Sierra Lavender and Honey Festival held at Idlewild Park and Sparks Folk Fest held in Victorian Square. EHS staff conducted over 100 on-site temporary food and event promoter inspections on these events alone.
- The Special Events/Mobile Openings team helped to organize, and participated in, the first ever Food Business Resource Fair, where several agencies throughout Washoe County, including Reno and Sparks Fire Departments, Reno and Sparks Business license, Reno and Sparks Environmental Control, the State of Nevada and more sent representatives to work alongside NNPH to help answer questions from Washoe County residents aspiring to start a food business. The EHS food team also conducted free advisory inspections on food trucks and portable units (trailers) so that potential business owners would know what corrections needed to be made, if any, prior to obtaining a health permit. The event was a huge success, with a great turnout and lots of positive feedback from the public.

Photo from the event





Staff conducting a mobile assessment for the public



Food Program Supervisor assisting the public with application submittal to NNPH

Foodborne Disease Program

Epidemiology	Aug 2024	Jul 2024	Jun 2024	May 2024	Apr 2024	Mar 2024	Feb 2024	Jan 2024	Dec 2023	Nov 2023	Oct 2023
Foodborne Disease Complaints	0	9	0	4	0	2	2	9	0	0	9
Foodborne Disease Interviews	4	0	2	0	2	22	0	9	2	4	9
Foodborne Disease Investigations	0	0	0	0	2	0	0	0	0	4	2
Food Referrals Reviewed	2	2	0	2	2	2	0	23	4	0	0
Product Recalls Reviewed	29	3	4	9	0	2	0	0	2	2	2

Commercial Plans / Development Reviews

- Commercial plans team is reviewing multiple projects for future development in the Tahoe Basin that will create additional permitting opportunities.
- The Commercial plans team continues to work on measures to ensure consistency with review.
 - Staff averaged 11 business days for all reviews that were submitted and completed in June 2024 with 72% completed within the regional plan review goal.
 - EHS Plan Review times are averaging 12 business days for all reviews completed that have been submitted for calendar year 2024.
- Plan review turnaround has taken longer than the goal time frame due to an increase in demand from seasonal inspections and outreach in assist public bathing facilities.

Commercial Plans Development Reviews		Aug 2024	Jul 2024	Jun 2024	May 2024	Apr 2024	Mar 2024	Feb 2024	Jan 2024	Dec 2023	Nov 2023	Oct 2023
Development Reviews		42	0	2	24	4	3	24	2	449	494	4
Commercial Plan Review Submittals		2	2	22	0	2	0	4	2	4	0	9
Total Reviews Conducted		9	2	2	23	24	23	22	4	2		
% Plan Review Meeting Regional Goal		0%	9%	0%	0%	0%	0%	2%	0%			
Review Type	Engineering	0	0	9	9	2	2	3	9	0		
	Food	4	3	32	0	4	4	34	2	4		
	Pool/Spa	2	0	0	4	0	2	4	0	4		
	Director	3	43	3	3	33	0	2	2	2		
	Hotel/Hotel	2	0	0	0	0	2	0	2	9		
	Environmental	4	3	0	0	9	3	0	2	0		
	OT/OT	3	0	3	0	3	3	0	9	0		

Permitted Facilities

- Staff conducted the construction final inspection and opening inspections for the Moana Pool complex, which consists of 3 distinct water bodies and 3 different types of pool designs.

Environmental Protection

Residential Septic & Well Plan Reviews

- The team continued training Daniel Timmons in septic and well plan review and construction inspections and began training Melanie Jackson in septic and well plan reviews.
- Staff prepared for a Sewage, Wastewater and Sanitation Advisory Board meeting where a variance request was heard to allow for a building sewer line to cross a drainage channel.

Plan Development	Jan 24	Feb 24	Mar 24	Apr 24	May 24	Jun 24	Jul 24	Aug 24	Sep 23	Oct 22	Nov 21
Plans received Residential Septic	0	0	0	4	3	0	0	2	2	999	90
Residential Septic Well Inspections	4	0	9	0	93	0	4	4	4	43	22
Well Permits	3	0	0	0	3	0	4	0	9	4	0
Water Projects Received	0	0	0	2	0	0	0	0	2	2	4

Safe Drinking Water

- One sanitary survey was conducted during the month of July.
- Rosemount Water Company continues to receive monitoring and maximum contaminant level violations for uranium at the point-of-use units within the water system. NNPH requested Bureau of Safe Drinking Water (BSDW) begin official enforcement and have provided all subsequent complaint and violation details to BSDW. Staff participated in a meeting with BSDW, PUC, Attorney General's Office, the water system and their legal representatives to determine next steps. The water system was given until 8/9/2024 to provide a corrective action plan for review. Next steps will be determined then.
- Staff continue to reach out to all public water systems who are required to complete and submit a Lead Service Line Inventory (LSLI) by October 16, 2024. Of the 33 systems required to complete an LSLI that NNPH regulates, 26 have responded that they intend to complete the inventory on time or have obtained technical assistance. As of July 31, 2024, five (5) water systems have completed and submitted their inventory for NNPH to review.

Vector-Borne Disease Program

- Unmanned aircraft system (UAS) treatments remain ongoing.
- July UAS treatments included 24 individual flights over 3 separate dates and totaling 65.39 acres.
- An aerial larvicide via helicopter was conducted on July 17, treating 446 acres in the Stead, Spanish Springs, and Damonte Ranch areas.

