

[~~Bracketed and strikethrough~~] material is that portion being deleted Underlined
and italicized material is that portion being added

BILL NO. _____

SUMMARY - An ordinance to amend Clark County Air Quality Regulations Sections 0 and 12.0 to update and make changes to definitions and stationary source permitting regulations.

ORDINANCE NO. _____

(of Clark County, Nevada)

AN ORDINANCE TO AMEND CLARK COUNTY AIR QUALITY REGULATION SECTION 0, "DEFINITIONS," TO REMOVE, REVISE AND ADD DEFINITIONS; AMEND SECTION 12.0, "APPLICABILITY AND GENERAL REQUIREMENTS FOR PERMITTING STATIONARY SOURCES," TO ADD CLARIFYING LANGUAGE AND INCLUDE NEW REQUIREMENTS FOR CERTAIN STATIONARY SOURCES IN OZONE NONATTAINMENT AREAS SUBJECT TO THE STATE IMPLEMENTATION PLAN AND STATIONARY SOURCE PERMITTING; AND PROVIDE FOR OTHER MATTERS PROPERLY RELATED THERETO.

NOW, THEREFORE, THE CLARK COUNTY BOARD OF COUNTY COMMISSIONERS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Clark County Air Quality Regulation Section 0, "Definitions," is hereby amended as follows:

...

"Aerosol product" means a pressurized spray system that dispenses product ingredients by means of a propellant contained in a product or a product's container or a mechanically induced force but does not include pump spray.

...

"Air-assisted airless spray" means an application method consisting of an airless spray gun with a compressed air jet at the gun tip to atomize a coating at low pressure (5–20 psi).

“Airless spray” means an application method using a pump to force the coating through an atomizing nozzle at high pressure (1,000–6,000 psi).

...

“ASTM methods” means methods developed and recommended by ASTM International, formerly the American Society for Testing and Materials.

...

“Clearing and grubbing” means the removal of tree stumps, shrubs, trash, and dirt piles before excavation of a site.

"Gasoline" means any petroleum distillate *blend* having a Reid Vapor Pressure (RVP) of four 4 pounds per square inch or greater.

“General permit” means an authority to construct or operate that applies to a specific class of stationary source, or to apparatus or operations at a stationary source, that the Control Officer issues and authorizes in accordance with Section 12.11.

“Good Engineering Practice (GEP) Stack Height” means a stack height meeting the requirements described in S[~~ubs~~]ection 12.2.7.3[~~-of the AQRs~~].

...

“High volume-low pressure (HVLP) spray” means a coating application method that uses pressurized air at a permanent pressure between 0.1–10 psi gauge (not to exceed 10 psi gauge) measured at the air cap of the coating application system.

...

"Hydrographic Area(s)" means the air quality planning regions within Clark County, Nevada as defined in the *State of Nevada Hydrographic Areas Map*, prepared by the Division of Water Resources, Rev. 9/71. An area may be designated as a Maintenance Area, [~~Marginal~~] Nonattainment Area, or Prevention of Significant Deterioration (PSD) Area. [~~The following table shows the status of each air quality planning region by criteria air pollutant:~~]

Table 2. Status of Each Air Quality Planning Region by Criteria Air Pollutant¹

	PM ₁₀	CO	VOC ²	NO _x 2	SO ₂ & Pb	O ₃
--	------------------	----	------------------	-------------------	----------------------	----------------

¹ See Table 1 in the definition of “Airshed Region” for region names and abbreviations. ² VOC and NO_x are precursors for ozone.]

A hydrographic area may extend into adjacent county(s), but the hydrographic area will terminate at the state boundary. The following map, provided for quick reference, represents the hydrographic areas and air quality planning regions within the Clark County boundary

ATTACHMENT 1

[/Marginal] Nonattainment Area						LV
Maintenance Area	LV	LV				
Prevention of Significant Deterioration (PSD) Area	IV, SI, JL, SH, GV, NH, PV, CV, MS, PR, ST, FF, IS, NT, TV, CW, MR, MW, CS, LM, VV, BA, GB, GA	IV, SI, JL, SH, GV, NH, PV, CV, MS, PR, ST, FF, IS, NT, TV, CW, MR, MW, CS, LM, VV, BA, GB, GA	SI, JL, SH, GV, NH, PV, CV, MS, PR, ST, FF, IS, NT, TV, CW, MR, MW, CS, LM, VV, BA, GB, GA	SI, JL, SH, GV, NH, PV, CV, MS, PR, ST, FF, IS, NT, TV, CW, MR, MW, CS, LM, VV, BA, GB, GA	LV, EV, IV, SI, JL, SH, GV, NH, PV, CV, MS, PR, ST, FF, IS, NT, TV, CW, MR, MW, CS, LM, VV, BA, GB, GA	EV, IV, SI, JL, SH, GV, NH, PV, CV, MS, PR, ST, FF, IS, NT, TV, CW, MR, MW, CS, LM, VV, BA, GB, GA

~~[and excludes only the portion of the hydrographic area that is outside of the Nevada boundary]:~~

...

