Frequently Asked Questions for Emission Unit Replacements

Nevada Division of Environmental Protection
Bureau of Air Pollution Control (BAPC)
Permitting Branch
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249
Phone (775) 687-9349

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Disclaimer: The BAPC reserves the right to modify this guidance at any time. This document supersedes any previous documents that relate to emission unit replacements issued by the BAPC.

1. Are there any modifications, alterations, or changes I can make to my facility that do not need a revision to my permit?

   Yes, NAC445B.242 lists modifications that are not considered alterations, which includes "Maintenance, repair and replacement which the Director determines to be routine for a source category, subject to NAC 445B.247."

   Class I facilities may also request notification of authorized changes in accordance with NAC 445B.342 to incorporate the change into their permit.

2. What does the Bureau of Air Pollution Control (BAPC) consider as a like-kind replacement for an emission unit?

   The replacement unit must have the same permitted operating parameters, specifications, transfers in and out, subpart applicability, and location (UTMs) as the unit it is replacing. In addition, the unit that is being replaced may not remain in operation or on-site. Also, replacements cannot have the capacity for higher throughput even if the unit will be limited to the permitted throughput or less. If the emission unit is a generator with a range of size in the operating permit, please also see the "Frequently Asked Questions for Internal Combustion Engines."

   If the replacement unit is a like-kind replacement unit, the changes can be made to the permit at the next permitting action. If the replacement unit emits less than the currently permitted unit and all other factors remain the same, the facility may submit a determination as described in 6 below.

3. The replacement will not have the same UTMs as the original unit. Do I need a revision?

   No, a revision is not needed; however, a stationary Change of Location (COL) and the associated fee needs to be submitted and approved prior to the replacement to update the UTM coordinates.

4. Does the BAPC have any permitting exemptions for temporary like-kind replacement, e.g. temporarily bringing a similar piece of equipment on-site to operate in place of a permitted piece of equipment that will remain onsite but is out of service?

   Under NAC 445B.187, temporary sources are stationary sources and are subject to permitting regulations. Note stationary sources do not include nonroad engines. If new equipment that does not fit a "like-kind replacement" as described above or modifications that are not considered alterations as described in NAC 445B.242 and 247, a revision to the permit must be submitted to add the additional equipment to the permit.

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5. There was an unplanned equipment issue. To continue operating, I need a temporary piece of equipment on-site. Can I operate this temporary equipment without submitting a revision application?

   See 4 above. A compliance order may be granted for the new equipment to operate prior to the permit issuance if the BAPC determines it does not violate the Nevada Ambient Air Quality Standards (NAAQS) or other applicable standards while taking other factors into consideration (ie. compliance history, safety concerns, etc.).

6. I am still unclear as to whether my replacement will need a revision application. What should I do?

   You can submit a determination of construction or modification to the director under NAC445B.235 prior to construction.

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