Vector	Jan 24	Feb 24	Mar 24	Apr 24	May 24	Jun 24	Jul 24	Aug 24	Sep 23	Oct 22	Nov 21
Total Service Requests	0	0	0	0	0	9	4	3	99	0	9
Mosquito Traps Tested	0	0	0	0	2	0	0	9	94	0	3
Mosquito Surveys and Treatments	0	0	0	0	4	2	4	0	242	9	2

Waste Management / Underground Storage Tanks (USTs)

- Staff witnessed a piping decommissioning and sampling at a site upgrading their system
- Staff worked closely with TS and Accela program writers to move permitting and application process of Waste Management permits to an electronic format.
- Additionally, all closed to history Waste Permits have been scanned into an electronic format.

Inspections:

Inspections	Aug 2024	Jul 2024	Jun 2024	May 2024	Apr 2024	Mar 2024	Feb 2024	Jan 2024	Dec 2023	Nov 2023	Oct 2023
Child Care	0	0	0	0	2	0	0	0	2	33	2
Food/Empty Food	323	329	300	300	300	300	300	330	2,300	3,000	4,409
Schools/Institutions	4	2	32	24	44	4	0	0	0	300	292
Tattoo/Permanent Make-up/BD	2	0	9	3	3	2	3	0	0	0	34
Temporary BD Events	2	0	0	0	0	0	0	0	4	3	0
Liquid Waste Trucks	3	2	2	4	3	23	4	0	0	3	0
Mobile Home/Car	0	4	0	2	4	0	0	4	0	2	0
Public Accommodations	4	2	0	3	0	0	0	4	0	39	0
Aquatic Facilities/Boats/Pools	0	4	44	0	24	4	0	0	0	39	2
Dump Station	0	0	0	0	0	0	0	0	4	2	9
Underground Storage Tanks	0	0	0	22	2	0	0	2	2	0	4
Waste Management	2	44	4	9	0	4	0	0	0	32	4
Temporary Foods/Special Events	24	0	2	0	92	3	4	0	0	3	4
Complaints	33	4	39	0	0	4	4	3	0	3	9
TOTAL	24	0	0	9	9	9	0	4,93	0	3	0
Public Record Requests	33	234	0	24	34	22	24	2,000	4,92	0	4,09

Complaints:

Complaint Reason	Aug 2024	Jul 2024	Jun 2024	May 2024	Apr 2024	Mar 2024	Feb 2024	Jan 2024	Dec 2023	Nov 2023	Oct 2023
Invasive Body Decoration	0	0	0	0	0	0	0	0	0	0	0
Food	0	23	2	3	23	9	9	0	0	24	0
General	0	0	0	0	0	0	0	0	0	4	0
Hotels/Motels	2	0	0	0	0	3	0	0	0	2	0
Liquid Waste	0	4	3	0	3	0	0	0	0	2	0
Mobile Home/Car	0	0	0	0	0	0	0	0	0	3	9
Boats/Pools	0	2	0	2	0	0	0	0	0	3	0
Schools	0	0	2	0	0	0	0	0	0	3	3
Solid Waste	0	0	4	4	2	4	2	3	0	0	0
Director	0	0	0	0	9	9	3	44	9	0	0
Waste Mgt	0	0	0	0	3	0	3	9	3	0	0

New Permits/Change of Ownership Inspections:

New Permits/Change of Ownership Inspections	Aug 2024	Jul 2024	Jun 2024	May 2024	Apr 2024	Mar 2024	Feb 2024	Jan 2024	Dec 2023	Nov 2023	Oct 2023
Child Care	0	0	0	0	0	0	0	4	0	0	0
Food/Empty Food	23	24	3	39	0	42	2	242	24	4	49
Schools/Institutions	0	0	0	0	0	0	0	3	0	3	0
Tattoo/Permanent Make-up/BD	0	4	0	0	0	2	2	2	3	32	0
Liquid Waste Trucks	3	2	0	0	2	0	0	2	0	0	0
Mobile Home/Car	0	3	0	2	0	0	0	0	42	0	0
Public Accommodations	2	0	0	0	0	0	0	3	9	9	9
Aquatic Facilities/Boats/Pools	0	4	3	2	0	0	2	2	4	2	4
Dump Station	0	0	0	0	0	0	0	0	0	3	2
Waste Management	0	0	0	0	0	0	0	0	3	0	0
TOTAL	3	39	3	0	4	42	3	3	0	0	4

Date: August 22, 2024

Subject: EHS Division Director's Report

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*This table identifies new business opening inspections but does not include re-inspections during the opening process.

