

## AIR QUALITY DISTRICTS IN NEVADA



**EPA**

**Title V Program Evaluation**

**Questionnaire**

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## A. Title V Permit Preparation and Content

- Y  N  1. For those title V sources with an application on file, do you require the sources to update their applications in a timely fashion if a significant amount of time has passed between application submittal and the time you draft the permit? **Case-by-case. Yes, if something has changed such as a process throughput, emission rate, regulatory applicability or NAAQS.**
- Y  N  a. Do you require a new compliance certification? **For a new permit; NA. For a revision or renewal permit action, quarterly and annual certification requirements remain under permit shield. Revised or renewed permit would then have updated compliance certification after issuance on quarterly and annual schedule.**
- Y  N  2. Do you verify that the source is in compliance before a permit is issued and, if so, how? **After NSR permit review, verify compliance status with compliance group, check ARIS tracking system for outstanding compliance actions. Division has an outstanding policy that permits cannot be issued if there is an outstanding compliance issue.**
- a. In cases where a facility is either known to be out of compliance, or may be out of compliance (based on pending NOV's, a history of multiple NOV's, or other evidence suggesting a possible compliance issue), how do you evaluate and document whether the permit should contain a compliance schedule? **Compliance schedules are most likely to be utilized in an existing permit when a new regulatory applicability comes online, as opposed to correcting a violation. Compliance issues are resolved before permit issuance. Stop orders or Compliance Orders are used immediately, upon discovery of a violation, to restrict or prohibit operation to be protective of NAAQS. This is timelier, and therefore more protective than re-opening a permit for cause to add a compliance schedule. Please explain, and refer to appropriate examples of statements of basis written in 2005 or later in which the Department has addressed the compliance schedule question.**
3. What have you done over the years to improve your permit writing and processing time? **Improve templates for: permits, TSD documents, emissions calculation spreadsheets and completeness checklists. Help industry submit more complete and better quality applications. Pre-application meetings with applicants to review the application process are encouraged and free. NDEP performs these meetings often. Permit writers meet routinely as a group to discuss emission factors, permit language and resolve permit sticky points. Monthly phone calls with Region permit staff.**
- Y  N  4. Do you have a process for quality assuring your permits before issuance? **Yes, several. The application processing procedures and associated documents are encapsulated in work performance standards (WPS). Employees are evaluated against the WPS annually. New employees are evaluated 3x their first year at 4, 7 & 11 month intervals. These include permit templates, spreadsheet templates, checklists, TSD templates and agency-determined emissions factors that permit writers are required to utilize. Permits are peer-reviewed and issued by a Registered Professional Engineer Supervisor (Staff Engineer IV). Permits also include applicable public review and EPA review. NAC requires that a permit may not be issued without an environmental evaluation, air dispersion model and confirmation that a**

permit does not interfere with the NAAQS or an applicable air quality regulation. Please explain.

5. Do you utilize any streamlining strategies in preparing the permit? Please explain. The NDEP strives to prevent redundant or superfluous permit requirements. Streamlining begins with the application completeness review where the NDEP verifies that an application has required information to generate a TSD and permit. Permit templates are streamlined where possible, but some items may appear more “lengthy” because industry prefers the requirements to be enumerated and explicit as opposed to coalesced. From a regulatory standpoint, “custom streamlining” such as monitoring requirements for a specific project, is an option that the applicant may request and requires an applicant-supplied streamlining analysis.
  - a. What types of applicable requirements does the Department streamline, and how common is streamlining in NDEP permits? Besides the “universal” streamlining components described above, case-by-case streamlining is not common as the NDEP rarely finds existing requirements that can be streamlined and still maintain their underlying applicability integrity. For example, a T5 may have multiple PM requirements for a unit, but if you look closely at each applicable requirement and how that requirement requires demonstration of compliance it will vary. For example, different PM limits can have different compliance measurement tests, different averaging periods, different recordkeeping requirements, etc. Rarely can NDEP find a streamlining example where you can simply take what appears to be the most stringent limit without truncating or conflicting with the requirements of the other limits’ underlying applicabilities.
  - b. Do you have any comments on the pros and cons of streamlining multiple overlapping applicable requirements? Describe. The pro would be the apparent simplification of permit requirements. The con is that there are very few streamlining analysis that are successful and they can be time consuming to investigate. See 5a, above.
6. What do you believe are the strengths and weaknesses of the format of NDEP permits (i.e. length, readability, facilitates compliance certifications, etc.)? Why? The strength of the format would be the level of detail that makes it a stand-alone document to comply with applicable requirements. This detail helps the applicant achieve compliance and typically does not require the applicant to lookup applicable requirements in the CFR, NAC, etc. This detail can make the permit lengthy, but our industry prefers the all-inclusive format and it makes requirements clearer and therefore defensible/enforceable. Readability may seem a bit “legalese” to some, but the increasingly litigious nature of air quality permitting and the complexity of new federal rules have driven this.
7. How have the Department’s statements of basis evolved over the years since the beginning of the Title V program? The Statements of Basis (SOB) have remained relatively similar in format, but the discussions of various State and Federal regulations have expanded as more standards have been promulgated by EPA and then subsequently the State. For example, the SOBs have always reviewed NSPS and NESHAP requirements, but now there are many more applicable to review and discuss than there were 5 years ago. Please explain what

prompted changes, and comment on whether you believe the changes have resulted in stronger statements of basis. The SOBs need to be standalone documents that support the issuance of the permit. The NDEP SOBs also include a facility and process narrative, process flow diagrams, emissions inventory and air dispersion modeling summaries.

8. Does the statement of basis explain:

Y  N

a. the rationale for monitoring (whether based on the underlying standard or monitoring added in the permit)? The rationale for monitoring is not discussed in detail unless it is unique or has a special requirement from a Federal standard. Permit templates that the permit writers are required to use contain monitoring, recordkeeping and testing requirements for different source types. Each permit requirement has a regulatory citation that is the basis for the requirement. As a rule, staff is instructed to include monitoring and recordkeeping requirements that support the demonstration of compliance elements on every emission unit.

Y  N

b. applicability and exemptions, if any?

Y  N

c. streamlining (if applicable)? Or any other relevant points that help document a unique process or compliance demonstration.

Y  N

9. Do you provide training and/or guidance to your permit writers on the content of the statement of basis? Yes, training, templates, RPE peer review.

10. Do any of the following affect your ability to issue timely initial title V permits: (If yes to any of the items below, please explain.)

Y  N

a. SIP backlog (i.e., EPA approval still awaited for proposed SIP revisions). No, NAC has provisions for adding new requirements with re-open or at renewal; don't need to wait for SIP update. New requirements for re-open/renewal are trackable with ARIS.

Y  N

b. Pending revisions to underlying NSR permits. No.

Y  N

c. Compliance/enforcement issues. No, a compliance issue may hold up issuance due to the applicant's inaction to resolve the issue, but isn't a holdup due to BAPC.

Y  N

d. EPA rule promulgation awaited (MACT, NSPS, etc.)

1. Recent NESHAP Subpart E<sup>7</sup> for Gold Mining requires all sources, including area sources to get a T5 permit. This required ~15 minor source facilities to convert to T5 permits. This required substantive outreach and guidance to newly applicable sources. Suddenly adding ~10 T5 permits to the processing queue all at once is very resource intensive.
2. RICE rules (I<sup>4</sup>, J<sup>4</sup> & Z<sup>4</sup>) are ridiculously complex, with extraordinary testing, monitoring and recordkeeping requirements with little emissions reduction and environmental benefit realized. This puts an unnecessary burden on NDEP and the regulated community in rural areas where line power and natural gas are not readable available, if at all. This rule in particular has resulted in complaints to

the governor's office and several legislators. These rules are also very difficult for the regulated industry to understand.

Y  N

e. Permit renewals and permit modification (i.e., competing priorities) Just the typical workload management. NDEP has monthly meetings with large clients that hold multiple permits and ad-hoc meetings with smaller clients with single permits to keep workflow priorities current. If necessary, new projects or compliance-related issues may receive more resources because they currently don't have a permit or permit shield that allows them to construct/operate.

Y  N

f. Awaiting EPA guidance. No, not at a Regional level, on permit-related questions. BAPC gets quick turnaround from Region's permit group via e-mail or ad-hoc phone calls and does a monthly permit phone call with Region. BAPC does have concern regarding some larger-than-Region issues regarding new and upcoming US EPA rulemaking (ozone NAAQS, 111(d), SO2 designations, Regional Haze, etc.).

11. Any additional comments on permit preparation or content? No, except for RICE I<sup>4</sup>, Z<sup>4</sup>, J<sup>4</sup>; these rules add huge bulk to permits, and templates can't be developed because there is substantial variability within each rule for any one given RICE. Simply referencing the Federal rule and leaving it to the applicant to figure out isn't effective either.

## B. General Permits (GP)

Y  N

1. Do you issue general permits? Only (1) and it is for portable, temporary minor sources with specific road construction equipment (Class 2 permits) only.  
a. If no, go to next section  
b. If yes, list the source categories and/or emission units covered by general permits.

Y  N

2. In your agency, can a title V source be subject to multiple general permits and/or a general permit and a standard "site-specific" title V permit?  
a. What percentage of your title V sources have more than one general permit?  
\_\_\_\_\_ %

Y  N

3. Do the general permits receive public notice in accordance with 70.7(h)? N/A, general permit under minor NSR (and did undergo public notice process), not a T5 permit subject to 70.7(h).  
a. How does the public or regulated community know what general permits have been written? (e.g., are the general permits posted on a website, available upon request, published somewhere?)

4. Is the 5 year permit expiration date based on the date: N/A, general permit is under minor NSR, not a T5 permit subject to Part70.

Y  N

a. the general permit is issued?

Y  N

b. you issue the authorization for the source to operate under the general permit?

5. Any additional comments on general permits? No

### C. Monitoring

1. How do you ensure that your operating permits contain adequate monitoring (i.e., the monitoring required in §§ 70.6(a)(3) and 70.6(c)(1)) if monitoring in the underlying standard is not specified or is not sufficient to demonstrate compliance? NAC 445B.305 provides the Director with authority to add permit requirements necessary to ensure compliance with all applicable air quality requirements. This may include (but is not limited to) case-by-case unit-level monitoring, recordkeeping, testing, reporting, instrument monitoring, operational set points for units and/or emission controls, automated operations, etc. BAPC also performs unannounced site inspections for compliance review. NAC provides the Director with authority to re-open a permit (for cause) to add (monitoring or any) requirements necessary to ensure compliance. SOP-wise, TSDs are reviewed by peer (RPE supervisor) and permits have public and EPA review and comment periods. Permit renewals also undergo the same review process as new permits and the monitoring may be augmented based on operational data of the permit's previous 5 years of authorization.

Y  N

a. Have you developed criteria or guidance regarding how monitoring is selected for permits? If yes, please provide the guidance. Yes. Must demo compliance with applicable State and Federal requirements. Begins with using Program-required permit templates that provide baseline requirements for different source categories, followed by an Federal monitoring requirements. The TSD discusses all applicable requirements to provide further review. TSD also provides for documentation of unique or case-specific monitoring for the signatory supervisor and public review. NAC has provisions that require the permit to cite the regulatory authority for each requirement and the NAC also provides the Program authority to add additional monitoring requirements as needed to assure compliance.

