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## PART 70 OPERATING PERMIT

**SOURCE ID: 01584**

Silverhawk Generating Station  
15111 Apex Power Parkway  
Las Vegas, Nevada 89165

**ISSUED ON: March 22, 2022**

**EXPIRES ON: March 21, 2027**

**Revised on: June 12, 2025**

**Current Action: Significant Revision**

**Issued to:**

Nevada Power Company  
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**NATURE OF BUSINESS:**

SIC code 4911, "Electric Services"  
NAICS code 221112, "Fossil Fuel Electric Power Generation"

**Issued by the Clark County Department of Environment and Sustainability in accordance with Section 12.4 of the Clark County Air Quality Regulations.**

A handwritten signature in blue ink, appearing to read "Santosh", is written over a horizontal line.

Santosh Mathew, Permitting Manager

## EXECUTIVE SUMMARY

NV Energy's Silverhawk Generating Station (SGS) is an electrical power generating station located at 15111 Apex Power Parkway in Las Vegas, Nevada. The legal description of the source location is as follows: portions of Township 18S, Range 63E, Section 5 in Apex Valley, County of Clark, State of Nevada. The source is situated in Hydrographic Area 216 (Garnett Valley). Garnett Valley is currently designated attainment for all regulated pollutants.

SGS is a major stationary source for PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>x</sub>, CO, and VOC and a minor source for SO<sub>2</sub> and HAPs. The generating station operates two natural gas-fired combustion turbine generators, two heat recovery steam generators (HRSGs) with natural gas-fired duct burners associated with each turbine, two natural gas-fired peaker turbines, one 3-cell, 6,600-gpm cooling tower, one 100-hp LPG-fired emergency generator, one 2,206-hp diesel emergency generator, and one 205 hp diesel-fired fire pump. As a fossil fuel-fired steam electric plant of more than 250 MMBtu/hr heat input, the source is a categorical source, as defined by Section 12.2.2(j)(1) of the Clark County Air Quality Regulations (AQRs). SGS is also a source of greenhouse gas (GHG) pollutants.

The turbines and HRSGs are subject to the requirements of 40 CFR Part 60, Subparts A, KKKK, and TTTT. The LPG-fired emergency generator is subject to 40 CFR Part 63, Subpart ZZZZ; the fire pump and 2019 diesel emergency generator are subject to 40 CFR Part 60, Subpart IIII (by complying with 40 CFR Part 60, Subpart IIII, the emergency generator meets the requirements of 40 CFR Part 63, Subpart ZZZZ); and the facility is subject to 40 CFR Parts 72 and 75.

The following table summarizes SGS's potential-to-emit (PTE) for each regulated air pollutant for all emission units identified by this Part 70 OP and the peaker turbine units currently permitted by an Authority to Construct (ATC) permit. These emission rates are for reference purposes only and are not intended to be enforced by direct measurement unless otherwise noted in Section 3 below.

**Table 1: Facility-Wide PTE Summary (TPY)**

Pollutant	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	VOCs	HAPs	GHG <sup>1</sup>
Part 70 OP PTE	158.36	158.36	348.54	645.00	14.92	102.15	6.28	2,301,164.07
Major Source Thresholds (Title V)	100	100	100	100	100	100	10/25 <sup>2</sup>	—
Major Stationary Source Thresholds (PSD) (Categorical)	100	100	100	100	100	100	10/25 <sup>2</sup>	—

<sup>1</sup>Expressed as metric tons of CO<sub>2</sub>e.

<sup>2</sup>Ten tons for any individual hazardous air pollutant, or 25 tons for the combination of all hazardous air pollutants.

DAQ will continue to require sources to estimate their GHG potential to emit in terms of each individual pollutant (CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, SF<sub>6</sub> etc.) during subsequent permitting actions, and the TSD includes these PTEs for informational purposes.

Pursuant to Section 12.5 of the Clark County Air Quality Regulations (AQR 12.5), all terms and conditions in Sections 1 through 9 and the Attachments of this permit are federally enforceable unless explicitly denoted otherwise.

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## Common Acronyms and Abbreviations

(These terms may be seen in the permit)

AQR	Clark County Air Quality Regulation
ATC	Authority to Construct
CAAA	Clean Air Act Amendments
CEMS	continuous emissions monitoring system
BLM	Bureau of Land Management
CFR	Code of Federal Regulations
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CD	control device
CTG	combustion turbine-generator
CTUP	combustion turbine upgrade project
DAQ	Division of Air Quality
DES	Clark County Department of Environment and Sustainability
DOM	date of manufacture
EPA	U.S. Environmental Protection Agency
EU	emission unit
g/gr	gram
GHG	greenhouse gas
HAP	hazardous air pollutant
hp	horsepower
HRSG	heat recovery steam generator
kW	kilowatts
LHV	lower heating value
MMBtu	millions of British thermal units
MW	megawatt
NAICS	North American Industry Classification System
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO <sub>x</sub>	nitrogen oxides
NRS	Nevada Revised Statutes
NSPS	New Source Performance Standard
NSR	New Source Review
OP	Operating Permit
PM <sub>2.5</sub>	particulate matter less than 2.5 microns in diameter
PM <sub>10</sub>	particulate matter less than 10 microns in diameter
ppm	parts per million
ppmv	parts per million, volumetric dry
PSD	Prevention of Significant Deterioration
PTE	potential to emit
QAP	Quality assurance plan
RATA	Relative Accuracy Test Audits

scf	standard cubic feet
SCR	Selective catalytic reduction
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO <sub>2</sub>	sulfur dioxide
U.S.C.	United States Code
VOC	volatile organic compound

## 1.0 EQUIPMENT

### 1.1 EMISSION UNITS

The stationary source covered by this Part 70 Operating Permit (Part 70 OP) consists of the emission units and associated appurtenances summarized in Table 1-1. [AQR 12.5.2.3 and 12.4 ATC (10/20/2021), (08/16/2023), and (02/14/2024)]

**Table 1-1: List of Emission Units**

EU	Description	Rating	Manufacturer	Model No.	Serial No.
A01	Natural Gas-Fired Turbine	193 MW	Westinghouse	501FD	37A-8193-1
A02	Duct-Burner Heat Recovery Steam Generator (associated with A01)	530 MMBtu/hr	Alstom		
A03	Natural Gas-Fired Turbine	193 MW	Westinghouse	501FD	37A-8194-1
A04	Duct-Burner Heat Recovery Steam Generator (associated with A03)	530 MMBtu/hr	Alstom		
A06	LPG-Powered Emergency Engine; DOM: 2004	100 hp	Generac	SG060	2072892
A07	Three-Cell Cooling Tower: 0.001% Drift Loss; 8,144 ppm TDS	6,600 gpm	International Cooling Tower	FCC-12-03	FCC-12-03-8434-03
A08	Emergency Generator	1,500 kW	Caterpillar	SR5	G2N02057
	Diesel-Powered Engine; DOM: 2019	2,206 hp		3512C	LYH00428
A09	Natural Gas-Fired Stationary Combustion Turbine	224 MW	GE	7FA.05	299706
A10	Natural Gas-Fired Stationary Combustion Turbine	224 MW	GE	7FA.05	299707
A11	Fire Pump		Pentair	Aurora Horizontal Splitcare 6-481-18B	23-2646029
	Diesel Engine; DOM: 2023	205 hp	Cummins	CFP7E-F30	36796830

<sup>1</sup>The engine manufacture date shall be post-2006 and meet the applicable requirements of 40 CFR Part 60, Subpart IIII.

## 1.2 INSIGNIFICANT ACTIVITIES

The units in Table 1-2 are present at this source, but are insignificant activities pursuant to AQR 12.5.2.5. The emissions from these units or activities, when added to the PTE of the source, will not make the source major for any additional pollutant.

**Table 1-2: Summary of Insignificant Activities**

Description
Mobile Combustions Sources
Station Maintenance Activities
Maintenance Shop Activities (e.g., part washers, sand blasters, etc.)
Steam Cleaning Operations
LPG Tank, 500 gallons
Diesel Tank, 280 gallons
Lube oil sumps and vents
Portable gas-fired pump, 3.5 hp

## 1.3 NONROAD ENGINES

Pursuant to Title 40, Part 1068.30 of the Code of Federal Regulations (40 CFR Part 1068.30), nonroad engines that are portable or transportable (i.e., not used on self-propelled equipment) shall not remain at a location for more than 12 consecutive months; otherwise, the engine(s) will constitute a stationary reciprocating internal combustion engine (RICE) and be subject to the applicable requirements of 40 CFR Part 63, Subpart ZZZZ; 40 CFR Part 60, Subpart IIII; and/or 40 CFR Part 60, Subpart JJJJ. Stationary RICE shall be permitted as emission units upon commencing operation at this stationary source.