**Epidemiology and Public Health Preparedness
Division Director Staff Report
Board Meeting Date: August 22, 2024**

DATE: August 12, 2024

TO: District Board of Health

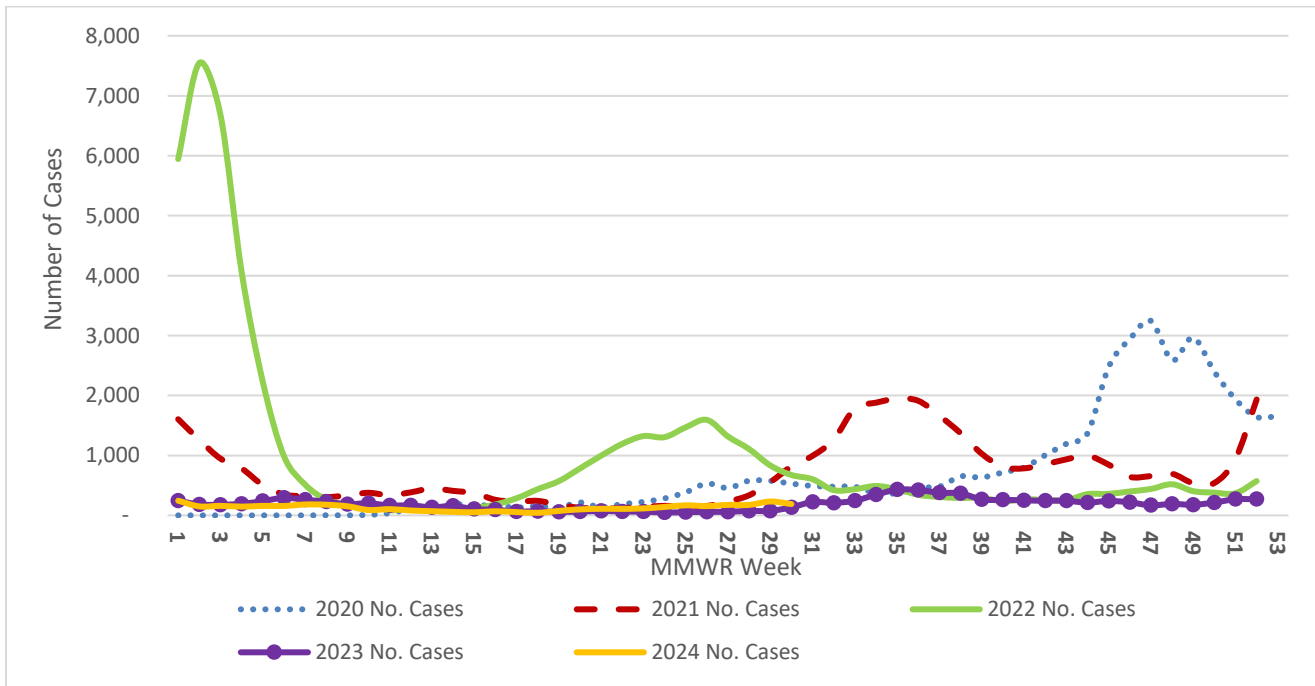
FROM: Nancy Diao, ScD, EPHP Director
775-328-2443; ndiao@nmph.org

SUBJECT: **Epidemiology and Public Health Preparedness** – Epidemiology and Public Health Preparedness – Epidemiology, Public Health Preparedness, Emergency Medical Services, Vital Statistics

Epidemiology Program and COVID Epidemiology Branch

SARS-CoV-2 (COVID-19) – During July 907 new COVID-19 cases were reported among Washoe County residents. Figure 1 provides an overview of the total number of confirmed COVID-19 cases reported to Washoe County to date by MMWR week from 2020 through the end of July 2024.

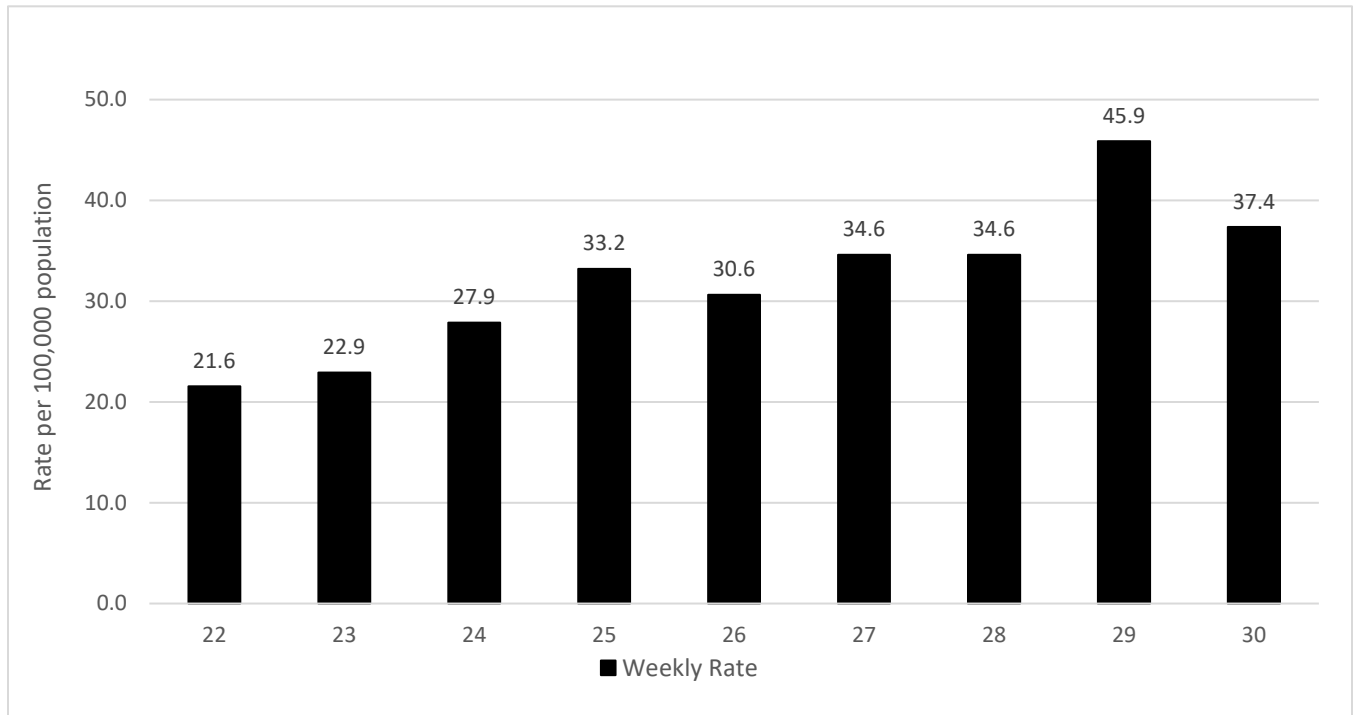
Fig 1. Total Number of COVID-19 Cases by Week of Onset Date in Washoe County, 2020-2024



Note: there is no MMWR week 53 in 2021, 2022, or 2023
*If illness onset date is missing or unknown, specimen collection date is used

Figure 2 illustrates the number of new cases by either illness onset or specimen collection date (if onset date is unknown or case was asymptomatic) per 100,000 population over the course of a nine-week period, from the last week from May 26 through July 27, 2024. As of MMWR week 30, Washoe County received reports of 37.4 new cases per 100,000 population.