~~“Minor source permit” means a single permit that authorizes the construction and operation of a minor source issued under Section 12.1.~~

...

~~“Operating Permit” means a permit issued pursuant to Sections 12.1, 12.2, 12.3, 12.5, 12.11, or 94 of the Clark County Air Quality Regulations, signed and issued by the Control Officer or his/her designee.~~

...

~~“Part 70 Source” means the following:~~

- (a) Any source defined as a major stationary source under Sections 12.2.2(ff) or 12.3.2~~[(*)](r)~~, or as a major source under 40 CFR § 70.2 as of July 20, 2011.
- (b) Any source, including an area source, subject to a standard, limitation, or other requirement under Section 111 of the Act, but only if the Administrator has determined that the source is required to obtain a Part 70 ~~[O]~~operating ~~[P]~~permit.
- (c) Any source, including an area source, subject to a standard or other requirement under Sections 112(d), (f), or (h) of the Act, but only if the Administrator has determined that the area source subject to such standards is required to obtain a Part 70 ~~[O]~~operating ~~[P]~~permit. A source is not a Part 70 ~~[S]~~source solely because it is subject to regulations or requirements under Section 112(r) of the Act.
- (d) Solid waste incineration units, including hospital/medical/infectious waste incinerators, municipal waste incinerators, and commercial and industrial

waste incinerators, that are required by Section 129(e) of the Act to obtain a Part 70 [O]perating [P]ermit.

- (e) Any source with an affected unit, as defined in 40 CFR Part 72, that is subject to the requirements of the Title IV Acid Rain Program under the Act.
- (f) Any source that is a non-major municipal solid waste landfill with a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters; or
- (g) Any source designated by the Administrator pursuant to 40 CFR § 70.3.

...

“Slot-die coating” means a precision liquid coating method used to apply thin and uniform layers of coating to a substrate by distributing a metered quantity of adhesive through a slotted head onto a moving substrate.

...

"Volatile Organic Compound (VOCs)" means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, that participates in atmospheric photochemical reactions.

- (a) The following organic compounds shall not be defined as VOCs because of their negligible photochemical reactivity:
 - (1) methane;
 - (2) ethane;
 - (3) methylene chloride (dichloromethane);
 - (4) 1,1,1-trichloroethane (methyl chloroform);
 - (5) 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113);
 - (6) trichlorofluoromethane (CFC-11);
 - (7) dichlorodifluoromethane (CFC-12);
 - (8) chlorodifluoromethane (HCFC-22);
 - (9) trifluoromethane (HFC-23);
 - (10) 1,2-dichloro 1,1,2,2-tetrafluoroethane (CFC-114);

- (11) chloropentafluoroethane (CFC-115);
- (12) 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123);
- (13) 1,1,1,2-tetrafluoroethane (HFC- 134a);
- (14) 1,1-dichloro 1-fluoroethane (HCFC-141b);
- (15) 1-chloro 1,1-difluoroethane (HCFC-142b);
- (16) 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124);
- (17) pentafluoroethane (HFC-125);
- (18) 1,1,2,2-tetrafluoroethane (HFC-134);
- (19) 1,1,1-trifluoroethane (HFC-143a);
- (20) 1,1-difluoroethane (HFC-152a);
- (21) parachlorobenzotrifluoride (PCBTF);
- (22) cyclic, branched, or linear completely methylated siloxanes;
- (23) acetone;
- (24) perchloroethylene (tetrachloroethylene);
- (25) 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca);
- (26) 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb); [~~(27)~~
~~1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee);~~]
- (27) 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee);
[~~(27)~~](28) difluoromethane (HFC-32);
- [~~(28)~~](29) ethylfluoride (HFC-161);
- [~~(29)~~](30) 1,1,1,3,3,3-hexafluoropropane (HFC-236fa);
- [~~(30)~~](31) 1,1,2,2,3-pentafluoropropane (HFC-245ca);
- [~~(31)~~](32) 1,1,2,3,3-pentafluoropropane (HFC-245ea);
- [~~(32)~~](33) 1,1,1,2,3-pentafluoropropane (HFC- 245eb);
- [~~(33)~~](34) 1,1,1,3,3-pentafluoropropane (HFC-245fa);