Records of location changes for portable or transportable nonroad engines shall be maintained, and shall be made available to the Control Officer upon request. These records are not required for engines owned and operated by a contractor for maintenance and construction activities as long as records are maintained demonstrating that such work took place at the stationary source for periods of less than 12 consecutive months.

Nonroad engines used on self-propelled equipment do not have this 12-month limitation or the associated recordkeeping requirements.



## 2.0 CONTROLS

### 2.1 CONTROL DEVICES

1. The permittee shall operate SCR and oxidation catalyst at all times any affected emission unit is operating, as indicated in Table 2-1. *[NSR ATC/OP Modification 0, Amendment 3 (12/04/06)]*

**Table 2-1: Summary of Add-On Control Devices**

Affected EU	Device Type	Manufacturer	Model No.	Pollutant
A01, A02, A03, A04, A09, and A10	SCR			NO <sub>x</sub>
	Oxidation Catalyst			CO, VOCs

### 2.2 CONTROL REQUIREMENTS

#### Turbines/Duct Burners

1. The permittee shall, at all times, including periods of startup, shutdown, malfunction, and testing/tuning, maintain and operate the source in a manner consistent with good air pollution control practice for minimizing emissions, as required by 40 CFR Part 60.11. Determination of whether acceptable operating and maintenance procedures are being used shall be based on information available to the Control Officer that may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-B-1 (12/04/06); Part 70 OP (03/22/2022); ATC (08/16/2023); and AQR 12.5.2.6(a)]*
2. The permittee shall control NO<sub>x</sub> exhaust emissions from each turbine and duct burner (EUs: A01/A02, A03/A04) with dry low-NO<sub>x</sub> combustors and an SCR system installed and operated in accordance with manufacturer's specifications and good operating practice. The NO<sub>x</sub> exhaust emissions may be further controlled by operation of a pilot water injection system, operated as needed to ensure the NO<sub>x</sub> emission limits outlined in this Part 70 Operating Permit are not exceeded. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-B-1 (12/04/06) and AQR 12.5.2.6(a)]*
3. The permittee shall control NO<sub>x</sub> exhaust emissions from each turbine unit (EUs: A09 and A10) with an SCR system installed and operated in accordance with manufacturer's specifications and good operating practice. *[AQR 12.5.2.6(a) and ATC (08/16/2023)]*
4. The permittee shall install and operate each SCR system whenever the associated turbine unit or duct burner (EUs: A01/A02, A03/A04, A09, and A10) is operating, excluding periods of startup, shutdown, and testing/tuning. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-B-2 (12/04/06); Part 70 OP (03/22/2022) ATC (08/16/2023); and AQR 12.5.2.6(a)]*
5. The permittee shall install and operate oxidation catalysts for the control of CO and VOCs on each turbine unit/duct burner (EUs: A01/A02, A03/A04, A09, and A10) that shall be

maintained and operated in accordance with manufacturer's specifications. The oxidation catalysts shall be operated at all times the associated turbine unit/duct burner is operating, excluding periods of startup, shutdown, and testing/tuning. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-B-4 (12/04/06); Part 70 OP (03/22/2022); ATC (08/16/2023); and AQR 12.5.2.6(a)]*

6. The permittee shall control SO<sub>2</sub> emissions from each combined cycle system (EUs: A01/A02 and A03/A04) by exclusive use of pipeline-quality natural gas and by applying good combustion practices. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-B-8 (12/04/06) and AQR 12.5.2.6(a)]*
7. The permittee shall control PM<sub>10</sub> emissions from each turbine unit/duct burner (EUs: A01/A02, A03/A04, A09, and A10) by properly maintaining the inlet air filters preceding each turbine per manufacturer's specifications. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-B-9 (12/04/06); ATC (08/16/2023); and AQR 12.5.2.6(a)]*
8. The permittee shall not change the combustion turbine/HRSG (EUs: A01/A02, A03/A04) stack height or diameter, as modeled in the application, without first revising this Part 70 Operating Permit. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-B-13 (12/04/06) and AQR 12.5.2.6(a)]*
9. The permittee shall control SO<sub>2</sub> and PM<sub>10</sub>/PM<sub>2.5</sub> exhaust emissions from each turbine unit (EUs: A09 and A10) by exclusive use of pipeline-quality natural gas and by applying good combustion practices. *[AQR 12.5.2.6(a) and ATC (08/16/2023)]*

### Fire Pump

10. The permittee shall only combust diesel fuel with a maximum sulfur content of 15 ppm and either a minimum cetane index of 40 or a maximum aromatic content of 35% by volume in the fire pump (EU: A11). *[40 CFR 60.4207(b)]*
11. The permittee shall operate and maintain the diesel-powered fire pump in accordance with the manufacturer's O&M manual for emissions-related components (EU: A11). *[NSR ATC (02/14/2024)]*

### Emergency Generators

12. The permittee shall combust only propane in the emergency generator (EU: A06). *[NSR ATC/OP Modification 0, Amendment 3, Condition III-A-8 (12/04/06)]*
13. The permittee shall operate and maintain the propane-fired emergency generator (EU: A06) in accordance with the manufacturer's specifications. *[AQR 12.5.2.6(a)]*
14. The propane emergency generator (EU: A06) is subject to the provisions of 40 CFR Part 63, Subpart ZZZZ and shall comply with the following requirements: *[AQR 12.5.2.6(a) and 40 CFR Part 63.6603]*

- a. Change oil and filter every 500 hours of operation or annually, whichever comes first;
  - b. Inspect air cleaners every 1,000 hours of operation or annually, whichever comes first; and
  - c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
15. The permittee shall only combust diesel fuel with a maximum sulfur content of 15 ppm and either a minimum cetane index of 40 or a maximum aromatic content of 35% by volume in the emergency generator (EU: A08). *[40 CFR 60.4207(b)]*
  16. The permittee shall operate and maintain the diesel emergency generator (EU: A08) in accordance with the manufacturer's specifications. *[Part 70 OP (01/23/2020), 40 CFR 60.4211(a)(1)]*

### Cooling Tower

17. The permittee shall operate the cooling tower (EU: A07) with drift eliminators that have a manufacturer's maximum drift rate of 0.001%. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-B-14 (12/04/06)]*
18. The permittee shall limit the TDS of the cooling tower water (EU: A07) to a maximum concentration of 8,144 ppm. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-B-14 (12/04/06)]*
19. The permittee shall operate and maintain the cooling tower (EU: A07) in accordance with the manufacturer's specifications. *[AQR 12.5.2.6(a)]*

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### 3.0 LIMITATIONS AND STANDARDS

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#### 3.1 OPERATIONAL LIMITS

##### Turbines/Duct Burners

1. The permittee shall limit each combustion turbine generator to the manufacturer's maximum heat input rating of 1,980 MMBtu/hr (HHV) at 67°F and a maximum heat input of 15,840,000 MMBtu during any consecutive 12-month period (EUs: A01 and A03). *[NSR ATC/OP Modification 0, Amendment 3, Condition III-A-1 (12/04/06) and AQR 12.5.2.6(a)]*
2. The permittee shall limit each duct burner to the manufacturer's maximum heat input rating of 530 MMBtu/hr (HHV) and a maximum heat input of 1,060,000 MMBtu during any consecutive 12-month period (EUs: A02 and A04). *[NSR ATC/OP Modification 0, Amendment 3, Condition III-A-2 (12/04/06) and AQR 12.5.2.6(a)]*
3. The permittee shall limit each duct burner (EUs: A02 and A04) to a maximum of 2,000 hours during any consecutive 12-month period. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-A-2 (12/04/06) and AQR 12.5.2.6(a)]*
4. Startup shall be defined as the period beginning with ignition and lasting until a turbine (EUs: A01 or A03) has reached a continuous and stable operating level and the catalyst has reached optimal operating temperature. Shutdown means the period immediately preceding the cessation of firing of a turbine, not to exceed 60 minutes. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-A-4 (12/04/06); Part 70 OP (03/22/2022); and AQR 12.5.2.6(a)]*
5. Testing/tuning is defined as planned operation outside of normal emission limitations for the purposes of data collection, diagnostics, or operational adjustment (EUs: A01/A02, A03/A04, A09, and A10). *[Part 70 OP (03/22/2022), ATC (08/16/2023), and AQR 12.5.2.6(a)]*
6. The permittee shall limit all testing/tuning to a cumulative total of 600 minutes per calendar year per turbine (EUs: A01/A02, A03/A04, A09, and A10). *[Part 70 OP (03/22/2022), ATC (08/16/2023), and AQR 12.5.2.6(a)]*
7. The permittee shall limit each peaker turbine (EUs: A09 and A10) to the manufacturer's maximum heat input of 2,366.8 MMBtu/hr (HHV) and a combined maximum heat input of 4,968,133.94 MMBtu during any consecutive 12-month period (EUs: A09 and A10). *[AQR 12.5.2.6(a), ATC (08/16/2023), and Supplemental (01/23/2025)]*
8. The permittee shall limit the peaker turbines (EUs: A09 and A10) to 2,099.1 hours during any consecutive 12-month period, excluding startup and shutdown operation, combined for both turbines. *[AQR 12.5.2.6(a) and Supplemental (01/23/2025)]*
9. Startup shall be defined as the period beginning with ignition and lasting until a peaker turbine (EUs: A09 or A10) has reached a continuous and stable operating level and the catalyst has reached optimal operating temperature, not to exceed 30 minutes. Shutdown