Fig 2. Newly Reported COVID-19 Cases Per 100,000 population by MMWR Week, May 26 – July 27, 2024, Washoe County



*If illness onset date is missing or unknown, specimen collection date is used

COVID-19 Testing- The last day of COVID-19 testing service via home visits was July 19. During the month of July, a total of 127 tests were requested and performed, 4 were for home visits and 123 were due to testing at an assisted living facility. Table 1 summarizes the number of tests performed to date since the beginning of 2021.

Table 1. Number of Tests Performed	
Month Reported	Tests Performed
2021 Totals	30,996
2022 Totals	7,892
2023 Totals	641
January 2024	17
February 2024	283
March 2024	11
April 2024	6
May 2024	1

June 2024	3
July 2024	127

Outbreaks – There were 12 newly declared outbreaks in July. Five (5) COVID-19 confirmed, five (5) rash illness, one (1) gastrointestinal (GI), and one (1) “other” outbreak.

Type	Jan	Feb*	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Gastrointestinal Illness	3	6	1	1	3	2	1					
Respiratory Illness	3	5	2	2	1	0	0					
Influenza Confirmed	6	0	3	0	0	0	0					
COVID Confirmed	1	3	1	1	1	1	5					
Rash Illness	0	0	2	1	1	1	5					
Other	7	1	0	0	1	0	1					
Total	20	15	9	5	7	4	12	0	0	0	0	0

Epi News – Epi News is a brief (1-3 page) newsletter that has been produced and disseminated by the Epidemiology Program since 1997. Epi News publications are emailed and faxed to 700-800 subscribers, are topic dependent, and are available at <https://www.nmnh.org/programs-and-services/ephp/communicable-diseases-and-epidemiology/epi-news/index.php>.

In July, there were five (5) Epi News newsletters published:

- **Streptococcal Toxic Shock Syndrome (STSS):** Describes a rare condition caused by group A Streptococcus (GAS), a bacterium which can cause mild illness or sepsis. It is estimated there are 1,800-2,400 deaths per year in the United States. STSS includes infection of GAS with hypotension and multi-organ involvement. If sepsis is suspected, initiate antibiotics as soon as possible, vancomycin and clindamycin are recommended since it is often hard to distinguish between *S. pyogenes* and *S. aureus* toxic shock syndrome. Additional therapies may include intravenous immunoglobulin for those who are considered severely ill. Review of the formal case definition is located here: <https://ndc.services.cdc.gov/case-definitions/streptococcal-toxic-shock-syndrome-2010/>
- **Pertussis:** Pertussis is a respiratory disease, also known as whooping cough, caused by the bacterium *Bordetella pertussis*. The bacteria attacks the cilia in the upper respiratory pathway by releasing toxins that causes inflammation in the respiratory tract. This illness spreads easily person-to-person through respiratory droplets. Timely diagnosis and treatment (within first 3 weeks) are key, as those treated late during course of illness may not stop coughing for up to 3 months. Healthcare providers should obtain a nasopharyngeal swab or aspirate from persons suspected of having pertussis. Culture testing is the gold standard and can be collected during the first two weeks following cough onset. Polymerase chain reaction (PCR) testing can be used up to three to four weeks following cough onset. Serology testing can be used from two to twelve weeks following cough onset.

Vaccination is the best method to prevent illness, and it is especially important for pregnant women to be up to date with their immunizations as young children and infants are most at risk for severe illness. Illness may also not present in a typical manner in infants, and they can stop breathing without signs of cough or respiratory infection. Diphtheria, tetanus, and pertussis (DTaP) is given to infants and children younger than 7 years of age and administered at 2, 4, 6, 15 months of age, and when entering school. Tetanus, diphtheria, and pertussis (Tdap) is given to persons 7 years and older. Tdap should be administered every 10 years.

Postexposure prophylaxis (PEP) within 21 days of exposure is recommended for all household contacts as well as non-household contacts that are at high risk or will have close contact with those at high risk of severe pertussis (i.e., infants, pregnant women, persons in close contact with infants)