- ~~(34)~~(35) 1,1,1,2,3,3-hexafluoropropane (HFC-236ea);
- ~~(35)~~(36) 1,1,1,3,3-pentafluorobutane (HFC-365mfc);
- ~~(36)~~(37) chlorofluoromethane (HCFC-31);
- ~~(37)~~(38) 1 chloro-1-fluoroethane (HCFC-151a);
- ~~(38)~~(39) 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a);
- ~~(39)~~(40) 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C₄F₉OCH₃ or HFE- 7100);
- ~~(40)~~(41) 2-(difluoromethoxymethyl)-
1,1,1,2,3,3,3heptafluoropropane ((CF₃)₂CF₂OCH₃);
- ~~(41)~~(42) 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C₄F₉OC₂H₅ or HFE- 7200);
- ~~(42)~~(43) 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF₃)₂CF₂OC₂H₅);
- ~~(43)~~(44) Methyl acetate;
- ~~(44)~~(45) 1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane (nC₃F₇OCH₃, HFE- 7000);
- ~~(45)~~(46) 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane (HFE-7500);
- ~~(46)~~(47) 1,1,1,2,3,3,3-heptafluoropropane (HFC 227ea);
- ~~(47)~~(48) methyl formate (HCOOCH₃);
- ~~(48)~~(49) 1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-trifluoromethyl-pentane (HFE-7300);
- (50) propylene carbonate;
- ~~(49)~~(51) dimethyl carbonate;
- ~~(51)~~(52) *trans*-1,3,3,3-tetrafluoropropene;
- ~~(52)~~(53) HCF₂OCF₂H (HFE-134);
- ~~(53)~~(54) HCF₂OCF₂OCF₂H (HFE-236cal2);
- ~~(54)~~(55) HCF₂OCF₂CF₂OCF₂H (HFE-338pcc13);
- ~~(55)~~(56) HCF₂OCF₂OCF₂CF₂OCF₂H (H-Galden 1040x or H-Galden

ZT 130 (or 150 or 180));

~~(56)~~(57) *trans* 1-chloro-3,3,3-trifluoroprop-1-ene;

~~(57)~~(58) 2,3,3,3-tetrafluoropropene;

(59) *2-amino-2-methyl-1-propanol*;

(60) *t-butyl acetate*;

(61) *1,1,2,2-Tetrafluoro-1-(2,2,2-trifluoroethoxy) ethane*;

(62) *cis-1,1,1,4,4,4-hexafluorobut-2-ene (HFO-1336mzz-Z)*;

(63) *trans-1,1,1,4,4,4-hexafluorobut-2-ene (HFO-1336mzz(E))*; and

~~(58)~~(64) perfluorocarbon compounds, which fall into these classes:

- (i) Cyclic, branched, or linear, completely fluorinated alkanes;
- (ii) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
- (iii) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
- (iv) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

...

SECTION 2. Clark County Air Quality Regulation Section 12.0, “Applicability and General Requirements for Permitting Stationary Sources,” is hereby amended as follows:

**SECTION 12.0: APPLICABILITY AND GENERAL REQUIREMENTS
FOR PERMITTING STATIONARY SOURCES**

12.0 Applicability and General Requirements

12.0.1 Applicability

The requirements of Sections 12.0, 12.1, 12.2, 12.3, 12.4, 12.5, 12.9, and 12.11 (the Section 12 series) apply as follows:

- (a) *The* Section 12 *series* is applicable to any [S]stationary [S]source located in Clark County, Nevada, except for a plant [~~which~~that] generates electricity by using steam produced by the burning of fossil fuel or an electrical generating facility constructed on a site previously used for the production of electricity from a coal-fired electric generating plant, which shall be permitted under the jurisdictional requirements of the Nevada Division of Environmental Protection (NDEP).
- (b) Section 12.1 is applicable to any [S]stationary [S]source located in Clark County that has [a] *the* potential to emit a regulated air pollutant [that is] equal to or greater than the thresholds listed in Section 12.1.1[~~(e)~~](e) but [~~has the potential to emit~~] less than [necessary for it to be a]the major [S]stationary [S]source [~~under~~thresholds listed in Sections 12.2.2[~~(f)~~](ff) or 12.3.2[~~(y)~~](r), or [a major source under] 40 CFR § 70.2, *or a stationary source located in a nonattainment area that is subject to a state implementation plan regulation requiring it to obtain a minor source permit.* This includes any Part 70 source that is exempt from the requirement to obtain a Part 70 Permit and that has a[~~PTE~~] *potential to emit* equal to or greater than the thresholds listed in *Section* 12.1.1[~~(e)~~](e).
- (c) Section 12.2 is applicable to any [S]stationary [S]source located in Clark County that has the potential to emit a regulated air pollutant that is equal to or greater than the thresholds listed in Section 12.2.2[~~(f)~~](ff) or makes any change that meets the definition of a major modification in Section 12.2.2[~~(d)~~](dd) and is located in an area designated attainment or unclassified for the specific pollutant emitted.
- (d) Section 12.3 is applicable to any [S]stationary [S]source located in Clark County that has a potential to emit a regulated air pollutant that is equal to or greater than the thresholds listed in Section 12.3.2[~~(y)~~](r) or makes any change that meets the definition of a major modification in Section 12.3.2[~~(x)~~](q) and is located in an area designated nonattainment for the specific pollutant emitted.
- (e) Sections 12.4 and 12.5 are applicable to any [S]stationary [S]source that is required to obtain a Part 70 [O]perating [P]ermit. Section 12.4 contains the application requirements for any major source subject to the requirements of Sections 12.2, 12.3 or 12.5.
- (f) Section 12.11 is applicable to any [S]stationary [S]source that is not a major [S]stationary [S]source, with a potential to emit that equals or exceeds the thresholds listed in Section 12.1.1[~~(e)~~](e) and that meets the applicability requirements specified in Section 12.11.1.

12.0.2 General Requirements

~~(a)~~—All [S]stationary [S]source, including any [S]stationary [S]source not required to obtain a permit to operate under these regulations, shall be subject to other [A]applicable [R]requirements that regulate activities at [S]stationary [S]source, even though a permit to operate is not required. Such [A]applicable [R]requirements include, but are not limited to, [O]opacity standards, [N]nuisance prohibitions, and [F]fugitive [D]dust control.

12.0.3 Reserved

12.0.4 Permittee Responsibility ~~F~~to Comply With Control Strategy

~~(a)~~—No approval of an [A]authority to [C]construct or authority to operate [P]permit issued pursuant to *the* Section 12 *series* shall affect the responsibility of the permittee to comply with the [A]applicable [R]requirements of the Nevada State Implementation Plan.

12.0.5 Stack Height

~~(a)~~—The degree of [E]emission [L]limitation required of any source of any pollutant shall not be affected by so much of any source's [S]stack height that exceeds good engineering practice or by any other dispersion technique as determined by the procedures of 40 CFR § 51.118 and the EPA regulations crossreferenced therein as in effect on July 1, 2012, and as incorporated herein by this reference.

12.0.6 General Requirements for Records and Reports

- (a) The [O]owner or [O]operator of any source operating under a permit issued pursuant to the provisions of *the* Section 12 *series* shall maintain records on the nature and amount of [E]emissions from such source and any other information deemed necessary by the Control Officer to determine whether such source is in compliance with an applicable [E]emission [L]limitation or other [A]applicable [R]requirement. Records and any supporting information required under Section 12.0.6(a) shall be retained for at least 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 all copies of all reports required by the permit.
- (b) The information required by Section 12.0.6(a) shall be reported as specified and required by the applicable condition(s) of the permit issued to the [O]owner or [O]operator of the source or facility. Upon a written request from the Control Officer, the [O]owner or [O]operator submit the information required by Section 12.0.6(a) within 30 days.

- (c) Emission data obtained pursuant to Section 12.0.6(b) from [O]owner or [O]operator of any source permitted under the provisions of the Section 12 series shall be correlated with applicable [E]emission [L]limitations and/or other applicable [C]control [M]measures. The data and the results of the correlation shall be made available to the public for review during normal business hours at the department office located at 4701 West Russell Road, Las Vegas, Nevada 89118.

SECTION 3. If any section of this ordinance, or portion thereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 4. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases, or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks.

PROPOSED on the ____ day of _____, 2024.

PROPOSED BY: Commissioner _____

PASSED on the ____ day of _____ 2024.

AYES: _____

ATTACHMENT 1

NAYS: _____

ABSTAINING: _____

ABSENT: _____

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By: _____
TICK SEGERBLOM, Chair

ATTEST:

LYNN GOYA, County Clerk

This ordinance shall be in force and effect from and after the
_____ day of _____, 2024.