Appendix 3

FACILITY-WIDE APPLICABLE REQUIREMENTS

TABLE 1
APPLICABLE REQUIREMENTS, TEST METHODS, AND COMPLIANCE STATUS

Applicable Requirement Citation and Description	Explanation of A Proposed Exemption	Test Methods and/or Monitoring	Compliance Status
Nevada Revised Statute (NRS) 445B.470 *(State Only Requirement)* Prohibited Acts Source 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.450, inclusive, or 445B.470 to 445B.640, inclusive, or any regulation adopted pursuant to those provisions.	N/A	N/A	Compliant
NAC 445B.22013 *(State Only Requirement)* Prohibited Discharge Source shall not cause or permit the discharge into the atmosphere from any stationary source of any hazardous air pollutant or toxic regulated air pollutant that threatens the health and safety of the general public, as determined by the director.	N/A	N/A	Compliant
NAC 445B.225 *(State Only Requirement)* Prohibited Conduct: Concealment of Emissions Source shall not install, construct, or use any device which conceals any emission without reducing the total release of regulated air pollutants to the atmosphere.	N/A	N/A	Compliant
State Implementation Plan (SIP) Article 2.2 *(Federally Enforceable State Implementation Plan (SIP) Requirement)* Circumvention 2.2.1 - Except for the sole purpose of reducing the odor of an emission, Source shall not install, construct, or use any device which conceals any emission without resulting in a reduction in the total release of air contaminants to the atmosphere.	N/A	N/A	Compliant
NAC 445B.326.1 (445.7133.1) *Federally Enforceable Part 70 Program* Assertion of Emergency as Affirmative Defense to Action for Noncompliance Source may assert an affirmative defense to an action brought for noncompliance with a technology-based emission limitation contained in the Operating Permit if the holder of the Operating Permit demonstrates through signed, contemporaneous operating logs or other relevant evidence that: a. An emergency occurred as defined in 445B.056 and the holder of the Operating Permit can identify the cause of the emergency; b. The facility was being properly operated at the time of the emergency; c. During the emergency, the holder of the Operating Permit took all reasonable steps to minimize excess emissions; and d. The holder of the Operating Permit submitted notice of the emergency to the director within 2 working days after the emergency. The notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken to restore the normal operation of the	N/A	N/A	Compliant

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Applicable Requirement Citation and Description	Explanation of A Proposed Exemption	Test Methods and/or Monitoring	Compliance Status
facility.			
NAC 445B.315.2.h (445.7112.2.h) *Federally Enforceable Part 70 Program* Source shall provide the Bureau of Air Quality, within a reasonable time, with any information that the Bureau of Air Quality requests in writing to determine whether cause exists for modifying, revoking and reissuing, reopening and revising or terminating this Operating Permit or to determine compliance with the conditions of this Operating Permit.	N/A	N/A	Compliant
NAC 445B.315.i (445.7145, 445.7112.2.i) *Federally Enforceable Part 70 Program* Source shall pay fees to the Bureau of Air Quality in accordance with the provisions set forth in NAC 445B.327 and 445B.331.	N/A	N/A	Compliant
NAC 445B.315.2.k (445.7112.2.k) *Federally Enforceable Part 70 Program* A responsible official of Source shall certify that, based on information and belief formed after reasonable inquiry, the statements made in any document required to be submitted by any condition of an Operating Permit are true, accurate and complete.	N/A	N/A	Compliant
40 CFR 52.21(r)(4) *(Federally Enforceable PSD Program)* At such time that Source 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 source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of 40 CFR Part 52.21 shall apply to the source or modification as though construction had not yet commenced on the source or modification.□	N/A	N/A	Compliant
(NAC 445B.252) *(State Only Requirement)* Testing and Sampling 1. To determine compliance with NAC 445B.001 (445.430) to 445B.395 (445.846), inclusive, before the approval or the continuance of an Operating Permit or similar class of permits, the director may either conduct or order the owner of any stationary source to conduct or have conducted such testing and sampling as the director determines necessary. Testing and sampling or either of them must be conducted and the results submitted to the director within 60 days after achieving the maximum rate of production at which the affected facility will be operated, but not later than 180 days after initial startup of the facility and at such times as may be required by the director. 2. 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 director: a. Specifies or approves, in specific cases, the use of a method of reference with minor changes in methodology; b. Approves the use of an equivalent method; c. Approves the use of an alternative method, the results of which he has determined to be adequate for indicating whether a specific stationary source is in compliance; or d. Waives the requirement for tests of performance because the owner or operator of a stationary source has demonstrated by other means to the director□s satisfaction that the affected facility is in	N/A	Source testing, monitoring, and BMPs in accordance with permit AP1041-0793	Compliant

