



FACTSHEET
(pursuant to NAC 445A.236)

Permittee Name: LAS VEGAS PAVING CORP

4420 S. DECATUR BLVD.
LAS VEGAS, NV 89103

Permit Number: NS2025501

Permit Type: GROUNDWATER DISCHARGE

Designation: GROUNDWATER

New/Existing: NEW

Location: CCPW HOLLYWOOD 2024, CLARK
WIESNER WAY, HENDERSON, NV 89015
LATITUDE: 36.07854720, LONGITUDE: -115.011374
TOWNSHIP: T21S, RANGE: R62E, SECTION: S36N

Outfall / Well Num	Outfall / Well Name	Location Type	Well Log Num	Latitude	Longitude	Receiving Water
E01	SOUTHERN CROSS	External Outfall		36.079746	-115.011502	WIESNER CHANNEL
E02	MIDDLE CROSS	External Outfall		36.081992	-115.011955	WIESNER CHANNEL
E03	NORTHERN CROSS	External Outfall		36.087920	-115.011543	SILVER BOWL CHANNEL

Permit History/Description of Proposed Action

This is a new permit. The Permittee, Las Vegas Paving Corp, has applied for a new individual Working in Waterways permit to operate heavy equipment (rolling stock) and work in waters of the State (ephemeral streams terminating into the Las Vegas Wash) for the Clark County Public Works (CCPW)'s Hollywood 2024 project, being part of the first phase of the Hollywood Boulevard extension project. The Permittee is proposing to operate heavy equipment in and around washes within the right-of-way of Wiesner Way, and around Silver Bowl Park. The first phase of the Hollywood Boulevard extension project includes the installations of new storm drain facilities and intersection improvements at Galleria Drive and Wiesner Way. The equipment that will be operating within the ephemeral channels includes, but is not limited to, loaders, bulldozers, rollers, excavators, scrapers and water trucks.

Facility Overview

The CCPW Hollywood 2024 project is located within portions of Sections 25, 35, and 36, T.21S., R.62E., M.D.B.&M., being approximately 1.75 miles in length and 0.45 mile south of the Las Vegas Wash. The project is located between the Silver Bowl Park, running south along Wiesner Way, and down to Galleria Drive located in the City of Henderson. Best Management Practices (BMPs) shall be utilized to prevent erosion and degradation of the waters of the State. No discharge is authorized under this permit.

Outfall Summary

Outfall E01 – is the first crossing of this project phase (southern cross) over three ephemeral tributaries that flow into Duck Creek, the Las Vegas Wash wetlands area, and then the Las Vegas Wash (see attached location map for additional information)

Outfall E02 – is the second crossing of this project phase (middle cross) over three ephemeral tributaries that flow into Duck Creek, the Las Vegas Wash wetlands area, and then the Las Vegas Wash

Outfall E03 - is the third crossing of this project phase (northern cross) over three ephemeral tributaries that flow into Duck Creek, the Las Vegas Wash wetlands area, and into the Las Vegas Wash

Effluent Characterization

Although the Permittee may discharge potable water for dust suppression, no other discharges are authorized under this permit.

Pollutants of Concern

Pollutants of concern are any pollutants or parameters that have the potential to be present due to construction activities and could affect or alter the physical, chemical, or biological condition of the ephemeral streams or other potential receiving water. Pollutants of concern are turbidity and total petroleum hydrocarbons (TPH).

Receiving Water

Groundwater of the State via three (3) unnamed ephemeral tributaries to Duck Creek, out through a wetlands area, and then into Las Vegas Wash have been delineated onsite. Review of available information indicates that the subject channels flow or pool only in direct response to precipitation (e.g., rain or snow fall) and are not waters of the US, but excluded waters or features (CWA Exclusion (b)(8)). Review of the ClimateEngine.org dataset shows there was only one event during the August 2020-August 2024 years where the amount of precipitation exceeded 0.50 inch. There was no observable surface water present within the review area during that time.

When flowing, the subject channels discharge to Duck Creek, out through a wetlands area, then into the Las Vegas Wash. USGS has mapped this portion as the terminus of the Las Vegas Valley Drainage Basin, specifically the Pittman Watershed, which empties into Lake Mead. The USGS has mapped this area, (CWA §120.2 Exclusion (b)(8)) but has not delineated any of the subject channels (2018). The U.S. Army Corps of Engineers, as filed under their Approved Jurisdictional Determination Form, Navigable Waters Protection Rule, has determined under Part II, Section II.D., Excluded Waters or Features, Exclusion Name, UT-2 Duck Creek, that flow in the the wetlands area, based on the lack of hydrophytic and facilitative shrub features, show that water availability is insufficient to support these species, indicating that this area does not have water flow except in direct response to precipitation events (e.g., seasonally when the groundwater table is elevated or when snowpack melts).

Compliance History

The Permittee has been in compliance with their temporary permit NVW-53782.