- **Washoe County 2018-2022 Influenza Hospital and Death Report**: Prior to the 2018-2019 influenza season, influenza hospitalizations and deaths were analyzed and published annually to aid in these surveillance purposes, as well as review more in-depth the severity and trends of influenza in the prior influenza season. However, due to the COVID-19 pandemic, this publication was suspended. A five-year cumulative report for the 2018-2022 influenza seasons (September 30, 2018-May 20, 2023) has been published to allow a review of local data. This Epi News draft summarizes the findings of the larger report, which can be located here: <https://tinyurl.com/WCFluSurv>.
- **Animal Bites and Rabies**: Rabies is an encephalitic disease caused by lyssaviruses that, if left untreated prior to symptom onset, is almost always fatal. Immediate medical attention to receive post-exposure prophylaxis (PEP) following a suspected exposure is critical because if PEP is not received prior to the start of symptoms, infection results in death. In the U.S., approximately 4,000 animal rabies cases are reported annually with wild animals such as bats, raccoons, skunks, and foxes accounting for >90% of these cases. Locally, there has been an average of approximately 1,100 animal bites reported annually in Washoe County from 2015 through 2023. If exposed, post-exposure prophylaxis (PEP) needs to be started as soon as possible and consists of a single dose of human rabies immune globulin (HRIG) and a series of rabies vaccinations. Many exposures can be ruled out alleviating the financial burden and healthcare visits necessary for proper administration of PEP following an exposure. NNPH can provide rabies PEP recommendations based on various scenarios.
- **2024 Q2 Reporting and Stats**: This Epi News issue is designed to illustrate the change in top reported infectious diseases by providing a ratio of the 2024 quarter 2 (Q2) totals compared to the mean of the Q2 totals from the previous five years respectively. The largest increases for quarter 2 (April-June) were syphilis (late/latent/duration unknown (+21.5%), respiratory syncytial virus (RSV) (+20.9%) and pneumococcal diseases (+7.1%). The largest decreases were COVID-19 (-69.4%), syphilis (primary & secondary combined) (-68.0%), and syphilis (early latent) (-58.7%).

Other Reports –

- The final monthly COVID-19 Report was published on July 11, 2024. The report includes data for COVID cases reported over the past month including case counts by demographic variables, hospitalizations, and deaths among Washoe County residents. <https://www.nnph.org/programs-and-services/ephp/communicable-diseases-and-epidemiology/educational-materials/COVID-19.php> Moving forward, select COVID statistics will be merged with the Influenza Surveillance Report sent out weekly during flu season to start a new Respiratory Illness Report starting October 2024.
- The Influenza Surveillance Season Summary report was published on July 12, 2024, and includes end of year statistics for the 2023-2024 influenza season. The full report is located at <https://www.nnph.org/programs-and-services/ephp/communicable-diseases-and-epidemiology/programs/Influenza%20Surveillance.php>
- The Quarter 2 Community-wide Surveillance for Carbapenemase Producing Organisms Report was published on July 19, 2024, containing surveillance data for carbapenem resistant organisms and carbapenemase producing organisms. The quarterly report is located at <https://www.nnph.org/programs-and-services/ephp/communicable-diseases-and-epidemiology/healthcare-professionals/CPO.php>.

General Communicable Diseases – The Epidemiology Program Manager attends a weekly meeting with state partners for the implementation of EpiTrax as challenges are addressed. Several validation processes are in place to verify reporting is accurate. During July, there were 173 positive labs reported, with 36% resulting in a confirmed, probable, or suspect case.

Epidemiology Program Cross Divisional Projects

- **Extensively Drug Resistant Organisms (XDRO) database** – The Epidemiology Program is working with Tech Services to build a database for storing and tracking cases reported with carbapenem producing organisms (CPO) and *Candida auris* infections, both of which are now recognized as chronic infectious diseases and have the potential to spread from patients to clinicians as well as surfaces and are highly resistant to antimicrobial treatments. These types of infections are being closely monitored from CDC as emergent infections and NNPH has built a strong Healthcare Associated Infection (HAI) prevention program to coordinate, detect, and mitigate spread once these cases are identified. Tech Services has built the front end, secure login portal, and are testing prior to migrating existing data NNPH'S Epidemiology Program has tracked since 2018.
 - Technology Services finalized Phase I of the XDRO database, so the NNPH Healthcare Associated Infection Coordinator epidemiologist has started to enter data received into the new database.
 - Phase II involves onboarding area hospitals so electronic feeds of admissions can be sent to a secure file to be run against the XDRO system so approved hospital staff can be alerted when a person known to have an existing CPO or *C. auris* infection is admitted into the healthcare system.

Date: August 22, 2024

Subject: EPHP Division Director's Report

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- **Foodborne Disease Detection Database (FD3)** – The Epidemiology Program is going through an extensive process in building a database to detect and track foodborne, waterborne, and other enteric illnesses. This database will house both lab-confirmed cases received and interviewed by epidemiologists as well as food-establishment complaints received by the Environmental Health Services Division staff. The multiple data inputs into a single database should assist in earlier detection of potential outbreaks and trends in enteric conditions and illness. Due to complex coding requirements, Epidemiology Program staff have been working with the CDC to help design and implement the database.

Public Health Preparedness (PHP) Program

Public Health Emergency Preparedness (PHEP) -

The PHEP program continues to coordinate with Washoe County schools (public, private and charter) to assist in developing emergency planning processes for their Emergency Operations Plans (EOPs) based on Nevada Revised Statute (NRS) 388.241. During the month of July, PHP staff attended two school EOP planning meetings. The Nevada Department of Education (NDE) has also created an EOP Workgroup to review the applicable NRS requirements, NDE guidance documents, and school EOP submissions. A representative from PHEP is a member of the workgroup and attends the bi-weekly meetings.

PHEP, in conjunction with the Environmental Health Services (EHS) Division, held six radiation emergency trainings for TRIAD during the week of July 15, 2024. The focus of the training was threefold. First, it was to provide information on how EHS can coordinate with Fire agencies on hazardous material events. The second focus was on the NNPH Community Reception Center Plan and how TRIAD would interact and integrate into that plan. The final focus was on the set up and use of a radiation portal monitor to provide rapid radiation contamination identification for people and vehicles following a radiation event. EHS was able to purchase and provide two radiation portal monitors to TRIAD. These two units will substantially increase TRIAD's ability to respond to a radiation emergency.