TABLE 1
APPLICABLE REQUIREMENTS, TEST METHODS, AND COMPLIANCE STATUS

Applicable Requirement Citation and Description	Explanation of A Proposed Exemption	Test Methods and/or Monitoring	Compliance Status
compliance with the standard. 3. Tests of performance must be conducted under such conditions as the director specifies to the operator of the plant based on representative performance of the affected facility. The owner or operator shall make available to the director such records as may be necessary to determine the conditions of the test of performance. Operations during periods of startup, shutdown, and malfunction must not constitute representative conditions of a test of performance unless otherwise specified in the applicable standard. 4. The owner or operator of an affected facility shall give notice to the director 30 days before the test of performance to allow the director to have an observer present. A written testing procedure for the test of performance must be submitted to the director at least 30 days before the test of performance to allow the director to review the proposed testing procedures. 5. 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 director□s approval. 6. All testing and sampling will be performed in accordance with recognized methods as specified by the director. 7. 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 director must be provided and paid for by the owner of the stationary source. 8. 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 director no later than 60 days after the testing or sampling, or both.			
SIP Article 2.5.4 *(Federally Enforceable SIP Requirement)* Breakdown or upset, determined by the Director to be unavoidable and not the result of careless or marginal operations, shall not be considered a violation of these regulations.	N/A	N/A	Compliant
SIP Article 2.6 *(Federally Enforceable SIP Requirement)* Testing and Sampling 2.6.1 - To determine compliance with these regulations prior to approval of or prior to the continuance of an operating permit or similar class of permits, the Director may either conduct or order the owner of any source to conduct or have conducted such testing and sampling as the Director determines necessary. 2.6.2 - Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Director. 2.6.3 - Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Director (1) specifies or approves, in specific cases,	N/A	N/A	Compliant

TABLE 1
APPLICABLE REQUIREMENTS, TEST METHODS, AND COMPLIANCE STATUS

Applicable Requirement Citation and Description	Explanation of A Proposed Exemption	Test Methods and/or Monitoring	Compliance Status
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 he has determined to be adequate for indicating whether a specific source is in compliance, or (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Director□s satisfaction that the affected facility is in compliance with the standard. 2.6.4 - Performance tests shall be conducted under such conditions as the Director shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Director such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions of performance tests unless otherwise specified in the applicable standard. 2.6.5 - The owner or operator of an affected facility shall provide the Director 30 days prior notice of the performance test to afford the Director the opportunity to have an observer present. 2.6.6 - Each performance test shall consist of at least two separate runs using the applicable test method. Each run shall 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 shall 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 two valid samples being obtained, an additional performance test(s) must be conducted. 2.6.7 - All testing and sampling will be performed in accordance with recognized methods as specified by the Director. 2.6.8 - 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 Director shall be provided and paid for by the owner of the source. 2.6.9 - All information and analytical results of testing and sampling shall be certified as to their truth and accuracy and as to their compliance with all provisions of these (SIP) regulations and copies of these results shall be provided to both the owner and Director.			
NAC 445B.22067 *(State Only Requirement)* Open Burning The open burning of any combustible refuse, waste, garbage, oil, or for any salvage operations, except as specifically exempted, is prohibited. Specific exemptions from open burning are described in NAC 445B.22067.2.	N/A	N/A	Compliant
SIP Article 5.1 *(Federally Enforceable SIP Requirement)* Open Burning The open burning of any combustible refuse, waste, garbage, oil fires, or for any salvage operations, except as specifically exempted, is prohibited. Specific exemptions from open burning are described in SIP Articles 5.2,	N/A	N/A	Compliant

