



Clark County Environment & Sustainability



April 3, 2025

Re: Regulatory Notification – Major Stationary Source RACT Requirements

Dear Stakeholder,

The Clark County Department of Environment and Sustainability, Division of Air Quality (DAQ) is establishing emissions control requirements in its State Implementation Plan (SIP), including Reasonably Available Control Technology (RACT) for major sources, as mandated by Section 182(b)(2) of the Clean Air Act (42 U.S.C. § 7511a).

DAQ is notifying owners and operators of major stationary sources of nitrogen oxides (NO_x) and/or volatile organic compounds (VOC) located within the ozone nonattainment area of Clark County, NV (Las Vegas Valley), of their obligation to comply with Section 120 of the Clark County Air Quality Regulations (AQRs). **Compliance with the application requirements of Section 120 is due on or before August 1, 2025, which is within 120 days after the Control Officer issues this written notice.** Based on DAQ's assessment, you have been identified as an owner or operator of an affected source under Section 120.2(a).

Major Source RACT Demonstration

Owners and operators must submit a major source RACT demonstration for all affected units by applying for a new stationary source permit or a significant permit revision. In addition to the definition in Section 120.3, and unless notified otherwise by the Control Officer, **affected units are emissions units located at your major stationary source with a potential to emit NO_x or VOC that is equal to, or greater than five tons per year.** This application must comply with the submittal requirements outlined in AQR Sections 12.4 and/or 12.5. Even if the demonstration does not result in additional control requirements, you still must submit a complete application to the Control Officer.

Previous RACT Determinations

If you have been subject to a major source RACT determination within the past 36 months that meets the requirements of Section 120 and the basis of that determination is still valid, you may submit a copy of the prior determination, along with a sworn certification. The certification must confirm that the determination continues to represent RACT, because there have been no changes to available control technologies, technical feasibility, control effectiveness, cost-effectiveness, or environmental, energy, and other impacts since the original determination.

Avoiding RACT Requirements

You may avoid SIP-related RACT requirements by accepting synthetic minor limits in your permit to reduce allowable NO_x and/or VOC emissions below the major source thresholds. To explore this option, contact DAQ's Permitting Section to discuss potential permit revisions.

For more information, please refer to the resources included below. Contact DAQ at 702-455-5942 if you have any questions or would like further clarification.

PLEASE RESPOND TO ACKNOWLEDGE RECEIPT OF THIS NOTIFICATION

Sincerely,



Theodore A. Lendis
Planning Manager

Resources

Small Business Assistance Program's Section 120 FAQs:

<https://webfiles.clarkcountynv.gov//FAQ%20AQR%20120%20HA212.pdf>

Clark County Air Quality Regulations:

https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/division_of_air_quality/rules_regulations/current_aq_rules.php

EPA Control Technology Guidelines (CTG): <https://www.epa.gov/ground-level-ozone-pollution/control-techniques-guidelines-and-alternative-control-techniques>

EPA Cost Control Manual: <https://www.epa.gov/economic-and-cost-analysis-air-pollution-regulations/cost-reports-and-guidance-air-pollution>

Federal Register notice of Clark County's nonattainment designation:

<https://www.federalregister.gov/documents/2018/06/04/2018-11838/additional-air-quality-designations-for-the-2015-ozone-national-ambient-air-quality-standards>