Y  N

2. Do you provide training to your permit writers on monitoring? (e.g., periodic and/or sufficiency monitoring; CAM; monitoring QA/QC procedures including for CEMS; test methods; establishing parameter ranges) Yes: CARB, WESTAR and in-house training. Permit staff has direct access to technical/audit branch for CEMs, ambient monitoring and air dispersion modeling support. Permit staff also has direct access to compliance staff to verify test methods and monitoring strategies. In addition, compliance information and stack test data is available to all permit writers at their desktop via ARIS.

Y  N

3. How often do you "add" monitoring not required by underlying requirements? At initial issuance, revision or renewal it's on case-by-case basis based on objective criteria such as type of process, HAPs PTE, NAAQS thresholds, permit class thresholds and other relevant risk assessments. Most typical would be to add compliance testing. Have you seen any

effects of the (additional?) monitoring in your permits such as better source compliance? Yes, the effect is overall compliance. Again, we have authority under the NAC to re-open a permit for cause at any time, including adding monitoring or other permit requirements required for compliance.

4. What is the approximate number of sources that now have CAM monitoring in their permits? Please list some specific sources. CAM is reviewed for every T5 application and is implemented where applicable. NDEP is currently implementing CAM in specific permits; don't know the count.

- Y  N  5. Has the Department ever disapproved a source's proposed CAM plan? Yes, but we always provide the applicant the basis for disapproval and work with them to submit an approvable plan.

#### D. Public Participation and Affected State Review

##### Public Notification Process

1. Which newspapers does the Department use to publish notices of proposed title V permits? Varies by location. It is always, at a minimum, in the region to be affected by a proposed project.

- Y  N  2. Do you use a state publication designed to give general public notice? Yes, in the form of the NDEP and LCB public notice web sites.

- Y  N  3. Do you sometimes publish a notice for one permit in more than one paper?
- a. If so, how common is it for the Department to publish multiple notices for one permit? Common for major stationary sources in rural areas that have limited newspaper circulation. In such cases we publish in the local paper and in a larger circulation Reno or Las Vegas newspaper.
  - b. How do you determine which publications to use? It is always in the region to be affected by a proposed project. Most rural communities in Nevada do not have more than 1 newspaper publication. If there is, we typically defer to the publication with the largest circulation.
  - c. What cost-effective approaches have you utilized for public publication? State and NDEP public notice web sites and e-mail distribution lists.

- Y  N  4. Have you developed mailing lists of people you think might be interested in title V permits you propose? [e.g., public officials, environmentalists, concerned citizens] Also required in NAC.

Y  N

- a. Does the Department maintain more than one mailing list for title V purposes, e.g., a general title V list and source-specific lists? **Some source-type lists (mining, EGU).**
- b. How does a person get on the list? (e.g., by calling, sending a written request, or filling out a form on the Department's website) **Calling, verbal, written request or e-mail request. An upcoming version of the NDEP web site will allow interested parties to add or subtract themselves to mailing lists as well.**
- c. How does the list get updated? **Annually the participants on the lists are e-mailed to confirm their continued desire to be on a list. Addresses that "bounce-back" or that are requested to be removed are removed. Public can request to be added at any time.**
- d. How long is the list maintained for a particular source? **Lists are typically source-category specific, not for only one particular source. Therefore, the lists are ongoing in perpetuity.**
- e. What do you send to those on the mailing list? **Notice and abbreviated TSD and/or proposed permit. Depends on the person's level of interest. FLMs, tribes and EPA typically receive the most materials and full TSD.**

Y  N

5. Do you reach out to specific communities (e.g., environmental justice communities) beyond the standard public notification processes? **We don't currently cold-call "communities." We currently have diverse participants in our mail and e-mail mailing lists.**

Y  N

6. Do your public notices clearly state when the public comment period begins and ends? **Yes, as well as who to contact with questions and how to request a public hearing. These contents, and others, required by NAC.**
7. What is your opinion on the most effective methods for public notice? **Web and e-mail distribution lists are probably most effective because a notice is delivered to a specific person who has previously expressed an interest to be notified, without them having to periodically look for, and find, a notice in a newspaper. Newspapers are also expensive (~\$150+ per notice).**

Y  N

8. Do you provide notices in languages besides English? Please list the languages and briefly describe under what circumstances the Department translates public notice documents? **No. The jurisdiction of NDEP excludes Washoe and Clark counties and is primarily rural and not diverse in languages. The NDEP has never had a request for an alternative language besides English. However, the NDEP does maintain a list of staff that can provide translation services at request. In the Air programs this includes: Spanish, Mandarin, Italian, Korean and Hindi.**

## Public Comments

9. How common has it been for the public to request that the Department extend a public comment period? **Not very common. Requests are typically for a few days for commenters to “wrap-up” their submissions at the last minute, as opposed to requesting another, full comment period.**

Y  N

- a. Has the Department ever denied such a request?
- b. If a request has been denied, the reason(s)?

Y  N

10. Has the public ever suggested improvements to the contents of your public notice, improvements to your public participation process, or other ways to notify them of draft permits? If so, please describe.

11. Approximately what percentage of your proposed permits has the public commented on? **Low; don't know; no requirement to track this data metric. Generally there are more comments on certain EGU, mining and odor-related projects.**

Y  N

12. Over the years, has there been an increase in the number of public comments you receive on proposed title V permits? **NA – see #11.**

Y  N

13. Have you noticed any trends in the type of comments you have received? Please explain. **There have been comments related to county government zoning that are not related to air quality. In such cases a county government either zones, or provides for a special use permit for something commercial near a residential area. The residents typically desire the state to make the industrial project “go away”, simply because it is the State government. In such cases it is not an air quality regulatory issue, but rather an available venue for frustrated citizens to “vent” and “go on the record.”**

- a. What percentage of your permits change due to public comments? **Low. Comments are typically not in regards to the regulatory permit requirements, but rather are emotion-based comments. The NDEP responds to all comments, including non-regulatory comments.**

Y  N

14. Have specific communities (e.g., environmental justice communities) been active in commenting on permits? **Not sure how this question defines “environmental justice community” in the context of rural Nevada, but the populace is not very segregated and all people are welcome to participate. Interest groups are most typical at EGU and mining projects. Representatives from certain tribal nations have been active.**

Y  N

15. Do your rules require that any change to the draft permit be re-proposed for public comment? **“Any change” needs to be defined. Required criteria for permit issuance and permit contents are specified in NAC. Substantive errors that effect compliance with a requirement or a change in process could be grounds to re-propose a permit. Edit changes that don't effect applicable requirements, or change emission limits or compliance with NAAQS, or re-define the project may not be grounds to re-propose. Pursuant to NAC, the Director must consider written comments, and comments from a public hearing before issuing a permit. As a**

practical matter, permits cannot be noticed *ad infinitum* and can always be corrected after issuance, if necessary.

- a. If not, what type of changes would require you to re-propose (and re-notice) a permit for comment? **Substantive changes; #15, above.**

#### EPA 45-day Review

- Y  N
16. Do you have an arrangement with the EPA region for its 45-day review to start at the same time the 30-day public review starts? **The NDEP recognizes that the EPA review starts after the state public review process so EPA can review the public comments collected by the state. In some cases the NDEP has requested concurrent review in advance on a case-by-case basis only. The NDEP has monthly phone conferences with Region permitting and keeps them apprised of upcoming permit notices. In this manner, the state and Region are aware of potentially sensitive issues that may have more resource-intensive comments. What could cause the EPA 45-day review period to restart (i.e., if public comments received, etc)? That would be EPA's discretion.**
- a. How does the public know if EPA's review is concurrent? **They ask. As noted above in #16, concurrence is the exception to the rule with EPA advanced approval.**
17. If the Department does concurrent public and EPA review, is this process a requirement in your title V regulations, or a result of a MOA or some other arrangement? **See #16, above. Concurrent processing is not a requirement of NDEP T5 regulations. Furthermore, the NDEP has been notified that such default concurrent processing is not acceptable to EPA and thus not an option.**

#### Permittee Comments

- Y  N
18. Do you work with the permittees prior to public notice? **Of course; quite frequently.**
- Y  N
19. Do permittees provide comments/corrections on the permit during the public comment period? **They may, on the record as the rest of the public does. At this point in the process we are not "bargaining" with the applicant on permit requirements. At this point in the process permittee comments are typically regarding clarification. Any trends in the type of comments? Applicants would like permit language to be simpler and EPA NSPS and NESHAP requirements to be less onerous. How do these types of comments or other permittee requests, such as changes to underlying NSR permits, affect your ability to issue a timely permit? Frequent communication and meetings with the applicant, if necessary, during the application review process prevent applicant "surprise" comments during the comment period that could be substantive and delay timelines.**

Public Hearings

20. What criteria does the Department use to decide whether to grant a request for a public hearing on a proposed title V permit? Are the criteria described in writing (e.g., in the public notice)? **The only criteria is the request itself.**

Y  N

a. Do you ever plan the public hearing yourself, in anticipation of public interest?

Availability of Public Information

Y  N

21. Do you charge the public for copies of permit-related documents?

If yes, what is the cost per page? **Up to 50 pages are copied free, then \$0.20 per page, pursuant to State policy. We also allow the public to setup an account with a local blueprint/copy service for special copy needs (scanning with OCR, over-sized, high volume, burning to CD, etc.) which includes a secure courier (public doesn't take records off site).**

Y  N

a. Are there exceptions to this cost (e.g., the draft permit requested during the public comment period, or for non-profit organizations)? **A copy of the draft permit or TSD would be provided for free. For other materials, up to 50 pages are copied free, then \$0.20 per page, pursuant to State policy.**

Y  N

b. Do your title V permit fees cover this cost? If not, why not? **Without a nominal fee for documents beyond the permit and TSD being noticed, and beyond any first 50 documents, we have experienced boundless data requests that quickly become unmanageable and administrative staff labor intensive. For example: "give me a copy of everything related to a mining project." [thousands of pages] With a nominal fee and free access to files during business hours, the requests are honed-down to a manageable size without restricting access to files. For example: "give me a copy of Acme Mining documents from 2000-2014." [tens or hundreds of pages] BAPC would rather spend T5 resources on engineers writing permits and performing compliance inspections than administrative staff operating xerox machines.**

22. What is your process for the public to obtain permit-related information (such as permit applications, draft permits, deviation reports, 6-month monitoring reports, compliance certifications, statement of basis) especially during the public comment period? **An information request or review documents in person during business hours. Permit files are onsite in the Carson City NDEP office.**

Y  N

a. Are any of the documents available locally (e.g., public libraries, field offices) during the public comment period? Please explain. **Yes, documents are always available locally, pursuant to NAC. Typically local location is a library and always at Carson City office.**

23. How long does it take to respond to requests for information for permits in the public comment period? **Response is within 5 days, delivery of materials as soon as practicable and depends on size of request. Onsite requests responded to immediately.**