TABLE 1
APPLICABLE REQUIREMENTS, TEST METHODS, AND COMPLIANCE STATUS

Applicable Requirement Citation and Description	Explanation of A Proposed Exemption	Test Methods and/or Monitoring	Compliance Status
5.2.1, 5.2.2, 5.2.3, 5.2.4 and 5.2.5.			
NAC 445B.22087 *(State Only Requirement)* Odors Source may not discharge or cause to be discharged, from any stationary source, any material or regulated air pollutant which is or tends to be offensive to the senses, injurious or detrimental to health and safety, or which in any way interferes with or prevents comfortable enjoyment of life or property.	N/A	Source testing, monitoring, and BMPs in accordance with permit AP1041-0793	Compliant
SIP Article 10 *(Federally Enforceable SIP Requirement)* Odors 10.1.1 - Source shall not discharge, or cause to be discharged from any source any material or air contaminant which is, or tends to be, offensive to the senses, injurious or detrimental to health and safety, or which in any way interferes with or prevents the comfortable enjoyment of life or property.	N/A	Source testing, monitoring, and BMPs in accordance with permit AP1041-0793	Compliant
NAC 445B.22093 *(State Only Requirement)* Organic Solvents and Other Volatile Compounds 1. Solvents or other volatile compounds such as paints, acids, alkalies, pesticides, fertilizers, and manure must be processed, stored, used, and transported in such a manner and by such means as to minimize the tendency to evaporate, leak, escape, or be otherwise discharged into the ambient air causing or contributing to air pollution. If methods of control are available and feasible effectively to reduce the contribution to air pollution from evaporation, leakage, or discharge, as determined by the director, the installation and use of such methods, devices, or equipment for control is mandatory. 2. Source may not place, store, or hold in any new reservoir, stationary tank or other container with a capacity equal to or greater than 40,000 gallons any gasoline, petroleum distillate, or other volatile organic compound having a vapor pressure of 1.5 lb/square inch absolute or greater under actual storage conditions unless the tank, reservoir, or other container is a pressure tank maintaining working pressure sufficient at all times to prevent loss of vapor or gas to the atmosphere or is equipped with one of the following devices properly installed, in good working order, and in operation: a. A floating roof which consists of a pontoon type or double-deck roof which rests on the surface of the liquid contents and is equipped with a seal to close the space between the roof eave and tank wall or a vapor balloon or a vapor dome designed in accordance with accepted standards of the petroleum industry. This control equipment is not permitted if the gasoline or petroleum distillate has a vapor pressure of 11 lb/square inch absolute or greater under actual conditions. All gauging and sampling devices for tanks must be gas tight except when gauging or sampling is taking place. b. Other equipment proven to be of equal efficiency for preventing discharge of gases and vapors to the atmosphere. 3. Any tank for the storage of any other petroleum or volatile organic compound which is constructed or extensively remodeled on or after November 7, 1975, must be equipped with a submerged fill pipe or the equivalent, as approved by the director, for control of emissions. 4. All facilities for dock loading of products consisting of petroleum or other volatile organic compounds having a vapor pressure of 1.5 lb/square inch absolute or greater at loading pressure must have facilities for submerged filling by submerged fill pipe or an acceptable equivalent, for the control of emissions.	N/A	N/A	Compliant