means the period immediately preceding the cessation of firing of a turbine, not to exceed 12 minutes. *[AQR 12.5.2.6(a) and ATC (08/16/2023)]*

10. The permittee shall limit the number of startup and shutdown cycles to 250 during any consecutive 12-month period, combined, for both peaker turbines (EUs: A09 and A10). *[AQR 12.5.2.6(a) and ATC (08/16/2023)]*
11. The permittee shall allow only one peaker turbine (EUs: A09 and A10) at a time to be in startup or shutdown mode. *[AQR 12.5.2.6(a) and ATC (08/16/2023)]*

### Fire Pump/Emergency Generators

12. The permittee shall limit the operation of each emergency generator for testing and maintenance purposes to 100 hours/year. The permittee may operate each emergency generator up to 50 hours/year for nonemergency situations, but those hours count towards the 100 hours provided for testing and maintenance. Except as provided below (12.a), the 50 hours per year for nonemergency use cannot be used for peak shavings or nonemergency demand response, or to generate income for a facility by supplying power to an electric grid or to otherwise supply power as part of a financial arrangement with another entity (EUs: A06 and A08): *[40 CFR Part 60.4211 and 40 CFR Part 63.6640]*
  - a. The 50 hours per year for nonemergency use can be used to supply power as part of a financial arrangement with another entity if all the following conditions are met:
    - i. The engine is dispatched by the local balancing authority and/or local transmission and distribution operator.
    - ii. The dispatch is intended to mitigate local transmission and/or distribution limitations to avert potential voltage collapse or line overloads that could lead to interruption of power supply in a local area or region.
    - iii. The dispatch follows reliability, emergency operation, or similar protocols that follow specific NERC, regional, state, public utility commission, or local standards or guidelines.
    - iv. The power is provided only to the facility itself or to support the local transmission and distribution system.
    - v. The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission, or local standards or guidelines that are being followed for the dispatching engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.
13. The permittee shall limit the operation of the diesel-fired fire pump (EU: A11) for testing and maintenance purposes to 100 hours/year. The permittee may operate the fire pump up to 50 hours/year for nonemergency situations, but those hours count towards the 100 hours provided for testing and maintenance. *[40 CFR Part 60.4211]*

## Cooling Tower

- The permittee shall limit the cooling tower water (EU: A07) to a maximum circulation rate not to exceed 6,600 gallons per minute. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-B-14 (12/04/06)]*

## 3.2 EMISSION LIMITS

### Turbines/Duct Burners

- The permittee shall not allow the actual emissions, including the emissions from startup, shutdown and testing/tuning, from EUs A01, A02, A03, A04, A09, and A10 to exceed the PTE listed in Table 3-1 during any consecutive 12-month period. *[AQR 12.5.2.6(b), ATC (08/16/2023), and Supplemental (01/23/2025)]*

**Table 3-1: Emission Unit PTE Including Startup, Shutdown and Testing/Tuning (tons per year)**

EU	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	VOCs	HAPs
A01 + A02 <sup>1</sup>	73.80	73.80	154.10	280.40	5.10	42.60	2.67
A03 + A04 <sup>1</sup>	73.80	73.80	154.10	280.40	5.10	42.60	2.67
A09 and A10	9.49	9.49	31.29	82.91	4.69	16.73	0.90

<sup>1</sup>Annual PTE for turbine/duct burner pairs (A01/A02 and A03/A04) are based on 8,000 hours for normal operations, including 2,000 hours of turbines operating with duct firing at 100% load and 900 hours of startup/shutdown cycles.

- The permittee shall not allow actual emissions from each emission unit to exceed the emission rates listed in Table 3-2 during normal operations (excluding startup, shutdown, and testing/tuning). *[Part 70 OP (03/22/2022), ATC (08/16/2023), and AQR 12.5.2.6(b)]*

**Table 3-2: Emission Unit Rate Limits (pounds per hour) Excluding Startup, Shutdown & Testing/Tuning**

EU	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	VOCs
A01+A02	--	--	23.0	22.4	1.5	6.4
A03+A04	--	--	23.0	22.4	1.5	6.4
A09	12.40	12.40	21.50	20.90	4.00	3.00
A10	12.40	12.40	21.50	20.90	4.00	3.00

- The permittee shall not allow the emission concentration limits for NO<sub>x</sub> and CO, outlined in Table 3-3, to be exceeded for any three-hour rolling averaging period as determined by the CEMS, excluding any startup, shutdown, or testing/tuning periods (EUs: A01 and A03). *[NSR ATC/OP Modification 0, Amendment 3, Condition III-B-7 (12/04/06) and Part 70 OP (03/22/2022)]*

**Table 3-3: Emission Concentration Limits for each Turbine and Duct Burner (ppmvd)<sup>1</sup> Excluding Startup, Shutdown & Testing/Tuning**

	NO <sub>x</sub> @ 15% O <sub>2</sub>	CO @ 15% O <sub>2</sub>	VOC @ 15% O <sub>2</sub>
With duct firing	2.5 ppmvd	4 ppmvd	2.0 ppmvd
Without duct firing	2.5 ppmvd	4 ppmvd	2.0 ppmvd

<sup>1</sup>Limits based on normal operations, 3-hour averaging period.

4. The permittee shall not allow the emission concentrations for NO<sub>x</sub> to exceed the limits listed in Table 3-4 during any three-hour rolling averaging period as determined by the CEMS, excluding any startup, shutdown, or testing/tuning periods, adjusted to 15% O<sub>2</sub> (EUs: A09 and A10). *[ATC (08/16/2023)]*

**Table 3-4: Emission Concentration Limits (ppmvd), Excluding Startup, Shutdown & Testing/Tuning**

EU	NO <sub>x</sub>
A09	2.5
A10	2.5

5. The permittee shall not burn any fuel containing total potential SO<sub>2</sub> emissions from the combustion turbines (EUs: A01 and A03) and duct burners (EUs: A02 and A04), combined, in excess of 0.060 lb per MMBtu of heat input. *[12.4 ATC (10/20/2021) and 40 CFR 60.4330(a)(2)]*
6. The permittee shall not allow actual emissions from each emission unit to exceed the emission concentrations listed in Table 3-5 during testing/tuning. *[Part 70 OP (03/22/2022) and ATC (08/16/2023)]*

**Table 3-5: Applicable NO<sub>x</sub> Concentration Standard for Subpart KKKK (ppmvd) During Testing/Tuning**

EU	NO <sub>x</sub> (ppmvd @ 15% O <sub>2</sub> ), 30-Day Rolling Average	
	For Turbine Loads Greater Than or Equal To 75% of Peak Load	For Turbine Loads Less Than 75% of Peak Load
A01/A02 (Turbine Unit 5)	15	96
A03/A04 (Turbine Unit 6)	15	96
A09	15	96
A10	15	96

7. The permittee shall comply with the emission rate limits in Table 3-6 during periods of testing/tuning. *[Part 70 OP (03/22/2022) and ATC (08/16/2023)]*

**Table 3-6: Emission Rate Limits (pounds per clock hour) for CO during Testing/Tuning**

EU	CO (lbs in a clock hour)
A01/A02 (Turbine Unit 5)	400
A03/A04 (Turbine Unit 6)	400
A09	400
A10	400

### Engines

8. The permittee shall not allow the actual emissions per year from each emission unit to exceed the PTE listed in Table 3-7, except with engines intended for use in emergencies. *[AQR 12.5.2.6(b)]*

**Table 3-7: Emission Unit PTE (tons per year)**

EU	Condition <sup>1</sup>	PM <sub>2.5</sub> /PM <sub>10</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	VOC	HAPs
A06	500 hrs/year	0.01	0.77	0.10	0.01	0.02	0.01
A08	500 hrs/year	0.05	8.00	1.06	0.01	0.19	0.02
A11	500 hrs/year	0.01	0.28	0.13	0.01	0.01	0.01

<sup>1</sup> The quantities in this column are not intended as enforceable permit limits unless stated otherwise in this permit.