- Y  N
24. Have you ever extended your public comment period as a result of requests for permit-related documents? **No. No such request has ever been made.**
- Y  N
- b. Do information requests, either during or outside of the public comment period, affect your ability to issue timely permits? **Not to date, it has not.**
25. What title V permit-related documents does the Department post on its website (e.g., proposed and final permits, statements of basis, public notice, public comments, responses to comments)? **Published public notice, proposed permit and abbreviated TSD.**
- a. How often is the website updated? **Whenever there is a new permit action proposed.** Is there information on how the public can be involved? **Yes, the public notice states how to comment, how to request a hearing and who to contact with any questions.**
- Y  N
26. Have other ideas for improved public notification, process, and/or access to information been considered? If yes, please describe. **The new Division website, currently under construction, will allow users to add or subscribe themselves to mailing lists for notification.**
- Y  N
27. Do you have a process for notifying the public as to when the 60-day citizen petition period starts? If yes, please describe. **Is this reference to public petitions to the Administrator under 40 CFR Part 70.8? If yes, not practicable for NDEP to do this; EPA 45-day review is not a “floor”. EPA may wave, or perform their review in less than 45 days. There is no way for NDEP to estimate EPA’s workload, interest and processing times to know when its 45-day period concludes to definitively states when the EPA 60-day citizen petition period begins. NDEP has never had the public make this request.**
- Y  N
28. Do you have any resources available to the public on public participation (booklets, pamphlets, webpages)? **Yes, every public notice states how to comment, how to request a hearing and who to contact with any questions. In addition the NDEP has on staff a public information officer and tribal liaison for outreach and to coordinate inquiries.**
- Y  N
29. Do you provide training to citizens on public participation or on title V? **NDEP did this for several years after T5 was initially implemented, but public interest has waned. The NDEP has limited audience turnover. In addition, the NDEP has noticed that interested parties seem to activate under lawyers under special interest groups as opposed to at the individual citizen level.**
- Y  N
30. Do you have staff dedicated to public participation, relations, or liaison? **Yes a public information officer and tribal liaison.**
- a. Where are they in the organization? **Division level.**

- b. What is their primary function? **Public and tribe relations and the dissemination of information.**

Affected State Review and Review by Indian Tribes

31. How do you notify tribes of draft permits? **Via ground mail and e-mail mailing lists.**

32. Has the Department ever received comments on proposed permits from Tribes? **Yes.**

33. Do you have any suggestions to improve your notification process? **No.**

Any additional comments on public notification? **No**

**E. Permit Issuance / Revision / Renewal**

Permit Revisions

1. Did you follow your regulations on how to process permit modifications based on a list or description of what changes can qualify for: **Not clear (is this “Did we follow...?”). We follow applicable regulations at all times and they define/describe what constitutes permit actions a-d, below. In addition, NDEP has a regulation that allows an applicant to receive a determination of applicability at no cost, within 60 days in writing.**

Y  N

a. Administrative amendment? **NAC 445B.3441**

Y  N

b. §502(b)(10) changes? **NAC 445B.342**

Y  N

c. Significant and/or minor permit modification? **NAC 445B.3425 & 344**

Y  N

d. Group processing of minor modifications? **The NDEP revision application supports the revision of multiple units.**

2. Approximately how many title V permit revisions have you processed? **A bunch, fairly common occurrence with mines and EGUs; T5 program has been in place almost 20 years.**

a. What percentage of the permit revisions were processed as: **Not clear how tracking percentage is a relevant metric and what time period is being requested. NDEP does track application processing, including type of permit action and has been doing so in a database since 1993.**

- i. Significant **Second-most common**
- ii. Minor **Most common**

- |                     |                   |
|---------------------|-------------------|
| iii. Administrative | Third most common |
| iv. Off-permit      | Not common        |
| v. 502(b)(10)       | Not common        |

3. How many days, on average, does it take to process (from application receipt to final permit revision):
  - a. a significant permit revision? Up to 14 months, pursuant to NAC 445B.3395 for final action.
  - b. a minor revision? Up to 55 days, pursuant to NAC 445B.3425 for final action.
  
4. How common has it been for the Department to take longer than 18 months to issue a significant revision, 90 days for minor permit revisions, and 60 days for administrative amendments? Please explain. Not common unless it is determined that additional information is required and the applicant is not timely responding or the application is not complete or if there is an outstanding compliance issue.
  
5. What have you done to streamline the issuance of revisions? Timeliness of any given permit action directly correlates to the quality of the permit application. To this end, the NDEP encourages and offers free pre-submittal application meetings. If the applicant is required to model, the NDEP provides model protocol and met files, upon request. Meetings with various industries as it relates to emission factors and new regulations are also common and helpful.
  
6. What process do you use to track permit revision applications moving through your system? Hardcopy and ARIS tracking.

Y  N

7. Have you developed guidance to assist permit writers and sources in evaluating whether a proposed revision qualifies as an administrative amendment, off-permit change, significant or minor revision, or requires that the permit be reopened? If so, provide a copy. Permit writers work with permit and compliance supervisor to make a case-by-case determination. Supervisors make the final determination. NDEP discourages the notion of “universal” determinations because while units may seem similar, specific case-by-case information and review is required, especially with the burgeoning federal regulations (NSPS, NESHAPs, etc.) to be accurate. NDEP encourages sources to submit a process narrative, process flow chart and other relevant unit data for a written determination using NAC.

**NAC 445B.235 Construction or modification: Determination by Director. (NRS 445B.210)**

1. When requested to do so by an owner or operator, the Director will make a determination of whether action taken or intended to be taken by the owner or operator constitutes construction, including reconstruction, or modification or the commencement thereof within the meaning of NAC 445B.236.
2. The Director will respond to any request for a determination under subsection 1 within 60 days after receipt of the request.

- Y  N
8. Do you require that source applications for minor and significant permit modifications include the source's proposed changes to the permit? **Application requirements include: industrial process application form, unit and facility PTE, a narrative description with process flow diagram, plot plan and map, and if applicable, an air dispersion model.**
- Y  N
- a. For minor modifications, do you require sources to explain their change and how it affects their applicable requirements? **Sources are required to explain their change in various components of the applications packet (see #8, above). The industrial process application form requires the applicant to specify compliance monitoring, and work practice standards at the unit level. Also, Section 8 of the application requires the applicant to provide an applicable requirements review. The application provides the review format in table form to help the applicant review and navigate requirements. The NDEP always independently evaluates permit applicabilities.**
- Y  N
9. Do you require applications for minor permit modifications to contain a certification by a responsible official that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used? **Yes, certification by an RO is required. However, the certification is to the truth, accuracy and completeness of all the application contents and proposed procedures. The NDEP retains primacy on the determination of whether the proposed application contents meet the specific criteria of a minor permit modification.**
10. When public noticing proposed permit revisions, how do you identify which portions of the permit are being revised? (e.g., narrative description of change, highlighting, different fonts). **Narrative description, including emissions PTE summary.**
11. When public noticing proposed permit revisions, how do you clarify that only the proposed permit revisions are open to comment? **Public notice narrative, and if necessary in response to comments.**

#### Permit Renewal Or Reopening

- Y  N
12. Do you have a different application form for a permit renewal compared to that for an initial permit application?
- a. If yes, what are the differences?
- Y  N
13. Has issuance of renewal permits been “easier” than the original permits? Please explain. **This is a case-by-case situation, but typically renewals are not “easier.” A renewal still requires the same review processes as a new permit.**
- Y  N
14. How are you implementing the permit renewal process (ie., guidance, checklist to provide to permit applicants)? (Y/N?). **A permit renewal requires the same review process as a new permit. The permit renewal application has a checklist for required application contents and**

the NDEP sends out courtesy letters to remind facilities that their permits will be expiring soon and that they require a renewal application.

15. What % of renewal applications have you found to be timely and complete? **The majority is timely and administratively complete for processing. However, it is not unusual to ask the applicant for additional information during the application processing procedure.**

16. How many complete applications for renewals do you presently have in-house ready to process? **Several.**

Y  N  17. Have you been able to or plan to process these renewals within the part 70 timeframe of 18 months? **Yes.** If not, what can EPA do to help? **The monthly permit group phone calls and ad-hoc communication has been very beneficial.**

Y  N  18. Have you ever determined that an issued permit must be revised or revoked to assure compliance with the applicable requirements? **Not revoked, but a few have been re-opened. In addition, the BAPC will use compliance orders or stop orders to rapidly take corrective action while a permit revision or re-open is processed concurrently.**

## F. Compliance

### 1. Deviation reporting:

a. Which deviations do you require be reported prior to the semi-annual monitoring report? Describe. **Any malfunction, upset, start-up, shutdown or human error that results in excess emissions (NAC 445B.232(5)).**

Y  N  b. Do you require that some deviations be reported by telephone? **No telephone-specific reporting requirement and industry prefers E-mail and FAX reporting.**

c. If yes, do you require a follow-up written report? If yes, within what timeframe? **NAC 445B.232(6): "Each owner or operator shall ensure that any notification or related info submitted to the Director pursuant to this section is provided in a format specified by the Director."**

Y  N  d. Do you require that all deviation reports be certified by a responsible official? (If no, describe which deviation reports are not certified). **All deviation reports are not certified. Note that NDEP is assuming that "excess emissions" are a separate category. Deviation reports are still required to be submitted and can be the basis for corrective action.**

Y  N  i. Do you require all certifications at the time of submittal? **No**

Y  N  ii. If not, do you allow the responsible official to "back certify" deviation reports? If you allow the responsible official to "back certify" deviation reports, what

timeframe do you allow for the followup certifications (e.g., within 30 days; at the time of the semi-annual deviation reporting)? **No back-cert of anything. Bad practice in general.**

2. How does your program define deviation? **See F(1)(a), above.**

Y  N

a. Do you require only violations of permit terms to be reported as deviations? **Sources must report deviations as defined in F(1)(a), above. Then NDEP will follow the NAC regulatory process to determine if there has been an applicable violation pursuant to our regulatory authority.**

b. Which of the following do you require to be reported as a deviation (Check all that apply): **NAC states "...shall notify the Director of any excess emissions...".**

Y  N

i. excess emissions excused due to emergencies (pursuant to 70.6(g))

Y  N

ii. excess emissions excused due to SIP provisions (cite the specific state rule)

Y  N

iii. excess emissions allowed under NSPS or MACT SSM provisions?

Y  N

iv. excursions from specified parameter ranges where such excursions are not a monitoring violation (as defined in CAM)

Y  N

v. excursions from specified parameter ranges where such excursions are credible evidence of an emission violation

Y  N

vi. failure to collect data/conduct monitoring where such failure is "excused": **Not sure what ("excused") refers to in this context. NAC states "...shall notify the Director of any excess emissions...". NAC does not provide for "pre-excused events."**

Y  N

A. during scheduled routine maintenance or calibration checks. **NAC 445B.232(1-3): "Scheduled maintenance or testing or scheduled repairs which may result in excess emissions of regulated pollutants ...must be approved in advance by the Director and performed during a time designated by the Director as being favorable for atmospheric ventilation." If this provision is not utilized, then must report.**

Y  N

B. where less than 100% data collection is allowed by the permit. **Data collection requirements are specified, enforceable requirements; not meeting any requirement 100% is a deviation. NDEP doesn't issue permits that pre-authorize non-compliance.**

Y  N

C. due to an emergency see F(vi), above. **NAC doesn't "carve-out" any deviations, including "emergencies" from reporting. The basic design of the NAC and its implementation by NDEP is to report all deviations and then undergo a process of potential violation review.**

Y  N

vii. Other? Describe.

3. Do your deviation reports include:

Y  N

a. the probable cause of the deviation?

Y  N

b. any corrective actions taken?

Y  N

c. the magnitude and duration of the deviation?