TABLE 1
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Applicable Requirement Citation and Description	Explanation of A Proposed Exemption	Test Methods and/or Monitoring	Compliance Status
SIP Article 9 *(Federally Enforceable SIP Requirement)* Organic Solvent, other Volatile Compounds 9.1 - Materials such as, but not limited to, solvents or other volatile compounds such as paints, acids, alkalies, pesticides, fertilizers, and manure shall be processed, stored, used, and transported in such a manner and by such means as to minimize the tendency to evaporate, leak, escape, or be otherwise discharged into the ambient air causing or contributing to air pollution; and where control methods are available and feasible effectively to reduce the contribution to air pollution from evaporation, leakage, or discharge, as determined by the Director, the installation and use of such control methods, devices, or equipment shall be mandatory.	N/A	N/A	Compliant
SIP Article 9.2 *(Federally Enforceable SIP Requirement)* Storage Containers Equal to or Greater than 150 kiloliters (40,000 Gallons) 9.2.1 - Source shall not place, store, or hold in any new reservoir, stationary tank or other container any gasoline, petroleum distillate, or other volatile organic compound having a vapor pressure of 1,055 kilograms per square meter (1.5 lb/square inch absolute) or greater (under actual storage conditions) unless such tank, reservoir, or other container is a pressure tank maintaining working pressure sufficient at all times to prevent vapor or gas loss to the atmosphere or is equipped with one of the following vapor loss control devices (see 9.2.1, 9.2.1.2) properly installed, in good working order, and in operation. 9.2.1.1 - A floating roof which consists of a pontoon type or double-deck roof which rests on the surface of the liquid contents and is equipped with a closure seal to close the space between the roof eave and tank wall; or a vapor balloon or a vapor dome, designed in accordance with accepted standards of the petroleum industry. This control equipment shall not be permitted if the gasoline or petroleum distillate has a vapor pressure of 7,734 kilograms (11 lb/square inch absolute) or greater under actual conditions. All tank gauging and sampling devices shall be gas tight except when gauging or sampling is taking place. 9.2.1.2 - Other equipment proven to be of equal efficiency for preventing discharge of gases and vapors to the atmosphere.	N/A	N/A	Compliant
SIP Article 9.2 *(Federally Enforceable SIP Requirement)* Storage Containers Equal to or Greater than 150 kiloliters (40,000 Gallons) (Continued) 9.2.2 - Any other petroleum or volatile organic compound storage tank which is constructed or extensively remodeled, on or after the effective date of these regulations, shall be equipped with submerged fill pipe or equivalent, as approved by the Director for control of emissions.	N/A	N/A	Compliant
SIP Article 9.2 *(Federally Enforceable SIP Requirement)* Storage Containers Equal to or Greater than 150 kiloliters (40,000 Gallons) (Continued) 9.2.3 - All facilities for dock loading of petroleum or volatile organic compound products, having a vapor pressure of 1,055 kilograms per square meter (1.5 pounds per square inch absolute) or greater at loading pressure, shall provide for submerged filling by a submerged fill pipe or acceptable equivalent for the control of emissions	N/A	N/A	Compliant
NAC 445B.22037 *(State Only Requirement)*	N/A	Fugitive Dust Plan	Compliant

TABLE 1
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Applicable Requirement Citation and Description	Explanation of A Proposed Exemption	Test Methods and/or Monitoring	Compliance Status
Fugitive Dust 1. Source may not cause or permit the handling, transporting, or storing of any material in a manner which allows or may allow controllable particulate matter to become airborne. 2. Except as otherwise provided in subsection 4, Source may not cause or permit the construction, repair, demolition, or use of unpaved or untreated areas without first putting into effect an ongoing program using the best practical methods to prevent particulate matter from becoming airborne. As used in this subsection, □best practical methods□ includes, but is not limited to, paving, chemical stabilization, watering, phased construction, and revegetation. 3. Except as provided in subsection 4, Source may not disturb or cover 5 acres or more of land or its topsoil until he has obtained an Operating Permit for surface area disturbance to clear, excavate, or level the land or to deposit any foreign material to fill or cover the land. 4. The provisions of subsections 2 and 3 do not apply to: a. Agricultural activities occurring on agricultural land; or b. Surface disturbances authorized by a permit issued pursuant to NRS 519A.180 which occur on land which is not less than 5 acres or more than 20 acres.			
SIP Article 7.3 *(Federally Enforceable SIP Requirement)* Fugitive Dust 7.3.1 - Source shall not cause or permit the handling, transporting, or storing of any material in a manner which allows, or may allow, controllable particulate matter to become airborne. 7.3.2 - In areas designated by the Director, Source shall not cause or permit the construction, repair, or demolition work, or the use of unpaved or untreated areas without applying all such measures as may be required by the Director to prevent particulate matter from becoming airborne. 7.3.3 - Source may not disturb or cover 8 hectares (20 acres) or more of land or its topsoil, except for agricultural land until Source obtains a registration certificate or operating permit for the purpose of clearing, excavating or leveling such land or any foreign material to fill or cover such land.	N/A	Fugitive Dust Plan	Compliant
NAC 445B.227 (445.664) *Federally Enforceable Part 70 Program* Facilities Operation Source may not: 1. Operate a stationary source of air pollution unless the control equipment for air pollution which is required by applicable requirements or conditions of this Operating Permit is installed and operating. 2. 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 this Operating Permit.	N/A	Source testing, monitoring, and BMPs in accordance with permit AP1041-0793	Compliant
The following provisions are applicable requirements of this Operating Permit: 1. Source will comply with all applicable provisions of; a. 40 CFR Part 60.1 - 60.19 - Standards of Performance for New Stationary Sources - General Provisions; b. 40 CFR Part 61.01 - 61.19 - National Emission Standards for Hazardous Air Pollutants - General	N/A	Source testing, monitoring, and BMPs in accordance with permit AP1041-0793	Compliant