### Cooling Tower

9. The permittee shall not allow the actual emissions for the emission unit (EU: A07) to exceed the PTE listed in Table 3-8. [AQR 12.5.2.6(b)]

**Table 3-8: Emission Unit PTE (tons per year)**

EU	Condition <sup>1</sup>	PM <sub>2.5</sub> /PM <sub>10</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	VOCs	HAPs
A07	8,760 hrs/year	1.20	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> The quantities in this column are not intended as enforceable permit limits unless stated otherwise in this permit.

### Other

10. The permittee shall not discharge into the atmosphere, from any emission unit, any air contaminant in excess of an average of 20% opacity for a period of more than six consecutive minutes. [AQR 26.1]



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## 4.0 COMPLIANCE DEMONSTRATION REQUIREMENTS

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### 4.1 MONITORING

#### Visible Emissions [AQR 12.5.2.6(d)]

1. The Responsible Official shall sign and adhere to the *Visible Emissions Check Guidebook* and keep a copy of the signed guide on-site at all times.
2. The permittee shall conduct a visual emissions check at least quarterly. Visual observations shall include the fire pump and emergency generators (EUs: A06, A08, and A11) while operating to demonstrate compliance with the opacity limit. If any aspect of the fire pump and/or emergency generator does not operate during the calendar quarter, then no observation of that unit shall be required.
3. If no plume appears to exceed the opacity standard during the visible emissions check, the date, location, and results shall be recorded, along with the viewer's name.
4. If any plume appears to exceed the opacity standard during the visible emissions check, the permittee shall do one of the following:
  - a. Immediately correct the perceived exceedance, then record the first and last name of the person who performed the emissions check, the date the check was performed, the unit(s) observed, and the results of the observation; or
  - b. Call a certified Visible Emissions Evaluation (VEE) reader to perform a U.S. Environmental Protection Agency (EPA) Method 9 evaluation.
    - i. For sources required to have a certified reader on-site, the reader shall start Method 9 observations within 15 minutes of the initial observation. For all other sources, the reader shall start Method 9 observations within 30 minutes of the initial observation.
    - ii. If no opacity exceedance is observed, the certified VEE reader shall record the first and last name of the person who performed the VEE, the date the VEE was performed, the unit(s) evaluated, and the results. A Method 9 VEE form shall be completed for each emission unit that was initially perceived to have exceeded the opacity limit, and the record shall also indicate:
      - (1) The cause of the perceived exceedance;
      - (2) The color of the emissions; and
      - (3) Whether the emissions were light or heavy.
    - iii. If an opacity exceedance is observed, the certified VEE reader shall take immediate action to correct the exceedance. The reader shall then record the first and last name of the person performing the VEE, the date the VEE was

performed, the unit(s) evaluated, and the results. A Method 9 VEE form shall be completed for each reading identified, and the record shall also indicate:

- (1) The cause of the exceedance;
- (2) The color of the emissions;
- (3) Whether the emissions were light or heavy;
- (4) The duration of the emissions; and
- (5) The corrective actions taken to resolve the exceedance.

5. Any scenario of visible emissions noncompliance can and may lead to enforcement action.

Turbines/Duct Burner

6. The combustion turbines and duct burners (EUs: A01/A02, A03/A04, A09, and A10) are subject to 40 CFR Part 60, Subpart KKKK. It is the permittee's responsibility to know and comply with all requirements within the applicable parts of these federal regulations. *[ATC (10/20/2021 and 08/16/2023) and AQR 12.5.2.6(d)]*
7. To demonstrate continuous direct compliance with all emission limitations for NO<sub>x</sub> and CO specified in this permit, the permittee shall install, calibrate, maintain, operate, and certify CEMS for NO<sub>x</sub>, CO, and O<sub>2</sub> on each stationary gas turbine unit (EUs: A01/A02, A03/A04, A09, and A10) in accordance with both 40 CFR Part 60 and 40 CFR Part 75. Each CEMS shall include an automated data acquisition and handling system. Each system shall monitor and record at least the following data: *[AQR 12.5.2.6(d) and ATC (08/16/2023)]*
  - a. Exhaust gas concentrations of NO<sub>x</sub>, CO, and diluent O<sub>2</sub>;
  - b. Exhaust gas flow rate (by direct or indirect methods);
  - c. Fuel flow rate;
  - d. Hours of normal operation;
  - e. 3-hour rolling averages for each NO<sub>x</sub> and CO concentration;
  - f. Hourly and consecutive 12-month period accumulated mass emissions (in pounds) of NO<sub>x</sub> and CO; and
  - g. Hours of downtime of the CEMS.
8. The permittee shall calculate and log all startup, shutdown, and testing/tuning emissions, except those that can be recorded using CEMS, for purposes of demonstrating compliance with annual emissions limits. *[NSR ATC/OP Modification 0, Amendment 3, Condition II-B-4 (12/04/06); Part 70 OP (03/22/2022); ATC (08/16/2023); and AQR 12.5.2.6(d)]*
9. All emissions recorded by the CEMS shall be reported in clock hour increments. Any clock hour that contains at least one minute of a startup event shall be considered a startup hour,

and any clock hour that contains at least one minute of a shutdown event shall be considered a shutdown hour. *[AQR 12.5.2.6(d)]*

10. Any clock hour that contains any part of a testing/tuning event shall not be subject to the limits in Tables 3-2, 3-3, and 3-4. *[Part 70 OP (03/22/2022), ATC (08/16/2023), and AQR 12.5.2.6(d)]*
11. The permittee shall maintain and adhere to the latest QAP for all CEMS submitted to and approved by DAQ, which shall include auditing and reporting schedules, design specifications, and other quality assurance requirements for each CEMS. *[40 CFR Part 75]*
12. The permittee shall conduct periodic audit procedures and QA/QC procedures for CEMS that conform to the provisions of 40 CFR Part 60, Appendix F or 40 CFR Part 75, Appendix B, as applicable. *[AQR 12.5.2.6(d)]*
13. The permittee shall conduct relative accuracy test audits (RATA) of the CO, NO<sub>x</sub>, and diluent O<sub>2</sub> CEMS at least annually, or at the frequency specified in 40 CFR Parts 60 and 75 (as applicable). *[AQR 12.5.2.6(d)]*
14. Periods where the missing data substitution procedures in 40 CFR Part 75, Subpart D are applied are to be reported as monitor downtime in the excess emissions and monitoring performance report required under 40 CFR Part 60.7(c). *[40 CFR Part 60.4350 (d)]*
15. The permittee shall take the corrective actions described in 40 CFR Part 75, Appendix B if an out-of-control period occurs with a monitor or the CEMS, as applicable. *[40 CFR Part 75.24]*
16. The permittee must monitor the total sulfur content of the fuel being fired in the turbine (EUs: A01/A02, A03/A04, A09, and A10), except as provided in 40 CFR Part 60.4365, using the total sulfur methods described in 40 CFR Part 60.4415. *[40 CFR Part 60.4360]*
17. The permittee may elect not to monitor the total sulfur content of the fuel combusted in the turbines (EUs: A01/A02, A03/A04, A09, and A10) if the fuel is demonstrated not to exceed potential sulfur emissions of 0.060 lb SO<sub>2</sub>/MMBtu heat input. The permittee shall use one of the following sources of information to make the required demonstration: *[ATC (10/20/2021 and 08/16/2023) and 40 CFR 60.4365]*
  - a. The gas quality characteristics in a current, valid purchase contract, tariff sheet, or transportation contract for the fuel specifying that the maximum total sulfur content of the fuel is 20 gr/100 scf or less, and documentation that potential sulfur emissions are less than 0.060 lb SO<sub>2</sub>/MMBtu heat input; or
  - b. Representative fuel sampling data showing that the sulfur content of the fuel does not exceed 0.060 lb SO<sub>2</sub>/MMBtu heat input. At a minimum, the amount of fuel sampling data specified in 40 CFR Part 75, Appendix D, Sections 2.3.1.4 or 2.3.2.4 is required.
18. The permittee shall determine the monthly average natural gas heating value and consumption rates for all turbine units (EUs: A01/A02, A03/A04, A09, and A10). *[NSR ATC/OP Modification 0, Amendment 3, Condition III-B-6 (12/04/06), ATC (08/16/2023), and AQR 12.5.2.6(d)]*