Y  N

4. Do you define “prompt” reporting of deviations as more frequent than semi-annual? *Deviations are reported pursuant to (NAC 445B.232(5)), which would be more frequent than semi-annual.*

Y  N

5. Do you require a written report for deviations? *Yes, pursuant to NAC 445B.232(5&6).*

Y  N

6. Do you require that a responsible official certify all deviation reports? *No, as stated in F(1)(d), above: “Do you require that all deviation reports be certified by a responsible official?” Deviation reports are still required to be submitted and can be the basis for corrective action.*

7. What is your procedure for reviewing and following up on: *Engineering staff in Compliance and Enforcement branch immediately track received reports and certification in ARIS. Staff then reviews reports and certifications. Additional information is requested from sources, if required. If a report or certification evaluation determines a violation then a NOAV is issued and financial penalties may be assessed.*

- a. deviation reports?
- b. semi-annual monitoring reports?
- c. annual compliance certifications?

8. What percentage of the following reports do you review? *All.*

- a. deviation reports
- b. semi-annual monitoring reports
- c. annual compliance certification

9. Compliance certifications

Y  N

a. Have you developed a compliance certification form? *If no, go to question 10.*

Y  N

- i. Is the certification form consistent with your rules?
- ii. Is compliance based on whether compliance is continuous or intermittent or whether the compliance monitoring method is continuous or intermittent? *Compliance must be continuous and is monitored by continuous and/or intermittent methods as necessary to demonstrate compliance with the applicable underlying requirement.*

Y  N

iii. Do you require sources to use the form? *Yes, as in 9(a), above. If not, what percentage does?*

Y  N

iv. Does the form account for the use of credible evidence?

Y  N

v. Does the form require the source to specify the monitoring method used to determine compliance where there are options for monitoring, including which method was used where more than one method exists? **Permits specify the monitoring methodology required to demonstrate compliance.**

10. Excess emissions provisions:

Y  N

a. Does your program include an emergency defense provision as provided in 70.6(g)? If yes, does it: **Nevada ASIP article #2.5.4 states “Breakdown or upset, determined by the Director to be unavoidable and not the result of careless or marginal operations, shall not be considered a violation of these regulations.” The SIP article provides that the determination of emergency is made by the Director; not by the permittee and requires independent evaluation and concurrence by the Director. If the Director concurs that it was an emergency, i., ii., iii., below could be excused.**

Y  N

i. Provide relief from penalties?

Y  N

ii. Provide injunctive relief?

Y  N

iii. Excuse noncompliance?

Y  N

b. Does your program include a SIP excess emissions provision? If no, go to 10.c. If yes does it:  
**NAC requires reporting of deviations/excess emissions in addition to SIP provision. At that point, the NDEP will evaluate independently if the SIP emergency provision is applicable or if a violation is applicable.**

Y  N

i. Provide relief from penalties? **(b, above)**

Y  N

ii. Provide injunctive relief? **(b, above)**

Y  N

iii. Excuse noncompliance? **(b, above)**

c. Do you require the source to obtain a written concurrence from the Department before the source can qualify for: **See F(10)(b), above.**

Y  N

i. the emergency defense provision? **(c, above)**

Y  N

ii. the SIP excess emissions provision? **(b, above)**

Y  N

iii. NSPS/NESHAP SSM excess emissions provisions? **(b, above)**

11. Is your compliance certification rule based on: **A certification of compliance contains all applicable requirements, submitted by a responsible official, consistent with NAC 445B.3368 and 42 U.S.C. § 7414(a)(3) or 7661c(b). See also NAC 445B.3405: “Required Contents of Permits.”**

Y  N

a. the ‘97 revisions to part 70 - i.e., is the compliance certification rule based on whether the compliance monitoring method is continuous or intermittent; or:

Y  N

b. the ‘92 part 70 rule - i.e., is the compliance certification rule based on whether compliance was continuous or intermittent?

12. Any additional comments on compliance? **No**

### **G. Resources & Internal Management Support**

- Y  N
1. Are there any competing resource priorities for your “title V” staff in issuing title V permits?
    - a. If so, what are they?
  2. Are there any initiatives instituted by your management that recognize/reward your permit staff for getting past barriers in implementing the title V program that you would care to share? **Nevada State government doesn’t have “initiatives” as an option at the Division management level. The State has annual work performance reviews, and meeting or exceeding standards gives an employee a merit pay raise. No; as we began implementing T5 almost 20 years ago I think we are beyond barriers of implementation and more onto case-by-case permit challenges.**
  3. How is management kept up to date on permit issuance? **ARIS tracking reports, communication with supervisors and staff.**
- Y  N
4. Do you meet on a regular basis to address issues and problems related to permit writing? **With who; management or staff? We meet with both routinely on re-occurring schedules and as we are a small group, people get up from their desks and routinely collaborate at will, as needed.**
- Y  N
5. Do you charge title V fees based on emission rates? **There is an annual emissions fee per ton times the total tons of each pollutant for the preceding calendar year, plus a flat “maintenance” fee annually.**
    - a. If not, what is the basis for your fees?
    - b. What is your title V fee? **NAC 445B.327. \$16/ton + maintenance fee of \$15-30K depending on size/type of permit.**
  6. How do you track title V expenses? **State & Bureau budget systems.**
  7. How do you track title V fee revenue? **State & Bureau budget systems.**
  8. How many title V permit writers does the agency have on staff (number of FTE’s)? **~10-12.**

- Y  N  9. Do the permit writers work full time on title V? **The T5 permit writers do.**
- a. If not, describe their main activities and percentage of time on title V permits.
  - b. How do you track the time allocated to Title V activities versus other non-title V activities?
- Y  N  10. Are you currently fully staffed? **As much as “fully staffed” is possible with a typical amount of turnover. We are currently short 1 supervisor and 1 permit writer. The NDEP recently has experienced some substantive retirements of Bureau Chiefs in both Air Bureaus and a Deputy Administrator, two permitting supervisors, but also recently added 6 new positions. A substantive effort is underway to train new staff and to capture and dispense institutional knowledge.**
11. What is the ratio of permits to permit writers? **Varies with complexity and size of an application assignment and permit writer’s level of training. No two applications are the same. Supervisors work with the permit staff and Bureau chief to load-balance assignments pursuant to regulatory timelines and priority.**
12. Describe staff turnover. **See G(10) above. NDEP has adequate personnel pursuant to 40 CFR 70.4(b)(8).**
- a. How does this impact permit issuance? **Given the specific current situation of losing key Air institutional knowledge to retirement (3 managers), 2 of 3 permit supervisors, and the hiring of 6 new staff at nearly the same time, there has been the expected decrease in speed as new staff recruited, interviewed and trained.**
  - b. How does the permitting authority minimize turnover? **NDEP has adequate personnel pursuant to 40 CFR 70.4(b)(8).**
- Y  N  13. Do you have a career ladder for permit writers?
- a. If so, please describe. **NDEP has the “Environmental Scientist” (ES) and “Staff Engineer” (SE) State job series and classifications with various grades and pay “steps” (1-10) that provides for the progression from entry level positions to higher levels of pay, skill, responsibility, or authority.**
- Y  N  14. Do you have the flexibility to offer competitive salaries? **Not sure that “flexibility” equals competitive. We hire pursuant to state requirements and are nearly fully staffed. Most staff that comes to work in State service recognizes that the salary is not the main factor for choosing state service. Staff comes for the medical and retirement benefits, fixed hours of work (40hr/wk) and personal rewards of providing civil service and protection of the environment in addition to the State salary.**
- Y  N  15. Can you hire experienced people with commensurate salaries?

16. Describe the type of training given to your new and existing permit writers. **In-house mentoring, WESTAR classes, CARB classes, RTI classes, online classes, cross-training between Branches and “ride-alongs” with Compliance and Enforcement branch. Other professional training to support RPE staff CEUs.**

17. Does your training cover:

Y  N

a. how to develop periodic and/or sufficiency monitoring in permits?

Y  N

b. how to ensure that permit terms and conditions are enforceable as a practical matter?

Y  N

c. how to write a Statement of Basis?

Y  N

18. Is there anything that EPA can do to assist/improve your training? Please describe. **See cover letter.**

19. How has the Department organized itself to address title V permit issuance? **See organizational chart.**

20. Overall, what is the biggest internal roadblock to permit issuance from the perspective of Resources and Internal Management Support? **Increasingly complex rules such as 111(d) that expand work exponentially without a corresponding increase in grant fund assistance and training.**

### Environmental Justice Resources

Y  N

21. Do you have Environmental Justice (EJ) legislation, policy or general guidance which helps to direct permitting efforts? **The EPA defines environmental justice as "the fair treatment and meaningful involvement of all people regardless of race, color, sex, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations, and policies." (<http://www.epa.gov/region1/ej/>) NDEP policy and guidance adheres to EPA’s definition by protecting the health and welfare of all citizens, regardless of socio economic status. While Nevada state legislation does not reference the term “Environmental Justice”, the NAC has provided for a Program where all of NDEP’s jurisdiction is in attainment for all pollutants for all populations.**

If so, may EPA obtain copies of appropriate documentation?

Y  N

22. Do you have an in-house EJ office or coordinator, charged with oversight of EJ related activities? **NDEP does not have a demographic large enough to warrant the need of a FTE, nor a programmatic need. NDEP does not have jurisdiction in Clark and Washoe counties where the majority of the State’s population is based. Of the approximately 2.7M people in the State, NDEP has oversight over ~328K.**

- Y  N  23. Have you provided EJ training / guidance to your permit writers? See G(21), above. Training / guidance to permit writers is protection of the standards in ambient air where any and all members of the public may have access.
- Y  N  24. Do the permit writers have access to demographic information necessary for EJ assessments? (e.g., socio-economic status, minority populations, etc.) See G(21), above. All permit writers have internet access to obtain demographic and other information.
- Y  N  25. When reviewing an initial or renewal application, is any screening for potential EJ issues performed? If so, please describe the process and/or attach guidance. See G(21), above. Air dispersion modeling is performed for every permit issued. Modeling files include a fence or physical barrier that prevents public access (definition of ambient air under the CAA and NAC). Permits are only issued if a facility does not interfere with the NAAQS where the public has access regardless of socioeconomic status.

## H. Title V Benefits

1. Compared to the period before you began implementing the title V program, does the title V staff generally have a better understanding of: N/A. Pursuant to the FR, NDEP had final interim approval in 12/12/1995, effective 1/11/1996. NDEP does not have the same permit staff that it had almost 20 years ago to make such a “comparison.”
- Y  N  a. NSPS requirements? N/A
- Y  N  b. The stationary source requirements in the SIP? N/A
- Y  N  c. The minor NSR program? N/A
- Y  N  d. The major NSR/PSD program? N/A
- Y  N  e. How to design monitoring terms to assure compliance? N/A
- Y  N  f. How to write enforceable permit terms? N/A
2. Compared to the period before you began implementing the title V program, do you have better/more complete information about: N/A; NDEP does not have the same permit staff that it had almost 20 years ago to make such a “comparison.”
- Y  N  a. Your source universe including additional sources previously unknown to you? N/A
- Y  N  b. Your source operations (e.g., better technical understanding of source operations; more complete information about emission units and/or control devices; etc.)? N/A
- Y  N  c. Your stationary source emissions inventory? N/A
- Y  N  d. Applicability and more enforceable (clearer) permits? N/A
3. In issuing the title V permits: N/A; NDEP does not have the same permit staff that it had almost 20 years ago to make such a “comparison.”