TABLE 1
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Applicable Requirement Citation and Description	Explanation of A Proposed Exemption	Test Methods and/or Monitoring	Compliance Status
Provisions; c. 40 CFR Part 61.140 - 61.157 - National Emission Standards for Asbestos; d. 40 CFR Part 63.1 - 63.15 - National Emission Standards for Hazardous Air Pollutants for Source Categories - General Provisions; e. 40 CFR Part 70 - State Operating Permit Program.			
Source is subject to 40 CFR Part 68 - Chemical Accident Prevention Provisions. Source shall submit a risk management plan (RMP) by June 21, 1999, or other dates specified in 40 CFR 68.10. Source shall certify compliance with these requirements as part of the annual compliance certification as required by 40 CFR Part 70.	N/A	N/A	Compliant
Source will comply with all provisions of 40 CFR Part 82. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156. Equipment used during maintenance, service, repair, or disposal of appliances must meet the standards for recycling and recovery equipment in accordance with 40 CFR 82.158. Persons performing maintenance, service, repair or disposal of appliances must be certified by a certified technician pursuant to 40 CFR 82.161.	N/A	Use of certified Technicians	Compliant
Chemical Accident Prevention Provisions Source shall: 1. Submit a compliance schedule for meeting the requirements of 40 CFR Part 68.215 by the date provided in 40 CFR Part 68.10(a) or; 2. Submit as part of the compliance certification submitted under 40 CFR Part 70.6(c)(5), a certification statement that the source is in compliance with all requirements of 40 CFR Part 68.215, including the registration and submission of the risk management plan.	N/A	N/A	Compliant
Source is not in compliance with NAC 445B.230 - □Plan for reduction of emissions.□ In order to achieve compliance Source shall submit a plan for reducing or eliminating emissions associated with the stationary source in accordance with the episode stages of alert, warning, and emergency as contained in the applicable State Implementation Plan for the State of Nevada. The plan must be submitted on or before July 1, 1998.	N/A	N/A	Compliant

Appendix 4

STREAMLINING AND SHIELD ALLOWANCE

N/A

Appendix 5

FACILITY-WIDE POTENTIAL TO EMIT TABLES

TABLE 1

FACILITY-WIDE (STATIONARY SOURCE) POTENTIAL TO EMIT POUNDS/HOUR AND TONS/YEAR

Pollutant	Potential to Emit (pounds/hour)	Potential to Emit (tons/year)
Total Particulate Matter (PM)	**705.77**	**517.14**
Particulates as PM_{10}	**95.50**	**334.98**
Sulfur Dioxide	**80.48**	**221.12**
Carbon Monoxide	**62.82**	**195.96**
Oxides of Nitrogen	**70.69**	**244.51**
Volatile Organic Compounds	**14.02**	**38.52**
Lead	**Negligible**	**Negligible**
Hazardous Air Pollutants (Specify Each Pollutant)	**Negligible**	**Negligible**
Other Regulated Pollutants (Specify)	**Negligible**	**Negligible**

TABLE 2

INSIGNIFICANT ACTIVITIES
POTENTIAL TO EMIT
POUNDS/HOUR AND TONS/YEAR

Insignificant Activity	Pollutant	Potential to Emit (pounds/hour)	Potential to Emit (tons/year)
Not Specified			