19. The permittee shall monitor the natural gas fuel flow rate of each turbine and each duct burner (EUs: A01/A02, A03/A04, A09, and A10) with a continuous fuel monitoring system. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-E-9 (12/04/06), ATC (08/16/2023), and AQR 12.5.2.6(d)]*
20. The permittee shall monitor monthly occurrences and duration of startup/shutdown cycles for each turbine unit (EUs: A01/A02, A03/A04, A09, and A10). *[NSR ATC/OP Modification 0, Amendment 3, Condition III-E-9 (12/04/06), ATC (08/16/2023), and AQR 12.5.2.6(d)]*
21. The permittee shall monitor the duration of testing/tuning events for each turbine unit (EUs: A01/A02, A03/A04, A09, and A10). *[Part 70 OP (03/22/2022), ATC (08/16/2023), and AQR 12.5.2.6(d)]*
22. The permittee shall estimate monthly the consecutive 12-month total PM<sub>10</sub> and PM<sub>2.5</sub> emissions for each turbine unit (EUs: A09 and A10) for compliance with Table 3-1 of this permit. The 12-month rolling emissions shall be calculated by multiplying the emission factor established in Table 3-2 by the actual hours of operation. Alternatively, the permittee may establish a lb/MMBtu factor and multiply by monthly heat input to calculate the consecutive 12-month total emissions. *[ATC (08/16/2023) and AQR 12.5.2.6(d)]*

#### Fire Pump/Generators

23. The permittee shall monitor the sulfur content and cetane index or aromatic content of the fuel burned in the emergency generator and fire pump (EUs: A08 and A11) by retaining a copy of vendor fuel specifications. *[40 CFR 60.4207(b)]*
24. The permittee shall operate each diesel-fired emergency generator engine and fire pump (EUs: A06, A08, and A11) with a nonresettable hour meter and monitor each one during testing, maintenance, and nonemergency operation. If the engine is used for an emergency, the permittee shall monitor its operation and document the nature of the emergency. *[40 CFR Part 63, Subpart ZZZZ and 40 CFR Part 60, Subpart III]*

#### Cooling Tower

25. The permittee shall monitor the TDS of the cooling tower recirculation water daily, using a conductivity meter or another device the Control Officer has approved in advance, when operating. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-E-10 (12/04/06) and AQR 12.5.2.6(d)]*

#### Other

26. The permittee shall monitor the emissions (in tons per year) of any regulated NSR pollutant that could increase above the significant thresholds as a result of the CTUP for a period of 10 years following resumption of regular operations after the change. *[12.4 ATC (10/20/2021) and AQR 12.5.2.6(d)]*

## 4.2 TESTING

1. At the Control Officer's request, the permittee shall test (or have tests performed) to determine emissions of air contaminants from any source whenever the Control Officer has reason to believe that an emission in excess of those allowed by the AQRs is occurring. The Control Officer may specify testing methods to be used in accordance with good professional practice. The Control Officer may observe the testing. All tests shall be conducted by reputable, qualified personnel. *[AQR 4.2]*
2. At the Control Officer's request, the permittee shall provide necessary holes in stacks or ducts and such other safe and proper sampling and testing facilities, exclusive of instruments and sensing devices, as may be necessary for proper determination of the emission of air contaminants. *[AQR 4.2]*
3. The permittee shall submit to the Control Officer for approval a performance testing protocol that contains testing, reporting, and notification schedules, test protocols, and anticipated test dates no less than 45 days, but no more than 90 days, before the anticipated date of the performance test unless otherwise specified in this permit. *[AQR 12.5.2.8]*
4. The permittee shall submit to EPA for approval any alternative test methods EPA has not already approved to demonstrate compliance with a requirement under 40 CFR Part 60. *[40 CFR Part 60.8(b)]*
5. Performance testing is subject to 40 CFR Part 60.8 (as amended), Subpart A; 40 CFR Part 60, Subpart KKKK; 40 CFR Part 72; and *Clark County Department of Air Quality Guideline for Source Testing (9/19/2019)*. Performance testing shall be the instrument for determining initial and subsequent compliance with the emission limitations set forth in Tables 3-1 through 3-4 of this permit. *[NSR ATC/OP Modification 0, Amendment 3, Conditions III-D-1 and III-D-6 (12/04/06), ATC (08/16/2023) and AQR 12.5.2.8(a)]*
6. The permittee conducted initial performance tests for NO<sub>x</sub>, CO, VOCs, and opacity on both turbine units and associated duct burners (EUs: A01/A02, A03/A04). Performance testing for NO<sub>x</sub>, CO, and VOCs demonstrated compliance with the part-per-million and pound-per-hour limits in this permit. Initial performance testing for VOCs on the turbine units was twofold, and consisted of testing with duct burners on and duct burners off. The initial performance testing requirement was met on January 9, 2004. *[NSR ATC/OP Modification 0, Amendment 3, Condition III-D-4 (12/04/06)]*
7. The permittee conducted initial performance tests for PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>x</sub>, CO, and VOCs on both turbine units (EUs: A09 and A10). Performance testing established the PM<sub>10</sub> and PM<sub>2.5</sub> emissions factors used in this permit. The initial performance testing requirement was met on December 12, 2024. *[ATC (08/16/2023)]*
8. The permittee shall test the combustion turbines (EUs: A09 and A10) for PM<sub>10</sub> and PM<sub>2.5</sub> every five years according to the following conditions:
  - a. No less than 45 days, but no more than 90 days, before the anticipated test date, the permittee shall submit a test protocol to the control officer for approval of test methods.

- b. The permittee shall conduct performance tests on each combustion turbine (EUs: A09 or A10) every five years, and no later than 90 days after the anniversary date of the last performance test.
  - c. Within 60 days of the test ending, the permittee shall submit the results to the control officer.
9. The Control Officer may require additional performance testing when operating conditions appear to be inadequate to demonstrate compliance with the limitations in this permit. *[AQR 4.2]*

### 4.3 RECORDKEEPING

- 1. The permittee shall keep records of all inspections, maintenance, and repairs, as required by this permit. *[AQR 12.5.2.6(d) and AQR 12.5.2.8]*
- 2. The permittee shall comply with all applicable recordkeeping requirements of 40 CFR Part 60.7; 40 CFR Part 60, Subpart IIII; 40 CFR Part 60, Subpart KKKK; 40 CFR Part 63, Subpart ZZZZ; 40 CFR Part 72.9(f); 40 CFR Part 75; and any other applicable regulations.
- 3. All records, logs, etc., or copies thereof, shall be kept on-site for a minimum of five years from the date the measurement, or data was entered. *[AQR 12.5.2.6(d) and AQR 12.5.2.8]*
- 4. Records and data required by this permit to be maintained by the permittee may be audited at any time by a third party selected by the Control Officer. *[AQR 4.1]*
- 5. At a minimum, the permittee shall create and maintain the records identified in Section 4.3.7, all of which must be producible on-site to the Control Officer's authorized representative upon request and without prior notice during the permittee's hours of operation. *[AQR 12.5.2.6(d) and AQR 12.5.2.8]*
- 6. The permittee shall maintain the following records for reporting: *[AQR 12.5.2.6(d) and AQR 12.5.2.8]*

#### General

- a. The magnitude and duration of excess emissions, notifications, monitoring system performance, malfunctions, and corrective actions taken as required by 40 Part CFR 60.7;
- b. The number of occurrences and the durations of each testing/tuning event, as well as the reason for the testing/tuning;
- c. Emissions of any regulated NSR pollutant that increase above the PSD significant thresholds as a result of the CTUP, which shall be reported 60 days after the end of each calendar year;

#### Turbines, Duct Burners, and CEMS

- d. Monthly, consecutive 12-month total quantity of natural gas consumed in each turbine;

- e. Monthly, consecutive 12-month total quantity of natural gas consumed in each duct burner;
- f. Monthly, consecutive 12-month total hours of operation of each duct burner;
- g. Dates, times, and duration of each startup and shutdown cycle;
- h. CEMS audit results or accuracy checks, corrective actions, etc., as required by 40 CFR Part 60, Appendix F and the CEMS Quality Assurance Plan;
- i. Monthly, consecutive 12-month total NO<sub>x</sub> and CO mass emissions in tons, including for startup, shutdown, and normal operations for all turbines;
- j. Monthly, consecutive 12-month total PM<sub>10</sub>, PM<sub>2.5</sub> mass emissions in tons, including for startup, shutdown, and normal operations for the peaker turbines (EUs: A09 and A10);

#### Fire Pump/Generators

- k. Date and duration of operation of the diesel-powered fire pump and emergency generators for testing, maintenance, and nonemergency use (EUs: A06, A08, and A11);
- l. Date and duration of operation of the fire pump and emergency generators for emergency use, including documentation justifying use during the emergency (EUs: A06, A08, and A11);
- m. Sulfur content and cetane index or aromatic content of diesel fuel used to power the emergency generator and fire pump (EUs: A08 and A11), as certified by the supplier; and

#### Cooling Tower (EU: A07)

- n. Annual average TDS content of the cooling tower.