Y  N

a. Have you noted inconsistencies in how sources had previously been regulated (e.g., different emission limits or frequency of testing for similar units)? If yes, describe.

N/A

Y  N

b. Have you taken (or are you taking) steps to assure better regulatory consistency within source categories and/or between sources? If yes, describe.

N/A

4. Based on your experience, estimate the frequency with which potential compliance problems were identified through the permit issuance process: N/A; NDEP does not have the same permit staff that it had almost 20 years ago to make such a statement of experience.

Never Occasionally Frequently Often

- a. prior to submitting an application
- b. prior to issuing a draft permit
- c. after issuing a final permit

5. Based on your experience with sources addressing compliance problems identified through the title V permitting process, estimate the general rate of compliance with the following requirements prior to implementing title V: N/A; NDEP does not have the same permit staff that it had almost 20 years ago to make such a statement of experience.

Never Occasionally Frequently Often

- a. NSPS requirements (including failure to identify an NSPS as applicable)
- b. SIP requirements
- c. Minor NSR requirements (including the requirement to obtain a permit)
- d. Major NSR/PSD requirements (including the requirement to obtain a permit)

6. What changes in compliance behavior on the part of sources have you seen in response to title V? (Check all that apply.) N/A; NDEP does not have the same permit staff that it had almost 20 years ago to make such a statement of change, let alone the same facility inventory.

Y  N

a. increased use of self-audits? N/A

Y  N

b. increased use of environmental management systems? N/A

Y  N

c. increased staff devoted to environmental management? N/A

Y  N

d. increased resources devoted to environmental control systems (e.g., maintenance of control equipment; installation of improved control devices; etc.)? N/A

Y  N

e. increased resources devoted to compliance monitoring? N/A

Y  N

f. better awareness of compliance obligations? N/A

Y  N

g. other? Describe. N/A

- Y  N  7. Have you noted a reduction in emissions due to the title V program? **N/A; Not even sure how you would quantify this with any type of accuracy. The State and Federal applicable regulations have not remained static nor has the inventory of facilities permitted remained static over the last 20 years to make such a comparison. In addition there are several external variables such as economic boom and bust cycles, limitations in natural resource availability, changing consumer demands, etc.**
- Y  N  a. Did that lead to a change in the total fees collected either due to sources getting out of title V or improving their compliance? **N/A**
- Y  N  b. Did that lead to a change in the fee rate (dollars/ton rate)? **N/A**
8. Has title V resulted in improved implementation of your air program in any of the following areas due to title V: **N/A; NDEP does not have the same permit staff that it had almost 20 years ago to make such a statement of change.**
- Y  N  a. netting actions **N/A**
- Y  N  b. emission inventories **N/A**
- Y  N  c. past records management (e.g., lost permits) **N/A**
- Y  N  d. enforceability of PTE limits (e.g., consistent with guidance on enforceability of PTE limits such as the June 13, 1989 guidance) **N/A**
- Y  N  e. identifying source categories or types of emission units with pervasive or persistent compliance problems; etc. **N/A**
- Y  N  f. clarity and enforceability of NSR permit terms **N/A**
- Y  N  g. better documentation of the basis for applicable requirements (e.g., emission limit in NSR permit taken to avoid PSD; throughput limit taken to stay under MACT threshold) **N/A**
- Y  N  h. emissions trading programs **N/A**
- Y  N  i. emission caps **N/A**
- Y  N  j. other (describe) **N/A**
- Y  N  9. If yes to any of the above, would you care to share how this improvement came about? (e.g., increased training; outreach; targeted enforcement)? **N/A**
- Y  N  10. Has title V changed the way you conduct business? **N/A; T5 began implementation 20 years ago.**
- Y  N  a. Are there aspects of the title V program that you have extended to other program areas (e.g., require certification of accuracy and completeness for pre-construction permit applications and reports; increased records retention; inspection entry requirement language in NSR permits). If yes, describe. **Minor NSR provisions.**
- Y  N  b. Have you made changes in how NSR permits are written and documented as a result of lessons learned in title V (e.g., permit terms more clearly written; use of a statement of basis to document decision making)? If yes, describe. **Probably; that is not a metric that is monitored, measured or recorded.**

- Y  N  c. Do you work more closely with the sources? If yes, describe. **N/A; BAPC has always made itself available to sources. How “close” isn’t defined by permit type, but rather the sources’ level of expertise and project complexity.**
- Y  N  d. Do you devote more resources to public involvement? If yes, describe. **N/A; amount of resources depends on quantity of projects, types of projects and types of permit actions.**
- Y  N  e. Do you use information from title V to target inspections and/or enforcement? **T5 permit information is used for T5 inspections and enforcement. Other relevant data sources are not precluded. All T5 facilities are inspected once per year.**
- Y  N  f. Other ways? If yes, please describe. **?**
- Y  N  11. Has the title V fee money been helpful in running the program? Have you been able to provide: **Yes, the T5 fees have been and are helpful in running the T5 program. Again, can’t speak to “better” or “more” provisions because current staff wasn’t present 20 years ago prior to T5 implementation.**
- Y  N  a. better training? **N/A**
- Y  N  b. more resources for your staff such as CFRs and computers? **N/A**
- Y  N  c. better funding for travel to sources? **N/A**
- Y  N  d. stable funding despite fluctuations in funding for other state programs? **N/A**
- Y  N  e. incentives to hire and retain good staff? **N/A**
- Y  N  f. are there other benefits of the fee program? Describe. **N/A**
- Y  N  12. Have you received positive feedback from citizens? **No record of a citizen providing positive feedback on T5.**
- Y  N  13. Has industry expressed a benefit of title V? If so, describe. **No record of industry expressing a benefit of being regulated, T5 or otherwise.**
- Y  N  14. Do you perceive other benefits as a result of the title V program? If so, describe. **T5 as a permit “container” for all applicable air quality requirements.**
- Y  N  15. Other comments on benefits of title V?

**Workplan  
for  
Title V Program Evaluation  
Nevada Division of Environmental Protection,  
Bureau of Air Pollution Control**

US EPA, Region 9

**Objectives**

- To perform a title V program evaluation of the Nevada Department of Environmental Protection (NDEP), Bureau of Air Pollution Control (BAPC)
- To identify any areas for improvement in NDEP's title V program and in EPA's own oversight role.
- To identify areas where NDEP's program could be used as an example for other permitting authorities to improve their implementation of title V.

NDEP is one of several air permitting agencies in Region 9 where EPA plans to perform title V program evaluations. These evaluations are being performed nationwide by EPA.

**EPA Program Evaluation Team for NDEP**

The following staff and managers are part of EPA's program evaluation team. Should you have any questions, please contact Geoffrey Glass (415-972-3498) or Gerardo Rios (415-972-3974).

**Site Visit Participants:**

1. Amy Zimpfer - Air Division Associate Director, Division lead for Nevada
2. Gerardo Rios - Air Division Permits Office Chief
3. Geoffrey Glass - NDEP title V program evaluation coordinator, Permits Office
4. Tiffini Buchanan – NDEP title V program evaluation team member, Permits Office
5. Ken Israels – NDEP title V program evaluation team member, Grants and Program Integration Office

**Other EPA Staff Providing Assistance:**

6. Kara Christenson - Office of Regional Counsel

**Approach**

The program evaluation will be conducted in two stages.

- Stage I: NDEP's responses to the title V program evaluation questionnaire will help us prepare for the second stage of the program evaluation.

- Stage IIa: In-House File Review. EPA will conduct a review of in-house permit files prior to the site visits.
- Stage IIb: Site visits (interviews and on-site file reviews). During the site visits, EPA will visit NDEP to interview staff and managers involved in the title V program. In addition, EPA will conduct a review of NDEP files/systems, such as any title V-related documents which were not available during the in-house file review, NDEP tracking system for title V permits and related documents, and standard operating procedures.
- Stage IIc: Follow-up and Report. EPA may need to contact certain NDEP staff/managers for follow-up questions and/or to complete some interviews. EPA will prepare a draft report, which we will share with NDEP for review and comment. EPA will then issue the final report.

### **Detailed Description of EPA Efforts**

EPA will examine how NDEP implements its title V permitting program. Particular emphasis will be placed on NDEP overall program goals and how decisions are made. We will also review some aspects of the program implementation budget and evaluate how title V resources are allocated. We will work closely with NDEP throughout the program evaluation.

### **Needed Information**

Listed below is information EPA will need to help us prepare for the site visits to NDEP:

- A listing of staff related to the title V program with their respective responsibilities (including staff that work on public outreach for title V permitting).
- NDEP BAPC's current organizational chart with names and phone numbers.
- A flowchart (or other information) of NDEP's title V fee structure clearly showing how fees are set, collected, tracked, and used in support of the program. In addition, NDEP should provide specific references to title V fee-related legislation used by the Department.
- a list of sources that NDEP regulates under its title V program

### **Interviews**

During the site visits, EPA will interview NDEP managers and staff who are involved with the title V program. EPA will schedule interview appointments in advance. We would like to ask for your assistance in identifying appropriate interviewees.

During the interviews, we plan to ask questions based on the areas addressed in the title V Program Evaluation Questionnaire sent to NDEP. These areas include (1) title V permit preparation and content, (2) monitoring, (3) public participation, (4) permit issuance, revision, and renewal, (5) compliance, (6) resources & internal management support, and (7) title V benefits. EPA's interview questions may also be based upon our in-house file reviews.

### **Other Site Visit Activities**

EPA plans to review the systems used by NDEP for tracking title V permits, applications, emission inventories, title V fees, compliance certifications, and related reports. We would also like to examine how title V permit and compliance files are organized at NDEP's main office. We may also review title V-related documents that were not available during our in-house file review. During our site visits, we will need access to all the systems and files described above.

### **Site Visit Schedule**

The site visits will occur in June or July of this year. We will work with NDEP before the site visits to schedule individual, on-site interviews. During our visit to your office, we plan to conduct interviews for the first two days and review the tracking systems and files on the third day.

### **Follow-up After Site Visits and Completion of Report**

EPA may follow up by phone with NDEP after the site visits to ask for clarification on any questions or issues resulting from our visit.

EPA plans to issue a draft report in late 2014 or early 2015. The report will be based on the interviews, the site visits, and our internal file reviews of title V permits and related documents issued by NDEP. The report will allow EPA to document the successes and areas needing improvement that arise from the program review. Prior to public release, EPA will issue the draft report to NDEP for a 30-day review and comment period. After considering NDEP's comments and input, EPA will issue the final report with our recommendations.

A copy of EPA's final report will be made publicly available and will be published on our website. If a corrective action plan is necessary, there may be a follow-up step after the corrective action plan is finalized to determine how well the recommendations/commitments are being implemented.

STATE OF NEVADA  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
DIVISION OF ENVIRONMENTAL PROTECTION  
BUREAU OF AIR POLLUTION CONTROL

**Director's Review and Preliminary Determination of Permit Issuance**

for

**Sierra Pacific Power Company D/B/A NV Energy  
North Valmy Generating Station  
Humboldt County  
December 30, 2014**

Sierra Pacific Power Company D/B/A NV Energy (NV Energy) submitted an application for renewal of Class I (Title V) Air Quality Operating Permit AP4911-0457.03 and a revision for their North Valmy Generating Station (Valmy). The project is located in Humboldt County, Nevada, approximately 4 miles north of US Interstate Highway 80 between Winnemucca, Nevada and Battle Mountain, Nevada in Sections 20, 21, 28, and 29, T35N, R43E (MDB&M).

