

## Temporary Crushing and/or Powered Screening Operations FAQs

The Clark County Air Quality Regulations were amended on December 18, 2018, to include an exemption for temporary crushing and/or powered screening operations that support an on-site single construction activity performed under the conditions of a Dust Control Operating Permit issued pursuant to AQR 94. [AQR 12.1.2(b)(3)(D)]

Under certain circumstances, crushers and/or powered screens no longer need a Portable Minor Source Permit or Minor Source Permit to operate if they are supporting construction activities.

To help the regulated community comply with the current regulation, the Clark County Department of Environment and Sustainability - Division of Air Quality has created this FAQ sheet.

### Definitions:

AQRs	Clark County Air Quality Regulations
DAQ	Clark County Division of Air Quality
DCOP	Dust Control Operating Permit issued pursuant to AQR 94
Equipment	Crushing and/or powered screening equipment
Portable Permit	Portable Synthetic Minor or Portable Minor Source Permit issued pursuant to AQR 12.1
Stationary Permit	Stationary Synthetic Minor or Stationary Minor Source Permit issued pursuant to AQR 12.1

### How long can I operate my equipment under the exemption?

The exemption is valid for a single period of less than 12 months, which starts when the first piece of equipment is brought onto an area included in a DCOP. Multiple companies can bring equipment on-site, but the clock starts for all companies when the first company brings its first piece of equipment on-site. The clock does not restart if the equipment leaves the site and then returns.

The exemption was created for short-term crushing and/or powered screening operations lasting less than 12 months. At 12 months, equipment must operate under the authority of a portable or stationary permit. These permits take time to obtain, so if the equipment is not currently covered, make sure you apply for and obtain the required permit before the 12-month period ends.

### If my equipment is already included in a portable permit, must I use this exemption?

If the permitted equipment is supporting an on-site single construction activity, the equipment must operate under the DCOP exemption for the initial period of less than 12 months; after which time, the portable permit requirements will be applicable. This requirement to use the exemption is outlined in your portable permit and Section 12.1 of the AQRs

### If my equipment is already included in a stationary permit, can I use this exemption?

You are allowed to bring your equipment to a DCOP location and exercise the exemption as long as you meet the exemption criteria in the AQRs.

**Do I have to notify DAQ before starting operations under the exemption?**

You must submit a Portable Source Permit Move Notice form if your equipment is included in a portable permit. In most scenarios, equipment can be moved the same day the notification is submitted, but different waiting periods may apply. Please refer to the permit conditions in Section 4.5 of your portable permit. You must also submit a move notice when equipment leaves an area included in a DCOP.

If your equipment is included in a stationary permit, you do not need to notify DAQ.

If your equipment is not included in a portable or stationary permit, you do not need to notify DAQ.

**Can two companies bring crushing and/or powered screening equipment onto the same project?**

Yes, for a period of less than 12 months starting from when the first piece of equipment arrives on-site.

**What happens if crushing and/or powered screening equipment remains for 12 months or longer?**

At 12 months, any remaining equipment must be operated under the authority of a single portable or stationary permit. Two Minor Source Permits (portable or otherwise) cannot operate at the same location; therefore, all the equipment must be consolidated under one permit or be removed. There are rare exceptions, so contact DAQ if you have a question.

**Can I bring equipment to a DCOP location if another contractor is operating under the authority of a stationary permit?**

Only if your equipment is operating under the exemption and serving a completely separate function from the existing stationary permit. The other company will operate in accordance with its stationary permit.

Operation of emission units authorized by a portable permit shall not be used to supplement or support production and operation activities authorized by a separate stationary permit. Operation can be allowed for a construction-related activity that does not support production and operation activities. (12.1.4.1(z)(5))

**Does the equipment have to be located within the boundaries of the DCOP?**

Yes.

**Can I import additional material to crush?**

Only if the material will be used on-site. The exemption is for activities supporting an on-site single construction activity.

**If my equipment is included in a portable or stationary permit and I am working under the exemption, do I need to include the emissions in my Annual Emissions Inventory Report?**

If your equipment is operating under the exemption, do not include those material throughputs (tons per year), stockpile areas (acres), or vehicle miles traveled (VMT) in your Annual Emissions Inventory Report. Those emissions are accounted for under the DCOP program.

**What are the differences between operating under a portable or stationary permit and operating under a DCOP?**

The two programs have different compliance demonstrations. If you have any questions regarding the construction program, DAQ offers a Dust Class several times a month for a nominal fee.

**If a violation occurs, who is responsible?**

If equipment does not meet the exemption criteria, the equipment operator is responsible.

If a violation occurs when equipment is operating under the exemption, the DCOP permittee is responsible.

**What are my testing requirements?**

The initial EPA Method 9 performance test is required per federal regulation 40 CFR Part 60, Subpart OOO. It is required when applicable, regardless of whether and how the equipment is permitted.

**Should I terminate my portable permit?**

It depends on how much flexibility you need. If you choose to terminate a portable or stationary permit or not get one at all, you will be limited to projects that only meet the exemption criteria.

If you have any additional questions or need help selecting or completing forms, please contact the Small Business Assistance Program at 702-455-1660 or [AQSBAP@ClarkCountyNV.gov](mailto:AQSBAP@ClarkCountyNV.gov).