Washoe County Emergency Management hosted a tabletop exercise (TTX) on July 17, 2024, for the 2024 Great Reno Balloon Race upcoming in the fall. Members of PHP, HPP, and EMS attended the TTX which exercised emergency response plans and included a new component of an Event Emergency Operations Center (EEOC) specific to the event.

An Integrated Preparedness Planning Workshop (IPPW) was conducted by the State of Nevada Public and Behavioral Health on July 24, 2024. Attendees included all four health districts including Southern Nevada Health District, Northern Nevada Health District, Central Nevada Health District and Quad Counties. The IPPW is intended to facilitate communication and consider the range of preparedness activities for the upcoming year within the planning cycle - POETE (Plan, Organize, Equip, Train, and Exercise).

PHP staff are working with the division of Community and Clinical Health Services (CCHS) to conduct the Back-to-School Vaccine Clinics for Washoe County students on August 10 and 17, 2024. PHP is

coordinating volunteer support with MRC, Community Emergency Response Team (CERT), and Team Rubicon.

Healthcare Preparedness Program (HPP)/Inter-Hospital Coordinating Council (IHCC) –

On July 30, 2024, HPP conducted a Home Health, Hospice, and Dialysis Data Collection Exercise. The objective of this exercise was to identify if Home Health, Hospice, and Dialysis partners can successfully pull patient information and securely send information to the Medical Service Unit (MSU) in the event of an emergency that would require evacuation. These exercises will continue biannually as the partners decided that it would be beneficial for them to exercise these procedures.

In the upcoming month, workgroups will be held with IHCC members to discuss strategies to meet their top priorities. Completion of the identified activities by the workgroups will continue throughout the fiscal year.

HPP staff and the UNR Summer Graduate Intern continue to review and revise the HPP Capability Assessments. These assessments were previously shared with all coalition partners to gain a better understanding of strengths and areas for improvement by provider type in Washoe County. The revised assessments are expected to be distributed to partners for completion by September. The results will be used to guide activities in FY26.

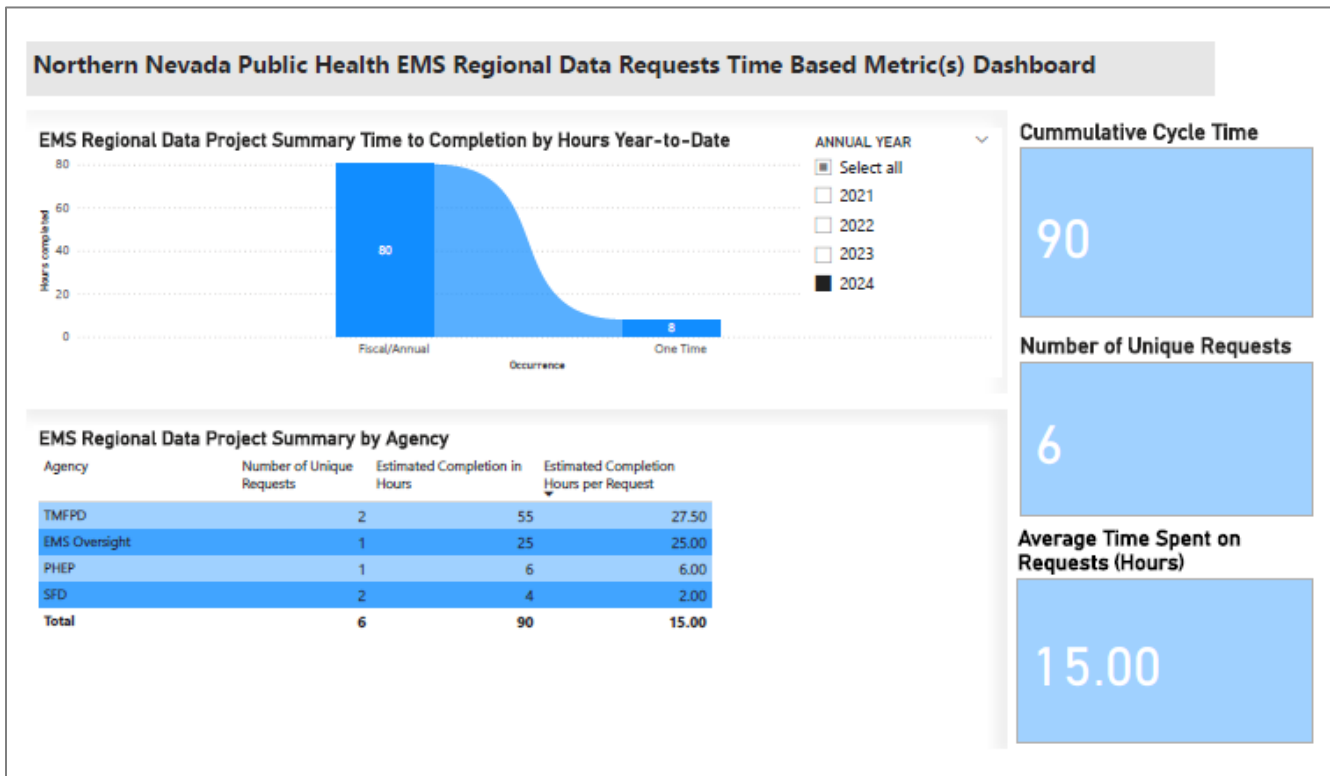
The HPP staff continues to participate in the weekly Hospital Net, a Ham Radio communications drill among hospitals in Northern Nevada and Eastern California. The purpose of the Net is to improve redundant communications during a disaster.