The Nevada Division of Environmental Protection – Bureau of Air Pollution Control (BAPC) has reviewed the applications for renewal and revision, and has made a preliminary determination to issue the renewed and revised Class I (Title V) Operating Permit. The Valmy facility produces about 500 Megawatts of power. Valmy consists of two coal-fired steam electric generating units plus a variety of auxiliary equipment. The revision addressed replacing several dust collectors with more efficient dust collectors which lowered emissions.

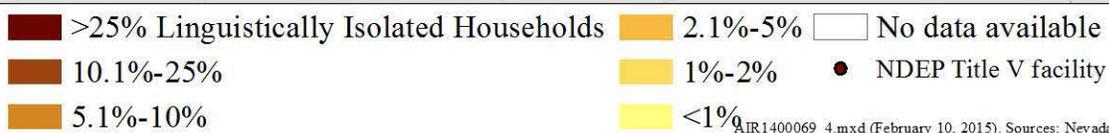
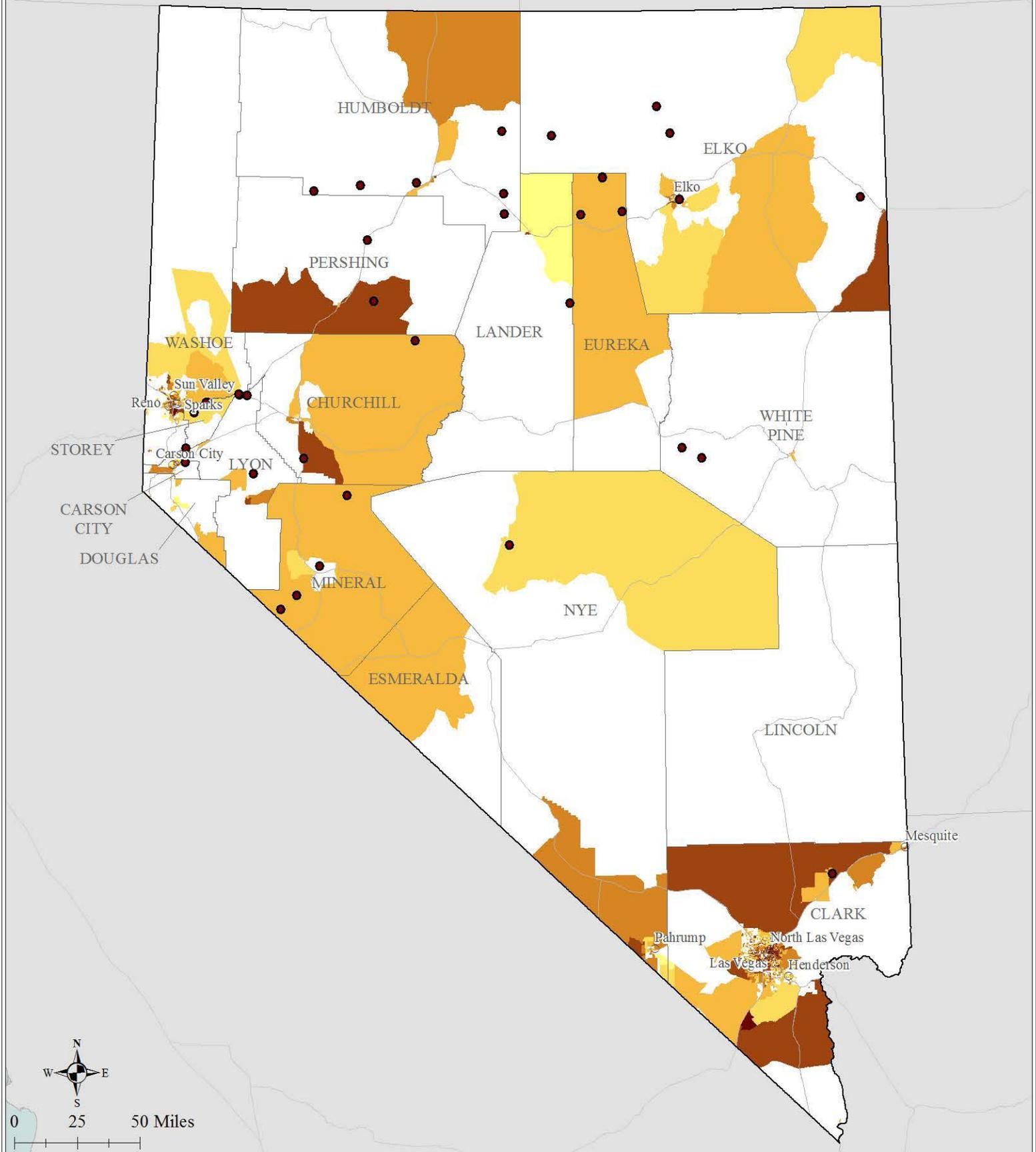
The facility-wide potential-to-emit (PTE), including emissions from Non-Permit equipment, is given in the table below:

Current emission estimates indicate that the Valmy plant will continue to be a PSD major stationary source and major for HAPs, because the potential-to-emit for all pollutants is greater than 100 tons per year and the combined HAPs are greater than 25 tons per year.	<i>Facility-Wide Potential to Emit (PTE)</i>	
	Pollutant	TPY
	<b>PM</b>	(Particulate Matter) 1,689
	<b>PM<sub>10</sub></b>	(Particulate matter <10 microns in diameter) 1,688
	<b>PM<sub>2.5</sub></b>	(Particulate matter <2.5 microns in diameter) 1,688
	<b>NO<sub>x</sub></b>	(Oxides of Nitrogen) 14,162
	<b>CO</b>	(Carbon monoxide) 73,023
	<b>VOC</b>	(Volatile Organic Compounds) 480
	<b>SO<sub>2</sub></b>	(Sulfur Dioxide) 21,027
	<b>Pb</b>	(Lead) 237
	<b>HAPs (all)</b>	(Hazardous Air Pollutants) 2,025
	<b>CO<sub>2e</sub></b>	(Greenhouse Gases – Carbon Dioxide Equivalent) 6,758,223

The project is located in Air Quality Hydrographic Area (HA) 64 – the Clovers Area of the Humboldt River Basin. The Valmy facility is a major source of HAPs. The boilers are subject to NSPS standards 40 CFR Part 60, Subpart D (Boiler 1) and Da (Boiler 2). The coal handling system is subject to 40 CFR Part 60, Subpart Y, and the two emergency diesel fire pumps are subject to Subpart IIII. The fire pumps and diesel emergency generators are subject to operating limitations under the NESHAP for *Stationary Reciprocating Internal Combustion Engines*, 40 CFR Part 63, Subpart ZZZZ. The boilers are also subject to Acid Rain requirements (40 CFR Part 72, Subpart A).

Air dispersion modeling conducted by the applicant and the BAPC demonstrates that continued operation of the Valmy plant, after the renewal and revision, will not violate any applicable ambient air quality standard. Valmy must comply with all State and Federal air quality requirements and all conditions established within the proposed Class I (Title V) Air Quality Operating Permit.

# NDEP TITLE V FACILITIES AND PERCENTAGE OF LINGUISTICALLY ISOLATED HOUSEHOLDS BY US CENSUS BLOCK GROUP IN NEVADA



(2015), American Community Survey 2006-2010 File Geodatabase for Block Groups, U.S. EPA Office of Environmental Information (OEI) - Office of Information Analysis and Access (OIAA) (2011), TANA (2006), AIR1400069\_4.mxd (February 10, 2015). Sources: Nevada Division of Environmental Protection





# Welcome to NEATS Nevada Employee Action and Timekeeping System

Home Time Employee Training Recruiting Jobs Messages

Session Started: 11/4/14 11:56 AM  
Current User: rbamford  
Site Help Logoff

## Timesheet View Page Help ?

**Pay Period:** [Redacted] **Document:** Draft - [Document Number Not Yet Assigned]  
**Employee Name:** [Redacted] **Reporting Method:** Positive  
**Agency/Org:** 709/ 3185 **Loc:** CC0257

**Work Schedule**

Standard Shift: 6:00 am - 4:30 pm : Regular Shift

Regular Days Off:

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Work Cycle
Week 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	IMV
Week 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	IMV

**Current Leave Balances**

Leave Category	Balance
ANNL	[Redacted]
FURLO (FY 2014)	[Redacted]
FURLO (FY 2015)	[Redacted]
SICK	[Redacted]

**Position Accounting Attributes LDPR - 7090T**

Fund	Agcy	Org	SubOrg	ApprUnit	Actv	Func	Obj	SubObj	Job	ReptCatg	%
101	709	4730		318501					AF47		0.7000
101	709	7930		318501					AF79		0.3000

No Exceptions

Hash Total: 0.00 Time Total: 0.00

Line	Reduce Base Pay	Org	Sub	Appr	Job	Activity	Function	Labr Dist Prof	Req#	Event	Rsn	Mon 10/27	Tue 10/28	Wed 10/29	Thu 10/30	Fri 10/31	Sat 11/01	Sun 11/02	Mon 11/03	Tue 11/04	Wed 11/05	Thu 11/06	Fri 11/07	Sat 11/08	Sun 11/09	Total	Type							
<b>Standard Events</b>																																		
X										PRT		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	Hrs.Mins							
X										PRT		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	Hrs.Mins							
X										PRT		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	Hrs.Mins							
X										PRT		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	Hrs.Mins							
1 * Add a new row...																																		
<b>Leave</b> [ Request Leave   1 Requests Pending ]																																		
1 * Add a new Leave row...																																		
<b>Overtime</b> [ Request OT ]																																		
1 * Add a new OT row...																																		
												<b>Total</b>																						
												0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

Additional Description:

Attachments:

Find File:  No file chosen

**Messages and Errors**

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**Timesheet Audit Log**

10/28/14 9:15 AM	[Redacted]	Create Draft
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## **Nevada Division of Environmental Protection**

EPA IX Air Division Title V Program Evaluation—Fee Information

August 26, 2014

The following information is provided to assist EPA Region IX Air Division staff with their evaluation of NDEP's Title V operating permit program. Specifically, information is provided that demonstrates the Title V permitting program is adequately funded by program fees and that fee revenue and expenditures associated with the program are appropriately tracked.