#### Emissions

- o. Deviations from permit requirements that result in excess emissions (reported as required in Section 4.4 of this permit);
- p. Deviations from permit requirements that do not result in excess emissions (reported semiannually); and
- q. Annual emissions calculated for each emission unit and the entire source (reported annually).

7. The permittee shall maintain the following records: [AQR 12.5.2.6(d) and AQR 12.5.2.8]

#### Turbines, Duct Burners and CEMS

- a. Hourly quantity of natural gas consumed in each turbine;

- b. Hourly quantity of natural gas consumed in each duct burner;
- c. Monthly heating value of natural gas;
- d. Sulfur content of natural gas, as certified by the supplier in accordance with 40 CFR Part 75.11(d)(2) and 40 CFR Part 60.4365;
- e. Purchase records of natural gas used in the stationary gas turbines per 40 CFR 60.5520(d)(1);
- f. Dates and hours of operation, for each turbine and, as applicable, each duct burner;
- g. Startup and shutdown emissions of each stationary gas turbine for each cycle event, and annual emissions in tons per year (consecutive 12-month total);
- h. The time, duration, nature, and probable cause of any CEMS downtime, and corrective actions taken;
- i. CEMS audit results, RATA, corrective actions, etc, as required by 40 CFR Part 60 and the CEM QAP;
- j. Each CEMS “out-of-control” period, while the unit is operating, as defined in 40 CFR Part 75, Appendix B;
- k. All CEMS information required by this permit and 40 CFR Part 75, including a CEMS monitoring plan;

#### Fire Pump/Generators

- l. Records of inspections and maintenance (EUs: A06, A08, and A11);
- m. Records demonstrating date and interval of oil and filter change(s), inspection of air cleaners, and inspection of hoses and belts (EUs: A06) [40 CFR Part 63, Subpart ZZZZ];
- n. Manufacturer’s engine specifications (EUs: A06, A08, and A11);

#### Cooling Tower

- o. Daily TDS content or conductivity of cooling tower circulation water;

#### Other

- p. Dates and times of visible emissions checks and observations, and the steps taken to make any necessary corrections to bring opacity into compliance;
- q. Certificates of representation for the designated representative and alternative designated representative that meet all requirements of 40 CFR Part 72.24;
- r. Copies of all reports, compliance certifications, other submissions, and all records made or required under the Acid Rain Program;



- s. Copies of all documents used to complete a permit application and any other submission under the Acid Rain Program, or to demonstrate compliance with the requirements of the Acid Rain Program;
  - t. Monthly calculation of emissions, with 12-month consecutive totals for each pollutant and emission unit listed in Table 1-1; and
  - u. Results of all performance testing and RATA testing.
8. The permittee shall include in each record above, where applicable, the date and time the monitoring or measurement was taken, the person performing the monitoring or measurement, and the emission unit or location where the monitoring or measurement was performed. Each record must also contain the action taken to correct any deficiencies, when applicable. *[AQR 12.4.3.4(a)(10)]*

#### 4.4 REPORTING AND NOTIFICATIONS

1. The permittee shall certify compliance with the terms and conditions contained in this Part 70 OP, including emission limitations, standards, work practices, and the means for monitoring such compliance. *[AQR 12.5.2.8(e)]*
2. The permittee shall submit compliance certifications annually in writing to the Control Officer (4701 W. Russell Road, Suite 200, Las Vegas, NV 89118) and the Region 9 Administrator (Director, Air and Radiation Divisions, 75 Hawthorne St., San Francisco, CA 94105). A compliance certification for each calendar year will be due on January 30 of the following year, and shall include the following: *[AQR 12.5.2.8(e)]*
  - 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 permittee for determining the compliance status with each term and condition during the certification period. These 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 permittee shall also identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the Clean Air Act, which prohibits knowingly making a false certification or omitting material information; and
  - 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 methods or means designated in (b) above. 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 was required and in which an excursion or exceedance, as defined under 40 CFR Part 64, occurred.
3. The permittee shall report to the Control Officer any startup, shutdown, malfunction, emergency, or deviation that causes emissions of regulated air pollutants in excess of any

limits set by regulations or this permit. The report shall be in two parts, as specified below: *[AQR 12.5.2.6(d)(4)(B); AQR 25.6.1]*

- a. Within 24 hours of the time the permittee learns of the excess emissions, the permittee shall notify DAQ by phone at (702) 455-5942, by fax at (702) 383-9994, or by email at [airquality@clarkcountynv.gov](mailto:airquality@clarkcountynv.gov).
  - b. Within 72 hours of the notification required by paragraph 3.a above, the permittee shall submit a detailed written report to DAQ containing the information required by AQR 25.6.3.
4. With the semiannual monitoring report, the permittee shall report to the Control Officer all deviations from permit conditions that do not result in excess emissions, including those attributable to malfunction, startup, or shutdown. Reports shall identify the probable cause of each deviation and any corrective actions or preventative measures taken. *[AQR 12.5.2.6(d)(4)(B)]*
  5. The owner or operator of any source required to obtain a permit under AQR 12 shall report to the Control Officer emissions in excess of an applicable requirement or emission limit that pose a potential imminent and substantial danger to public health and safety or the environment as soon as possible, but no later than 12 hours after the deviation is discovered, and submit a written report within two days of the occurrence. *[AQR 25.6.2]*
  6. The permittee shall submit all compliance certifications to the U.S. Environmental Protection Agency (EPA) and to the Control Officer. *[AQR 12.5.2.8(e)(4)]*
  7. Any application form, report, or compliance certification submitted to the Control Officer pursuant to the permit or the AQRs, shall contain a certification by a Responsible Official, with an original signature, of truth, accuracy, and completeness. This certification, and any other required under AQR 12.5, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. *[AQR 12.5.2.6(l)]*
  8. The permittee shall furnish to the Control Officer, in writing and within a reasonable time, any information that the Control Officer may request 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 that the permit requires keeping. The permittee may furnish records deemed confidential directly to the Administrator, along with a claim of confidentiality. *[AQR 12.5.2.6(g)(5)]*
  9. At the Control Officer's request, the permittee shall provide any information or analyses that will disclose the nature, extent, quantity, or degree of air contaminants that are or may be discharged by the source, and the type or nature of control equipment in use. The Control Officer may require such disclosures be certified by a professional engineer registered in the state. In addition to this report, the Control Officer may designate an authorized agent to make an independent study and report on the nature, extent, quantity, or degree of any air contaminants that are or may be discharged from the source. An agent so designated may examine any article, machine, equipment, or other contrivance necessary to make the inspection and report. *[AQR 4.1]*