Emergency Medical Services (EMS) Oversight Program

EMS Joint Advisory Committee (JAC) – The JAC has been focused on revisions to the Franchise Agreement for Ambulance Service as well as the implementation of standardized data collection across all EMS agencies in the region.

EMS Data Standardization – By July 1, 2024, two of the three regional fire EMS agencies transitioned to an online data collection platform that will process and report congruent information on medical emergency calls in Washoe County. The third regional fire agency is expected to transition over to the online data collection platform in the near future. This uniform collection and reporting of data across all fire EMS agencies will contribute to the consistency and transparency of medical response in the community.

EMS Data Request Dashboard – Beginning July 1, 2024, the program developed a dashboard to monitor the number of unique requests by requesting agencies, and the types of requests received by the EMS Oversight Program through our data request protocol.



Franchise Agreement for Ambulance Service – Dialogue continues to discuss revisions to the Franchise. July and August meetings will focus on revisions to Articles 6-17. Phase I of revisions will continue through August.

REMSA Health Exemption Requests -

Table 1: REMSA Health Exemption Requests FY 2025

Exemption	System Overload	Status 99	Weather	Other	Approved
July 2024	14	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	14

REMSA Health Call Compliance – The franchise area is divided into response zones. The response zones will have response time compliance standards for all Priority 1 calls indicated below. Due to low call volumes in the separately defined response zones B, C and D, REMSA Health compliance response will be calculated in accordance with the Amended and Restated Franchise Agreement for Ambulance Service dated February 23, 2023, as combined Zones B, C, and D for all Priority 1 calls. Table 2 shows REMSA Health’s compliance rate for FY 2024.

- Zone A – REMSA Health shall ensure that **90%** of all presumptively defined life-threatening calls (Priority 1 Calls) have a response time of eight (8) minutes and 59 seconds or less within the combined Zone A areas.

- Zones B, C, and D – REMSA Health shall ensure that **90%** of all presumptively defined life-threatening calls (Priority 1 Calls) collectively have a response time of; 15minutes and 59 seconds or less for the combined Zone B areas, 20 minutes and 59 seconds or less for the combined Zone C areas, and 30 minutes and 59 seconds or less for the combined Zone D areas.

Month*	Zone A	Zone B, C, and D
July 2024	90	96
Monthly Average	90	96
Year-To-Date**	90	96

*Compliance percentage per month is the percentage calculated using the monthly “Chargeable Late Responses” divided by “Compliance Calculate Responses”.

**Year-to-date is the percentage calculated using the sum of all to date “Chargeable Late Responses” divided by “Compliance Calculate Responses”.

Community Services Department (CSD) – Memo Review - The EMS Oversight Program staff reviews and analyzes project applications received from the City of Reno Housing and Neighborhood Development and the Planning and Building Division of the Washoe County Community Services Department and provides feedback. Program staff received three (3) applications and reviewed four (4) applications (two from the previous month) during the month of July and did not have any concerns that would affect EMS response.

Mass Gatherings/Special Events - The EMS Oversight Program received zero (0) applications and reviewed zero (0) applications for Mass Gatherings/Special Events in the month of July. The Program provided a letter to Nevada Emergency Medical Services Program informing the program NNPH will provide them with the appropriate information received mass gatherings so they can conduct inspections.

Vital Statistics

Vital Statistics has continued to serve the public through the mail, online and in-person. Program staff also submit weekly records on decedent information for HIV/AIDS and a monthly update to senior services.

Table 1: Number of Transactions for Birth and Death Records- July 2024

June	In Person	Mail	Online	Total
Birth	909	19	466	1394
Death	1653	51	435	2139
Total	2562	70	901	3533

**Office of the District Health Officer
District Health Officer Staff Report
Board Meeting Date: August 22, 2024**

DATE: August 13, 2024
TO: District Board of Health
FROM: Dr. Chad Kingsley, District Health Officer
775-328-2416; ckingsley@nnpb.org
SUBJECT: **District Health Officer Report-** Northern Nevada Public Health Communications Update, Accreditation, Quality Improvement, Workforce Development, Community Health Improvement Program, Equity Projects/collaborations, Community Events, and Public Communications and Outreach.

DHO Overview

DHO Community Connections

REMSA (CEO, CFO); City of Reno, City of Sparks, and Washoe County (City Manager & Asst. Manager(s), Fire Chief); Nevada Association of Counties (Chair, board meeting); Truckee Meadows Community College; Media presentations (see Comms report); Nevada Department of Public and Behavioral Health (Director, Staff); NV Public Health Association (Chair); NV Public Health Foundation (Chair); Incline Village/Tahoe Fire District; Washoe County School District Superintendent

NNPH Staff Coordination/Collaboration

Deputy Director (daily/weekly), Department Directors (bi-weekly), Department of District Health Officer (bi-weekly), Budget (as needed), Departments/Divisions (CCHS biweekly team huddle, Vital Records, EHS, PHEP, Public Information/Comms).

- Attended NACCHO Conference, NACCHO PHI Conference, and NACCHO-SACCHO meetings in Detroit, MI.
- Provided Public Comment to the Nevada Joint Health Committee for Interim-Health proposal of SB118
- Attended EMS Joint Advisory Committee
- Meet with: Carson Human & Health Services, Governor's Liaison
- Attended EMSAB
- Participated in Back-to-School Vaccine clinics and EHS/ADQ inspections.