### ***How are Title V program expenditures tracked?***

The State's accounting system provides several layers of account coding so that expenditures can be properly classified to their program area and revenue source. A copy of the Chart of Accounts for the NDEP Air programs is included as **Attachment 1**. The Chart demonstrates distinct account coding for Federal vs Fee programs and Title V fees vs other fees. The coding also allows identification of MBE/WBE expenditures. Title V fee expenditures are identified according to the following accounting coding:

Agency: 709 Division of Environmental Protection  
Budget Account: 3185 Air Quality  
Organization: 7930 Title V Fees

Each even-numbered year the Division develops a Biennial budget for approval by the Legislature during their odd-numbered year sessions. As part of the budgeting process, we develop a Fund Map that represents our plan for allocating resources by mapping anticipated program expenditures to specific revenue sources, including Title V fees. Staff positions and related costs are allocated to specific revenue sources within the Fund Map based on the type of work performed. Actual expenditures are then coded using the account coding system described above and are monitored through the biennium relative to revenue collections and the Fund Map. Adjustments to resource allocations are made as needed. Over the past three years, we have allocated approximately 10 FTEs to the Title V program. Obviously, personnel accounts for the lion's share of total program expenditures. **Attachment 2** provides reports from the State accounting system for the past three State fiscal years that show actual expenditures supporting the Title V program. The total expenditures are also listed below:

FY14 \$995,677  
FY13 \$1,065,332  
FY12 \$1,100,471  
3 Yr Average = \$1,053,826

### ***How is Title V fee revenue tracked?***

Each of NDEP's Bureaus have separate billing and tracking systems to collect their program fees. The Air programs use ARIS to develop annual invoices for emissions and maintenance

fees. Application fees are also tracked in ARIS. In addition to ARIS, our staff assigned to fee collection maintain a subsidiary ledger in a spreadsheet to track actual fee collections. All the Air program fees that are collected are deposited into the Air Quality Management Fund, which is a separate interest bearing account in the State's accounting system. Given our current system for fee collection, it is impractical to distinguish and code specific incoming fee payments as Title V fees vs other program fees. We are only able to code fee payments as either Application Fees or Annual Emission and Maintenance Fees. We can however distinguish Title V revenue using our subsidiary ledger. **Attachment 3** is an excerpt from our subsidiary ledger and provides a detailed listing of Title V fees collected over the past three fiscal years. It shows some minor variability year over year due to permit renewal cycles, operational changes at facilities and regulatory revisions. For example collections were slightly higher in FY12 due to application fees from mining operations that were newly brought into the Title V program by 40 CFR Part 63 Subpart EEEEEEE. Collections were slightly lower in FY14 due in part to a unit at Reid Gardner that was not operated and two permits that were cancelled. Total Title V fee collections for the past three years are listed below:

FY14 \$918,526  
FY13 \$1,025,463  
FY12 \$1,327,411  
3 Yr Average = \$1,090,467

***Are Title V program fees adequately supporting the Title V program?***

Preliminary feedback from EPA IX staff regarding their evaluation of the NDEP Title V permitting program has been positive, acknowledging that we have a strong and comprehensive program and competent and knowledgeable staff. While we have a minor backlog, it is largely attributable to recent turnover of key supervisory and management positions. We are currently fully staffed and are positioned to eliminate any backlog in the future. We have consistently dedicated sufficient staff resources to support the program, particularly given the relatively small universe of Title V facilities in Nevada. Our fee revenue has closely tracked our expenditures; in fact the difference in the three year averages between revenues and expenditures is only 3.5%. We also have in regulation the ability to invoke a CPI increase in fees of 2% per year, but given a modest reserve in the Air Quality Management Account we have so far not needed to do so. NDEP concludes that our program is more than adequate and that fees are adequately supporting the program.

**Division of Environmental Protection  
ALPHA RECORD ORGANIZATION  
For the Year Ended June 30, 2014**

Rev: 06/27/14

<b>FUND:</b>	101	GENERAL FUND
<b>BUDGET ACCOUNT:</b>	3185	BUREAU OF AIR QUALITY
<b>DEPARTMENT:</b>	70	CONSERVATION
<b>AGENCY:</b>	9	ENVIRONMENTAL PROTECTION

**\*\* Use Cat. 59 for Utility bills**

	<u>ORG</u>	<b>***TRADITIONAL CATEGORIES***</b>		<u>JOB #</u>	<u>REVENUE GL</u>	
DIVISION:	01	<b>Performance Partnership Grant (PPG)</b> (07/01/2013 - 06/30/2015)		<b>BG-97958814</b>		
Sect.	20	Federally Funded - Non MBE/WBE	FEDERAL	6660514A	0100	3549
	29	Federally Funded - MBE/WBE				
Sect.	30	Fee Funded - Non MBE/WBE	MATCH	AF01	0100	4721
	39	Fee Funded - MBE/WBE				
DIVISION:	42	<b>SMOKE MANAGEMENT PROGRAM</b> (04/19/08 - 04/18/2013)				
Sect.	20	Federally Funded-Non MBE/WBE	FEDERAL		4200	3502
Sect.	30	Fee Funded - Non MBE/WBE		AF42	4200	4355
DIVISION:	47	<b>AIR ADMIN/FEES</b>				
Sect.	30	Fee Funded - Non MBE/WBE		AF47	4700	4721/4775 trx from 3184
Sect.	39	Fee Funded - MBE/WBE Air Toxics		AF47	4700	4721/4775 trx from 3184
DIVISION:	79	<b>TITLE V FEES</b>				
Sect.	30	Fee Funded - Non MBE/WBE		AF79	7900	4775
DIVISION:	84	<b>CAPP PROGRAM</b>				
Sect.	30	Fee Funded - WBE	TRANSFER	CH84	8400	4673 trx from 3174
DIVISION:	91	<b>PM2.5 Monitoring Network</b> (04/01/2014 - 03/31/2015)		<b>PM-99T08101</b>		
Sect.	20	Federally Funded - Non MBE/WBE	FEDERAL	6603414	9100	3509
<u>CAT</u>	<u>ORG</u>	<b>***SPECIAL USE CATEGORIES***</b>		<u>JOB #</u>	<u>REVENUE GL</u>	
<del>DIVISION:</del>	<del>BR</del>	<del>AQP Clean Diesel Grant</del> (10/01/2012-09/30/2013)		<del>DS-00T95801</del>		
<del>12</del>	<del>Sect.</del>	<del>20</del>	<del>Federally Funded - Non MBE/WBE</del>	<del>FEDERAL</del>	<del>6604013</del>	<del>BR00 3501</del>
<del>12</del>	<del>Sect.</del>	<del>29</del>	<del>Fed Funded - MBE/WBE</del>	<del>FEDERAL</del>	<del>6604013</del>	<del>BR00 3501</del>

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REPORT DATE AS OF: 08/25/2014

PROC ID: INBOBL\_0

**STATE OF NEVADA  
Office of the State Controller**

**Internal Budget Status Report - Obligations  
Organization Summary**

<b>Fiscal Year:</b>	2014		<b>Budget Account:</b>	3185	AIR QUALITY
<b>Fund:</b>	101	GENERAL FUND	<b>Agency:</b>	709	ENVIRONMENTAL PROTECTION
<b>Organization:</b>	7930	FEE FUNDED-NON-MBE/WBE			

Expended	Encumbered	Pre-encumbered	Obligated	Internal Budget	Difference
995,677.11	.00	.00	995,677.11	1,608,732.00	613,054.89

Category	Description	Expended	Encumbered	Pre-encumbered	Obligated	Internal Budget	Difference
<u>01</u>	PERSONNEL SERVICES	757,201.11	.00	.00	757,201.11	879,042.00	121,840.89
<u>03</u>	IN STATE TRAVEL	8,831.56	.00	.00	8,831.56	7,967.00	-864.56
<u>04</u>	OPERATING	34,498.46	.00	.00	34,498.46	374,631.00	340,132.54
<u>14</u>	INDIRECT COST	187,634.43	.00	.00	187,634.43	177,219.00	-10,415.43
<u>26</u>	INFORMATION SERVICES	6,533.14	.00	.00	6,533.14	13,712.00	7,178.86
<u>30</u>	TRAINING	.00	.00	.00	.00	5,423.00	5,423.00
<u>86</u>	RESERVE	.00	.00	.00	.00	150,163.00	150,163.00
<u>87</u>	PURCHASING ASSESSMENT	978.41	.00	.00	978.41	575.00	-403.41

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REPORT DATE AS OF: 08/20/2014

PROC ID: INBOBL\_O

**STATE OF NEVADA  
Office of the State Controller**

**Internal Budget Status Report - Obligations  
Organization Summary**

<b>Fiscal Year:</b>	2013		<b>Budget Account:</b>	3185	AIR QUALITY
<b>Fund:</b>	101	GENERAL FUND	<b>Agency:</b>	709	ENVIRONMENTAL PROTECTION
<b>Organization:</b>	7930	FEE FUNDED-NON-MBE/WBE			

Expended	Encumbered	Pre-encumbered	Obligated	Internal Budget	Difference
1,065,332.14	.00	.00	1,065,332.14	1,290,551.44	225,219.30

Category	Description	Expended	Encumbered	Pre-encumbered	Obligated	Internal Budget	Difference
<u>01</u>	PERSONNEL SERVICES	789,511.33	.00	.00	789,511.33	516,431.00	273,080.33
<u>02</u>	OUT OF STATE TRAVEL	1,164.87	.00	.00	1,164.87	5,425.00	4,260.13
<u>03</u>	IN STATE TRAVEL	12,805.19	.00	.00	12,805.19	19,135.00	6,329.81
<u>04</u>	OPERATING	78,605.35	.00	.00	78,605.35	21,420.44	-57,184.91
<u>14</u>	INDIRECT COST	172,744.38	.00	.00	172,744.38	267,274.00	94,529.62
<u>26</u>	INFORMATION SERVICES	9,248.84	.00	.00	9,248.84	35,552.00	26,303.16
<u>30</u>	TRAINING	481.51	.00	.00	481.51	12,490.00	12,008.49
<u>86</u>	RESERVE	.00	.00	.00	.00	411,311.00	411,311.00
<u>87</u>	PURCHASING ASSESSMENT	770.67	.00	.00	770.67	1,513.00	742.33

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REPORT DATE AS OF: 08/20/2014

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**STATE OF NEVADA  
Office of the State Controller**

**Internal Budget Status Report - Obligations  
Organization Summary**

<b>Fiscal Year:</b>	2012		<b>Budget Account:</b>	3185	AIR QUALITY
<b>Fund:</b>	101	GENERAL FUND	<b>Agency:</b>	709	ENVIRONMENTAL PROTECTION
<b>Organization:</b>	7930	FEE FUNDED-NON-MBE/WBE			

Expended	Encumbered	Pre-encumbered	Obligated	Internal Budget	Difference
1,100,471.17	.00	.00	1,100,471.17	.00	-1,100,471.17

Category	Description	Expended	Encumbered	Pre-encumbered	Obligated	Internal Budget	Difference
<u>01</u>	PERSONNEL SERVICES	852,874.78	.00	.00	852,874.78	.00	-852,874.78
<u>03</u>	IN STATE TRAVEL	7,966.43	.00	.00	7,966.43	.00	-7,966.43
<u>04</u>	OPERATING	33,566.96	.00	.00	33,566.96	.00	-33,566.96
<u>05</u>	EQUIPMENT	.00	.00	.00	.00	.00	.00
<u>14</u>	INDIRECT COST	186,353.14	.00	.00	186,353.14	.00	-186,353.14
<u>26</u>	INFORMATION SERVICES	13,712.40	.00	.00	13,712.40	.00	-13,712.40
<u>30</u>	TRAINING	5,422.32	.00	.00	5,422.32	.00	-5,422.32
<u>87</u>	PURCHASING ASSESSMENT	575.14	.00	.00	575.14	.00	-575.14

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Class 1 FY2012-14 EPA Audit Report Including Application Fees