10. The permittee shall submit annual emissions inventory reports based on the following: *[AQR 18.6.1 and AQR 12.5.2.4]*
  - a. The annual emissions inventory must be submitted to DAQ by March 31 of each calendar year (if March 31 falls on a state or federal holiday, or on any day the office is not normally open for business, the submittal is due on the next business day);
  - b. The calculated actual annual emissions from each emission unit shall be reported even if there was no activity, along with the total calculated actual annual emissions for the source based on the emissions calculation methodology used to establish the potential to emit (PTE) in the permit or an equivalent method approved by the Control Officer prior to submittal; and
  - c. As the first page of text, a signed certification containing the sentence: "I certify that, based on information and belief formed after reasonable inquiry, the statements contained in this document are true, accurate, and complete." This statement shall be signed and dated by a Responsible Official of the company (a sample form is available from DAQ).
11. Stationary sources that emit 25 tons or more of nitrogen oxide (NO<sub>x</sub>) and/or emit 25 tons or more of volatile organic compounds (VOC) from their emission units, insignificant activities, and exempt activities during a calendar year shall submit an annual emissions statement for both pollutants. Emissions statements must include actual annual NO<sub>x</sub> and VOC emissions from all activities, including emission units, insignificant activities and exempt activities. Emissions statements are separate from, and additional to, the calculated annual emissions reported each year for all regulated air pollutants (aka Emissions Inventory). *[AQR 12.9.1]*
12. The permittee shall submit to the Control Officer, within 15 days after commencing operation, any outstanding identification and/or description that was not previously available for new emission unit(s), as noted in this permit with "TBD." (Use this condition if there is emission unit information in the permit that is incomplete and noted with "TBD.")
13. The permittee shall comply with all applicable notification and reporting requirements of 40 CFR Part 60.7; 40 CFR Part 60, Subpart IIII; 40 CFR Part 60, Subpart KKKK; 40 CFR Part 63 Subpart ZZZZ; 40 CFR Part 72.9(f); and 40 CFR Part 75. *[AQR 12.5.2.6(d)]*
14. The permittee shall submit semiannual monitoring reports to DAQ. *[AQR 12.5.2.6(d) and AQR 12.5.2.8]*
15. The following requirements apply to semiannual reports: *[AQR 12.5.2.6(d) and AQR 12.5.2.8]*
  - a. The report shall include item listed in Section 4.3.6.
  - b. The report shall be based on a calendar semiannual period, which includes partial reporting periods.
  - c. The report shall be received by DAQ within 30 calendar days after the semiannual period.

16. Regardless of the date of issuance of this OP, the source shall comply with the schedule for report submissions outlined in Table 4-1. *[AQR 12.5.2.6(d) and AQR 12.5.2.8]*

**Table 4-1: Required Submission Dates for Various Reports**

Required Report	Applicable Period	Due Date
Semiannual report for 1 <sup>st</sup> six-month period	January, February, March, April, May, June	July 30 each year <sup>1</sup>
Semiannual report for 2 <sup>nd</sup> six-month period; any additional annual records required	July, August, September, October, November, December	January 30 each year <sup>1</sup>
Annual Compliance Certification	Calendar year	January 30 each year <sup>1</sup>
Annual Emissions Inventory Report	Calendar year	March 31 each year <sup>1</sup>
Annual Emissions Statement <sup>2</sup>	Calendar year	March 31 each year <sup>1</sup>
Notification of Malfunctions, Startup, Shutdowns, or Deviations with Excess Emission	As required	Within 24 hours of when the permittee learns of the event
Report of Malfunctions, Startup, Shutdowns, or Deviations with Excess Emission	As required	Within 72 hours of the notification <sup>1</sup>
Excess Emissions that Pose a Potential Imminent and Substantial Danger	As required	Within 12 hours of when the permittee learns of event
Deviation Report without Excess Emissions	As required	Along with semiannual reports <sup>1</sup>
Performance Testing Protocol	As required	No less than 45 days, but no more than 90 days, before the anticipated test date <sup>1</sup>
Performance Testing Results	As required	Within 60 days of end of test <sup>1</sup>
RATA Protocol	As required	No less than 21 days, but no more than 90 days, before the anticipated test date <sup>1</sup>
RATA Results	As required	Within 45 days of end of test for Part 75 sources or within 60 days for all others <sup>1</sup>

<sup>1</sup>If the due date falls on a federal or Nevada holiday, or on any day the office is not normally open for business, the submittal is due on the next regularly scheduled business day.

<sup>2</sup> Required only for stationary sources that emit 25 tons or more of nitrogen oxide (NO<sub>x</sub>) and/or emit 25 tons or more of volatile organic compounds (VOC) during a calendar year.

17. The Control Officer reserves the right to require additional reports and reporting to verify compliance with permit emission limits, applicable permit requirements, and requirements of applicable federal regulations. *[AQR 4.1]*
18. The designated representative of an affected source, and of each affected unit at the source, shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR Parts 72 and 75. *[40 CFR Part 72.9(f)]*

## 4.5 MITIGATION

1. The source has no federal offset requirements. *[AQR 12.7]*

## **5.0 ACID RAIN REQUIREMENTS**

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1. In accordance with the provisions of Title IV of the Clean Air Act and 40 CFR Parts 72–77, this Acid Rain Permit is issued to NV Energy’s Silverhawk Power Plant.
2. All terms and conditions of the permit are enforceable by DAQ and EPA under the Clean Air Act. *[40 CFR Part 72]*
3. The permittee shall comply with all the applicable requirements of the Acid Rain Permit Application in Attachment 2. *[40 CFR Part 72.30]*
4. This Acid Rain Permit incorporates the definitions of terms in 40 CFR Part 72.2.
5. This permit is valid for a term of five years from the date of issuance unless a timely and complete renewal application is submitted to DAQ. *[40 CFR Part 72.69]*
6. A timely renewal application is an application that is received at least six months prior to the permit expiration date. *[40 CFR Part 72.30]*
7. Emissions from this source shall not exceed any allowances that the source lawfully holds under Title IV of the Act or its regulations. *[AQR 12.5.2.6 and 40 CFR Part 70.6(a)(4)]*
8. Where an applicable requirement of the Act is more stringent than an applicable requirement of Title IV regulations, both provisions shall be incorporated into the permit and shall be enforceable. *[40 CFR Part 70.6(a)(1)(ii)]*

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## **6.0 PERMIT SHIELD**

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1. The permittee has not required a permit shield.

## **7.0 OTHER REQUIREMENTS**

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1. Any person who violates any provision of the AQRs, including, but not limited to, any application requirement; any permit condition; any fee or filing requirement; any duty to allow or carry out inspection, entry, or monitoring activities; or any requirements from DAQ is guilty of a civil offense and shall pay a civil penalty levied by the Air Pollution Control Hearing Board and/or the Hearing Officer of not more than \$10,000. Each day of violation constitutes a separate offense. *[AQR 9.1; NRS 445B.640]*
2. Any person aggrieved by an order issued pursuant to AQR 9.1 is entitled to review, as provided in Chapter 233B of the NRS. *[AQR 9.12]*
3. The permittee shall comply with the requirements of Title 40, Part 61 of the Code of Federal Regulations (40 CFR Part 61), Subpart M—the National Emission Standard for Asbestos—for all demolition and renovation projects. *[AQR 13.1(b)(8)]*
4. The permittee shall not use, sell, or offer for sale any fluid as a substitute material for any motor vehicle, residential, commercial, or industrial air conditioning system, refrigerator freezer unit, or other cooling or heating device designated to use a Class I or Class II ozone-depleting substance or any nonexempt substitute refrigerant as a working fluid, unless such fluid has been approved for sale in such use by the EPA Administrator. The permittee shall keep records of all paperwork relevant to the applicable requirements of 40 CFR Part 82 on-site. *[40 CFR Part 82]*
5. A risk management plan is required for the storing, handling and use of an applicable “Highly Hazardous Chemical” pursuant to 40 CFR Part 68. The permittee shall submit revisions of the risk management plan to the appropriate authority and a copy to DAQ. *[40 CFR Part 68.150(b)(3)]*
6. The permittee shall notify DAQ of a testing/tuning event no less than 24 hours prior to the event unless the agency agrees to a shorter notification time frame. *[12.4 ATC (11/9/2022)]*

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## 8.0 ADMINISTRATIVE REQUIREMENTS

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### 8.1 GENERAL

1. The permittee shall comply with all conditions of the Part 70 OP. Any permit noncompliance may constitute a violation of the Clark County Air Quality Regulations (AQRs), Nevada law, and the Clean Air Act, and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a renewal application. *[AQR 12.5.2.6(g)(1)]*
2. If any term or condition of this permit becomes invalid as a result of a challenge to a portion of this permit, the other terms and conditions of this permit shall be unaffected and remain valid. *[AQR 12.5.2.6(f)]*
3. The permittee shall pay all permit fees pursuant to AQR 18. *[AQR 12.5.2.6(h)]*
4. This permit does not convey property rights of any sort, or any exclusive privilege. *[AQR 12.5.2.6(g)(4)]*
5. The permittee agrees to allow inspection of the premises to which this permit relates by any authorized representative of the Control Officer at any time during the permittee's hours of operation without prior notice. The permittee shall not obstruct, hamper, or interfere with any such inspection. *[AQR 4.1; AQR 5.1.1; and AQR 12.5.2.8(b)]*
6. The permittee shall allow the Control Officer, upon presentation of credentials, to: *[AQR 4.1 and AQR 12.5.2.8(b)]*
  - a. Access and copy any records that must be kept under 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 for the purpose of assuring compliance with the permit or applicable requirements; and
  - d. Document alleged violations using such devices as cameras or video equipment.
7. Any permittee who fails to submit relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit the needed supplementary facts or corrected information. In addition, the permittee shall provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit. A Responsible Official shall certify the additional information consistent with the requirements of AQR 12.5.2.4. *[AQR 12.5.2.2]*
8. Anyone issued a permit under AQR 12.5 shall post it in a location where it is clearly visible and accessible to facility employees and DAQ representatives. *[AQR 12.5.2.6(m)]*