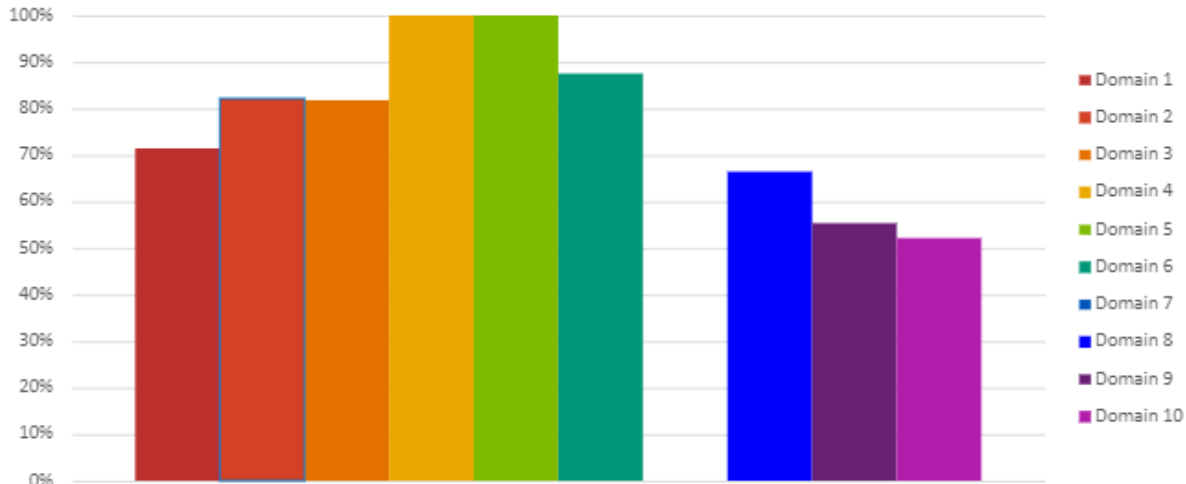
DHO Performance/Updates

DHO average work week July 20 - August 16: 47 hours

Accreditation

Document review and coordination of gathering information continue to prepare the organization for re-accreditation. Additionally, efforts are underway to determine improvement strategies that address the findings from the 2024 NNPH Access to Health Care Assessment with internal and external partners. The top priorities from the assessment are maternal and child health, immunizations, and health literacy.

Domain Progress



Domain 1			Domain 2			Domain 3			Domain 4			Domain 5		
Complete	Total	% Complete	Complete	Total	% Complete	Complete	Total	% Complete	Complete	Total	% Complete	Complete	Total	% Complete
5	7	71%	14	17	82%	9	11	82%	3	3	100%	6	6	100%
Domain 6			Domain 7			Domain 8			Domain 9			Domain 10		
Complete	Total	% Complete	Complete	Total	% Complete	Complete	Total	% Complete	Complete	Total	% Complete	Complete	Total	% Complete
7	8	88%	0	5	0%	4	6	67%	5	9	56%	11	21	52%

Workforce Development

NNPH is partnering with the de Beaumont Foundation to collect data on the demographics of the workforce and to capture the workforce’s perspectives on key issues such as workforce engagement and morale, training needs, and emerging concepts in public health. Every 5 years, NNPH is required to complete a workforce development assessment to maintain accreditation. The Public Health Workforce Interests and Needs Survey (PHWINS) will measure strengths and gaps to inform future investments in funding, training, recruitment, and retention. By partnering with the de Beaumont Foundation, NNPH will be able to compare data nationally, across the state, and among other local health districts similar in size and structure. The de Beaumont Foundation is a nationally recognition organization in the field working with other local health districts to build partnerships and strengthen public health to create communities where people can achieve their best possible health.

Community Health Improvement Plan

Family Health Festival

A FHF event was hosted on Saturday, 8/3, at Hug High School from 9:00 am-12:00 pm. 770 individuals attended the event. Most families that attended the event needed back-to-school vaccines, immunizations, haircuts, and BTS supplies. Additionally, the committee formed a partnership with Costco to provide free hearing tests to add to the list of direct services provided. The committee successfully partnered with 51 other community partners to provide other services to clients, such as scoliosis checks, vision screening, SNAP application assistance, dental screenings, mobile harvest, etc.

Un Plan Financiero para Abrir Puertas, a Financial Plan to Open Doors (Financial Literacy)

This initiative utilizes an equity lens to improve financial literacy in Spanish-speaking communities. The project team met with the Women and Children Center of the Sierra (WACCS) to offer a series of bilingual financial literacy classes. A survey is currently being conducted with parents to gather information on which financial literacy topics they would like to focus on.

Equity

Food Business Resource Fair

ODHO staff contributed to the fair by spreading the information in targeted locations with existing food business owners, translating for the Spanish-speaking community, and helping connect incoming event attendees to the appropriate agencies, resources, and information they are seeking.

Language Accessibility

In accordance with Assembly Bill 266 (AB 266), NNPH has utilized County resources to identify and translate vital documents using the County's Vital Document Identification Guidance. Additionally, two new systems, The Language Line and Wordly, are being rolled out to staff to provide additional translation and interpretation services.

NACCHO Poster Board Presentation

The team was invited to provide a poster board presentation at the NACCHO 360 Annual Conference on NNPH's efforts to advance the organization's mission through partnerships. The presentation focused on building a sustainable relationship management system to track and sustain mutually beneficial relationships with community leaders and organizations to reduce health disparities.

NNPH Communications Update

Several communication efforts occurred and are summarized in the attached.

Att: July Media Mentions