List #	Facility Seq. #	Company Name	Total	FY2014	FY2014	FY2014	FY2014	Total	FY2013	FY2013	FY2013	FY2013	Total	FY2012	FY2012	FY2012	FY2012
			FY2014	Maintenance	Emissions	Application	FY2013	Maintenance	Emissions	Application	FY2012	Maintenance	Emissions	Application	Annual Fees	Fees	Fees
			Annual Fees	Fees	Fees	Fees	Annual Fees	Fees	Fees	Fees	Annual Fees	Fees	Annual Fees	Fees	Fees	Fees	
1	0091	SIERRA PACIFIC POWER COMPANY - FORT CHURCHILL GENERATING STATION	\$32,992.48	\$25,000.00	\$7,992.48	\$0.00	\$27,774.32	\$25,000.00	\$2,774.32	\$0.00	\$29,724.83	\$25,000.00	\$3,724.83	\$0.00			
2	0133	AIR LIQUIDE LARGE INDUSTRIES U.S. LP	\$5,032.99	\$0.00	\$32.99	\$5,000.00	\$5,034.14	\$0.00	\$34.14	\$0.00	\$5,068.28	\$0.00	\$5,068.28	\$0.00			
3	0194	SIERRA PACIFIC POWER COMPANY - TRACY GENERATING STATION	\$34,755.89	\$30,000.00	\$4,755.89	\$0.00	\$39,548.11	\$30,000.00	\$9,548.11	\$0.00	\$49,096.22	\$30,000.00	\$19,096.22	\$0.00			
4	0387	NEVADA CEMENT COMPANY	\$51,622.82	\$30,000.00	\$21,622.82	\$0.00	\$57,968.83	\$30,000.00	\$27,968.83	\$0.00	\$59,937.66	\$30,000.00	\$29,937.66	\$0.00			
5	0457	SIERRA PACIFIC POWER COMPANY - VALMY GENERATING STATION	\$142,199.40	\$30,000.00	\$107,199.40	\$5,000.00	\$143,367.14	\$30,000.00	\$108,367.14	\$5,000.00	\$221,020.68	\$30,000.00	\$188,020.68	\$5,000.00			
6	0723	NEWMONT MINING CORPORATION - TWIN CREEKS MINE	\$27,575.33	\$20,000.00	\$2,575.33	\$5,000.00	\$26,737.80	\$20,000.00	\$1,737.80	\$5,000.00	\$29,612.17	\$20,000.00	\$3,612.17	\$5,700.00			
7	0739	BARRICK GOLDSTRIKE MINES, INC. - GOLDSTRIKE MINE	\$40,529.90	\$25,000.00	\$5,529.90	\$10,000.00	\$41,261.38	\$25,000.00	\$5,261.38	\$11,000.00	\$55,420.93	\$25,000.00	\$4,420.93	\$25,500.00			
8	0786	TERRA-GLEN DIXIE VALLEY, LLC	\$21,763.55	\$20,000.00	\$1,763.55	\$0.00	\$21,925.40	\$20,000.00	\$1,925.40	\$0.00	\$21,862.88	\$20,000.00	\$1,862.88	\$0.00			
9	0778	VERIS GOLD USA, INC. (FORMERLY QUEENSTAKE RESOURCES USA, INC.) - JERRIT CANYON MINE	\$21,857.22	\$20,000.00	\$1,857.22	\$0.00	\$21,305.51	\$20,000.00	\$1,305.51	\$200.00	\$26,805.56	\$20,000.00	\$6,805.56	\$5,700.00			
10	0793	NEWMONT MINING CORPORATION - GOLD QUARRY MINE	\$29,348.18	\$25,000.00	\$3,848.18	\$500.00	\$50,559.57	\$25,000.00	\$4,559.57	\$21,400.00	\$41,833.61	\$25,000.00	\$5,833.61	\$11,200.00			
VOID	0804	NEVADA POWER COMPANY - SUNRISE GENERATING STATION (VOID - Cancelled 10/10/12)	\$0.00	\$0.00	\$0.00	\$0.00	\$25,000.00	\$25,000.00	\$0.00	\$0.00	\$25,000.00	\$25,000.00	\$0.00	\$0.00			
11	0883	US DEPARTMENT OF THE ARMY - HAWTHORNE ARMY DEPOT	\$29,398.94	\$20,000.00	\$4,398.94	\$5,000.00	\$28,455.01	\$20,000.00	\$5,455.01	\$0.00	\$28,024.62	\$20,000.00	\$1,024.62	\$5,000.00			
12	0886	CYANCO COMPANY	\$28,698.25	\$25,000.00	\$1,698.25	\$0.00	\$31,337.38	\$25,000.00	\$1,337.38	\$5,000.00	\$31,960.54	\$25,000.00	\$1,960.54	\$5,000.00			
13	0897	NEVADA POWER COMPANY - REID-GARDNER GENERATING STATION	\$72,355.03	\$30,000.00	\$42,355.03	\$0.00	\$171,148.38	\$30,000.00	\$86,148.38	\$55,000.00	\$132,794.83	\$30,000.00	\$97,794.83	\$5,000.00			
14	1082	NANIWA ENERGY, LLC	\$20,000.00	\$20,000.00	\$0.00	\$0.00	\$20,000.00	\$20,000.00	\$0.00	\$0.00	\$20,000.00	\$20,000.00	\$0.00	\$0.00			
15	1148	REFUSE, INC	\$18,883.20	\$15,000.00	\$3,883.20	\$0.00	\$25,823.53	\$15,000.00	\$10,823.53	\$0.00	\$33,318.96	\$15,000.00	\$13,318.96	\$5,000.00			
16	1183	CARSON CITY PUBLIC WORKS	\$25,513.22	\$15,000.00	\$513.22	\$10,000.00	\$15,480.22	\$15,000.00	\$480.22	\$0.00	\$15,468.10	\$15,000.00	\$468.10	\$0.00			
17	1233	US AIR FORCE/NELLIS	\$25,313.58	\$25,000.00	\$313.58	\$0.00	\$30,461.15	\$25,000.00	\$2,461.15	\$5,200.00	\$25,028.05	\$25,000.00	\$28.05	\$0.00			
18	1284	HIGH DESERT GENERATION, LLC	\$175.38	\$0.00	\$175.38	\$0.00	\$5,780.01	\$0.00	\$780.01	\$5,000.00	\$907.90	\$0.00	\$907.90	\$0.00			
VOID	1296	RODEO CREEK GOLD, INC. (VOID - Cancelled 10/29/12, replaced by Class 2 Permit AP1041-3127)	\$0.00	\$0.00	\$0.00	\$0.00	\$21,583.44	\$20,000.00	\$1,583.44	\$0.00	\$21,842.57	\$20,000.00	\$1,842.57	\$0.00			
19	1329	GRAYMONT WESTERN US, INC	\$48,424.55	\$30,000.00	\$18,424.55	\$0.00	\$56,823.88	\$30,000.00	\$23,823.88	\$5,000.00	\$49,901.78	\$30,000.00	\$19,901.78	\$0.00			
20	1340	CITY OF ELKO	\$15,234.58	\$15,000.00	\$234.58	\$0.00	\$15,183.52	\$15,000.00	\$183.52	\$0.00	\$15,114.40	\$15,000.00	\$114.40	\$0.00			
21	1356	CITY OF FALLON	\$15,210.44	\$15,000.00	\$210.44	\$0.00	\$15,184.93	\$15,000.00	\$184.93	\$0.00	\$15,156.86	\$15,000.00	\$156.86	\$0.00			
22	1437	GQ PRINTING CORP	\$25,285.20	\$20,000.00	\$285.20	\$5,000.00	\$20,238.80	\$20,000.00	\$238.80	\$0.00	\$20,185.53	\$20,000.00	\$185.53	\$0.00			
23	2141	BARRICK CORTEZ, INC. - CORTEZ GOLD MINES	\$36,571.71	\$20,000.00	\$771.71	\$15,800.00	\$21,449.00	\$20,000.00	\$949.00	\$800.00	\$46,194.98	\$20,000.00	\$5,894.98	\$25,600.00			
24	2189	BARRICK GOLDSTRIKE MINES, INC. - WESTERN 102 POWER PLANT	\$21,797.27	\$20,000.00	\$1,797.27	\$0.00	\$21,187.55	\$20,000.00	\$1,187.55	\$0.00	\$21,345.43	\$20,000.00	\$1,345.43	\$0.00			
25	2437	VALLEY JOIST, INC.	\$20,563.00	\$20,000.00	\$563.00	\$0.00	\$25,558.59	\$20,000.00	\$5,558.59	\$5,000.00	\$20,574.77	\$20,000.00	\$574.77	\$0.00			
26	2502	NEWMONT NEVADA ENERGY INVESTMENT, LLC	\$40,988.50	\$30,000.00	\$10,988.50	\$0.00	\$41,957.82	\$30,000.00	\$11,957.82	\$0.00	\$41,340.88	\$30,000.00	\$11,340.88	\$0.00			
Pending T-V AQOP Applications																	
27	2871	NANIWA ENERGY, LLC (Will replace Class 1 Permit AP4911-1062 upon issuance)											\$30,000.00				\$30,000.00
28	2892	RAWHIDE MINING, LLC (Will replace Class 2 Permit AP1041-1116.02 upon issuance)											\$30,000.00				\$30,000.00
29	2954	HYCROFT RESOURCES & DEVELOPMENT, INC. (Will replace Class 2 Permit AP1041-0334.02 upon issuance)											\$30,000.00				\$30,000.00
30	2985	ROUND MOUNTAIN GOLD CORPORATION	\$5,000.00			\$5,000.00							\$30,000.00				\$30,000.00
31	2987	MARIGOLD MINING COMPANY	\$500.00			\$500.00							\$30,000.00				\$30,000.00
32	2988	FLORIDA CANYON MINING, INC.											\$30,000.00				\$30,000.00
33	2972	NEWMONT MINING CORPORATION - LONE TREE MINE											\$35,000.00				\$35,000.00
34	2980	NEWMONT MIDAS OPERATIONS, INC. (Will replace Class 2 Permit AP1041-0766.02 upon issuance)											\$30,000.00				\$30,000.00
35	3126	RUBY PIPELINE, LLC (Will replace Class 1 OPTC Permit AP4922-2537 upon issuance)						\$5,000.00				\$5,000.00					
36	3392	COMSTOCK MINING, LLC (FORMERLY PLUM MINING COMPANY, LLC)	\$30,000.00			\$30,000.00											
37	3422	VERIS GOLD USA, INC. (Will replace Class 1 Permit AP1041-0778.01 upon issuance)	\$35,000.00			\$35,000.00											
Fiscal Year Fee Summary: 2012 - 2014																	
			Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total
			FY2014	FY2014	FY2014	FY2014	FY2013	FY2013	FY2013	FY2013	FY2012	FY2012	FY2012	FY2012	FY2012	FY2012	FY2012
			Annual Fees	Maint. Fees	Em. Fees	App. Fees	Annual Fees	Maint. Fees	Em. Fees	App. Fees	Annual Fees	Maint. Fees	Em. Fees	App. Fees	Annual Fees	Maint. Fees	Em. Fees
			\$918,526.39	\$545,000.00	\$241,726.39	\$131,800.00	\$1,025,463.07	\$560,000.00	\$296,863.07	\$138,600.00	\$1,327,410.95	\$590,000.00	\$398,710.95	\$348,700.00			
Percentage of Total Fiscal Year Fees:			100.00%	59.33%	26.32%	14.35%	100.00%	57.53%	28.95%	13.52%	100.00%	44.46%	29.28%	26.27%			

Note: Additional late fees were collected in FY2012 totalling \$5,978.04 and \$11,608.14 in FY2014.