UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

October 24, 2008

Michael Elges, Chief
Bureau of Air Quality Planning
State of Nevada
Division of Environmental Protection
901 S. Stewart Street, Suite 4001
Carson City, NV 89701

Mike

Dear ~~Mr. Elges~~:

In response to your request of September 29, 2008, the U.S. Environmental Protection Agency, Region 9 (EPA) is delegating to the Nevada Division of Environmental Protection (NDEP) the authority to implement and enforce the NSPS as specified below. We have reviewed your request for delegation and have found NDEP's programs and procedures to be acceptable. Your September 29th letter also requested delegation of certain Part 63 standards, which we are addressing separately.

NSPS

EPA is delegating:

- 40 CFR Part 60, Subpart JJJJ, as published in the January 18, 2008 Federal Register;
- The amendments to Subpart A, as published in the January 18, 2008; and
- Regarding any other 40 CFR Part 60 NSPS previously delegated to NDEP, this letter is also delegating any amendments made to those NSPS as of July 1, 2008.

Acceptance of this delegation constitutes your agreement to follow all applicable provisions of 40 CFR Part 60, including but not limited to use of EPA's test methods and continuous emission monitoring procedures. As of the effective date of this delegation, NDEP will have primary authority to enforce the above standards. EPA will retain independent enforcement authority, and will exercise such authority in a manner consistent with EPA's "Timely and Appropriate Enforcement Response to Significant Air Pollution Violators" Guidance, and any revisions thereto, and our enforcement agreement. All notifications and reports required of sources by the above standards should be sent to you, with a copy to our office. The delegation is effective upon the date of this letter unless the U.S. EPA receives written notice from you of any objections within 10 days of receipt of this letter. A notice of this delegated authority will be published in the Federal Register in the future.

We appreciate NDEP's efforts to implement the federal NSPS program, and hope to continue working with you to reduce emissions of air pollutants in Nevada. If you have any questions about this delegation, please call me at (415) 947-8715 or have your staff contact Cynthia Allen at (415) 947-4120.

Sincerely,

Deborah Jordan
Director, Air Division

cc: Colleen Cripps, NDEP
Greg Remer, NDEP