9. The permittee shall not use as a defense 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. *[AQR 12.5.2.6(g)(2)]*

## **8.2 MODIFICATION, REVISION, AND RENEWAL REQUIREMENTS**

1. No person shall begin actual construction of a new Part 70 source, or modify or reconstruct an existing Part 70 source that falls within the preconstruction review applicability criteria, without first obtaining an Authority to Construct (ATC) from the Control Officer. *[AQR 12.4.1.1(a)]*
2. 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, revocation, reissuance, or termination, or of a notification of planned changes or anticipated noncompliance, does not stay any permit condition. *[AQR 12.5.2.6(g)(3)]*
3. The permit shall be reopened under any of the following circumstances and when all applicable requirements pursuant to AQR 12.5.2.15 are met: *[AQR 12.5.2.15(a)]*
  - a. New applicable requirements become applicable to a stationary source considered “major” (per the definition in AQR 12.2, AQR 12.3, or 40 CFR Part 70.3(a)(1)) with a remaining permit term of three or more years;
  - b. Additional requirements (including excess emissions requirements) become applicable to an affected source under the Acid Rain Program;
  - c. The Control Officer or U.S. Environmental Protection Agency (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
  - d. The EPA Administrator or the Control Officer determines that the permit must be revised or revoked to assure compliance with applicable requirements.
4. A permit, permit revision, or renewal may be approved only if all of the following conditions have been met: *[AQR 12.5.2.10(a)]*
  - a. The permittee has submitted to the Control Officer a complete application for a permit, permit revision, or permit renewal (except a complete application need not be received before a Part 70 general permit is issued pursuant to AQR 12.5.2.20); and
  - b. The conditions of the permit provide for compliance with all applicable requirements and the requirements of AQR 12.5.
5. The permittee shall not build, erect, install, or use any article, machine, equipment, or other contrivance, the use of which, without resulting in a reduction in the total release of air contaminants to the atmosphere, reduces or conceals an emission that would otherwise constitute a violation of an applicable requirement. *[AQR 80.1 and 40 CFR Part 60.12]*
6. No permit revisions 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. *[AQR 12.5.2.6(i)]*

7. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application has been submitted. *[AQR 12.5.2.11(b)]*
8. For purposes of permit renewal, a timely application is a complete application that is submitted at least six months, but not more than 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 OP until final action is taken on its application for a renewed Part 70 OP. *[AQR 12.5.2.1(a)(2)]*

## 9.0 ATTACHEMENTS

### 9.1 APPLICABLE REGULATIONS

#### Requirements Specifically Identified as Applicable

1. NRS, Chapter 445B.
2. Applicable AQRs listed in Table 9-1.

**Table 9-1: Applicable Clark County AQRs**

Citation	Title
AQR 00	"Definitions"
AQR 04	"Control Officer"
AQR 05	"Interference with Control Officer"
AQR 08	"Persons Liable for Penalties – Punishment: Defense"
AQR 09	"Civil Penalties"
AQR 12.0	"Applicability and General Requirements"
AQR 12.4	"Authority to Construct Application and Permit Requirements for Part 70 Sources"
AQR 12.5	"Part 70 Operating Permit Requirements"
AQR 12.9	"Annual Emissions Inventory Requirement"
AQR 13.1(b)(1)	"Subpart A - General Provisions"
AQR 13.1(b)(82)	"Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines"
AQR 14.1(b)(1)	"Subpart A – General Provisions"
AQR 14.1(b)(81)	"Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines"
AQR 14.1(b)(83)	Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
AQR 18	"Permit and Technical Service Fees"
AQR 21	Acid Rain Permits
AQR 22	Acid Rain Continuous Emission Monitoring
AQR 25	"Affirmative Defense for Excess Emissions due to Malfunctions, Startup, and Shutdown"
AQR 26	"Emission of Visible Air Contaminants"
AQR 28	"Fuel Burning Equipment"
AQR 40	"Prohibitions of Nuisance Conditions"
AQR 41	"Fugitive Dust", AQR 41.1.2 only
AQR 42	"Open Burning"
AQR 43	"Odors in the Ambient Air"
AQR 70	"Emergency Procedures"
AQR 80	"Circumvention"

3. Clean Air Act Amendments (42 U.S.C. § 7401, et seq.)

4. Applicable 40 CFR sections are listed in Table 9-2.

**Table 9-2: Federal Standards**

Citation	Title
40 CFR Part 52.21	Prevention of Significant Deterioration of Air Quality
40 CFR Part 52.1470	Approval and Promulgation of Implementation Plans, Subpart DD—Nevada
40 CFR Part 61	National Emissions Standards for Hazardous Air Pollutants
40 CFR Part 60, Subpart A	General Provisions
40 CFR Part 60, Subpart IIII	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
40 CFR Part 60, Subpart KKKK	Standards of Performance for Stationary Combustion Turbines
40 CFR Part 60, Subpart TTTT	Standards of Performance for Greenhouse Gas Emissions for Electric Utility Generating Units
40 CFR Part 60, Appendix A-4	Test Methods 6 Through 10B: Method 9 - Visual determination of the opacity of emissions from stationary sources
40 CFR Part 63, Subpart A	General Provisions
40 CFR Part 63, Subpart ZZZZ	National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines
40 CFR Part 70	State Operating Permit Programs
40 CFR Part 72	Permits Regulation
40 CFR Part 73	Sulfur Dioxide Allowance System
40 CFR Part 75	Continuous Emission Monitoring
40 CFR Part 82	Protection of Stratospheric Ozone
40 CFR Part 98	Mandatory Greenhouse Gas Reporting

## 9.2 ACID RAIN PERMIT



United States  
Environmental Protection Agency  
Acid Rain Program

OMB No. 2060-0258  
Approval expires 05/31/2025

# Acid Rain Permit Application

For more information, see instructions and 40 CFR 72.30 and 72.31.

This submission is: ☐ new ☒ revised ☐ for ARP permit renewal

### STEP 1

Identify the facility name,  
State, and plant (ORIS) code.

Facility (Source) Name	Silverhawk Generating Facility	State	NV	Plant Code	55841
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### STEP 2

Enter the unit ID# for every  
affected unit at the affected  
source in column "a."

a	b
Unit ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)
A01	Yes
A02	Yes
A09 (New)	Yes
A10 (New)	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes

Silverhawk Facility (Source) Name (from STEP 1) Generating Facility
--

Acid Rain - Page 2

**STEP 3****Read the standard requirements.****Permit Requirements**

- (1) The designated representative of each affected source and each affected unit at the source shall:
  - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
  - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
  - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
  - (ii) Have an Acid Rain Permit.

**Monitoring Requirements**

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the source or unit, as appropriate, with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

**Sulfur Dioxide Requirements**

- (1) The owners and operators of each source and each affected unit at the source shall:
  - (i) Hold allowances, as of the allowance transfer deadline, in the source's compliance account (after deductions under 40 CFR 73.34(c)), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and
  - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
  - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
  - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

**Nitrogen Oxides Requirements**

The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Silverhawk Facility (Source) Name (from STEP 1) Generating Facility
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Acid Rain - Page 3

**STEP 3, Cont'd.****Excess Emissions Requirements**

- (1) The designated representative of an affected source that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an affected source that has excess emissions in any calendar year shall:
  - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
  - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

**Recordkeeping and Reporting Requirements**

- (1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
  - (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
  - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
  - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
  - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

**Liability**

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
- (6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Silverhawk Facility (Source) Name (from STEP 1) Generating Facility
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Acid Rain - Page 4

**STEP 3, Cont'd.****Effect on Other Authorities**


No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a source can hold; provided, that the number of allowances held by the source shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

**STEP 4****Certification**

**Read the  
certification  
statement, sign,  
and date.**

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name <b>Jason Hammons</b>	
Signature 	Date <b>11/9/2022</b>