Proposed Effluent Limitations

The Permittee shall be limited, and follow all monitoring requirements, as specified below

Zero Discharge Limitations Table for Sample Location E01 (Southern Cross - External Outfall) To Be Reported Monthly^[5]

Discharge Limitations				Monitoring Requirements			
Parameter	Base	Quantity	Concentration	Monitoring Loc	Sample Loc	Measurement Frequency	Sample Type
Area inspection visual	Value	M&R Pass=0 Fail=1 (pass/fail)		See Footnote ^[1]	E01	Daily	VISUAL
Hydrocarbons, total petroleum	Daily Maximum		<= 1.0 Milligrams per Liter (mg/L)	See Footnote ^[2]	E01	Instantaneous ^[2]	DISCRT
Turbidity	Daily Maximum		<= 50 Nephelometric Turbidity Units (NTU)	See Footnote ^[3]	E01	Instantaneous ^[4]	GRAB ^[3]

Notes (Zero Discharge Limitations Table):

1. Observe and report the condition of BMPs. If functioning properly, report "0". If malfunctioning or not installed report "1". Please see Special Approvals/Conditions Item #10.
2. Sample the affected water in the event of a visible sheen, or equipment leak within 100 feet of the active project work areas, resulting in a spill in or near the waterway. Report to NDEP immediately. This limit applies to each spill event.
3. If a visible turbidity plume is generated work shall cease immediately, and grab samples shall be taken from the center of the plume at a location that is 200 feet downstream, and a location that is 100 feet upstream of the work area. The turbidity must be measured with a calibrated field meter and the net increase shall be calculated as the value at 200 feet downstream minus the value at 100 feet upstream. The width and depth of the plume must be estimated at that time and recorded. BMPs must be reevaluated to stabilize the situation prior to resuming work. This limit is to be applied to the net increase in turbidity.
4. Continuously monitor turbidity visually when active work is occurring in a wash with water. If a visual sediment plume occurs that originates from the work area, sample at the outfall using a handheld turbidimeter or other field instrument: record all values in a water quality logbook and report maximum daily values for each outfall.
5. If no discharge occurs, please use no data indicator (NODI) code "C" when reporting to NetDMR.

Zero Discharge Limitations Table for Sample Location E02 (Middle Cross - External Outfall) To Be Reported Monthly^[5]

Discharge Limitations				Monitoring Requirements			
Parameter	Base	Quantity	Concentration	Monitoring Loc	Sample Loc	Measurement Frequency	Sample Type
Area inspection visual	Value	M&R Pass=0 Fail=1 (pass/fail)		See Footnote ^[1]	E02	Daily	VISUAL
Hydrocarbons, total petroleum	Daily Maximum		<= 1.0 Milligrams per Liter (mg/L)	See Footnote ^[2]	E02	Instantaneous ^[2]	DISCRT
Turbidity	Daily Maximum		<= 50 Nephelometric Turbidity Units (NTU)	See Footnote ^[3]	E02	Instantaneous ^[4]	GRAB ^[3]

Notes (Zero Discharge Limitations Table):

1. Observe and report the condition of BMPs. If functioning properly, report "0". If malfunctioning or not installed report "1". Please see Special Approvals/Conditions Item #10.
2. Sample the affected water in the event of a visible sheen, or equipment leak within 100 feet of the active project work areas, resulting in a spill in or near the waterway. Report to NDEP immediately. This limit applies to each spill event.
3. If a visible turbidity plume is generated work shall cease immediately, and grab samples shall be taken from the center of the plume at a location that is 200 feet downstream, and a location that is 100 feet upstream of the work area. The turbidity must be measured with a calibrated field meter and the net increase shall be calculated as the value at 200 feet downstream minus the value at 100 feet upstream. The width and depth of the plume must be estimated at that time and recorded. BMPs must be reevaluated to stabilize the situation prior to resuming work. This limit is to be applied to the net increase in turbidity.
4. Continuously monitor turbidity visually when active work is occurring in a wash with water. If a visual sediment plume occurs that originates from the work area, sample at the outfall using a handheld turbidimeter or other field instrument: record all values in a water quality logbook and report maximum daily values for each outfall.
5. If no discharge occurs, please use no data indicator (NODI) code "C" when reporting to NetDMR.

Zero Discharge Limitations Table for Sample Location E03 (Northern Cross - External Outfall) To Be Reported Monthly^[5]

Discharge Limitations				Monitoring Requirements			
Parameter	Base	Quantity	Concentration	Monitoring Loc	Sample Loc	Measurement Frequency	Sample Type
Area inspection visual	Value	M&R Pass=0 Fail=1 (pass/fail)		See Footnote ^[1]	E03	Daily	VISUAL
Hydrocarbons, total petroleum	Daily Maximum		<= 1.0 Milligrams per Liter (mg/L)	See Footnote ^[2]	E03	Instantaneous ^[2]	DISCRT
Turbidity	Daily Maximum		<= 50 Nephelometric Turbidity Units (NTU)	See Footnote ^[3]	E03	Instantaneous ^[4]	GRAB

Notes (Zero Discharge Limitations Table):

1. Observe and report the condition of BMPs. If functioning properly, report "0". If malfunctioning or not installed report "1". Please see Special Approvals/Conditions Item #10.
2. Sample the affected water in the event of a visible sheen, or equipment leak within 100 feet of the active project work areas, resulting in a spill in or near the waterway. Report to NDEP immediately. This limit applies to each spill event.
3. If a visible turbidity plume is generated work shall cease immediately, and grab samples shall be taken from the center of the plume at a location that is 200 feet downstream, and a location that is 100 feet upstream of the work area. The turbidity must be measured with a calibrated field meter and the net increase shall be calculated as the value at 200 feet downstream minus the value at 100 feet upstream. The width and depth of the plume must be estimated at that time and recorded. BMPs must be reevaluated to stabilize the situation prior to resuming work. This limit is to be applied to the net increase in turbidity.
4. Continuously monitor turbidity visually when active work is occurring in a wash with water. If a visual sediment plume occurs that originates from the work area, sample at the outfall using a handheld turbidimeter or other field instrument: record all values in a water quality logbook and report maximum daily values for each outfall.
5. If no discharge occurs, please use no data indicator (NODI) code "C" when reporting to NetDMR.

Summary of Changes From Previous Permit

Not Applicable - This is a new permit.

Technology Based Effluent Limitations

Technology based effluent limitations are not applicable to this permit.

Water Quality Based Effluent Limitations

Water quality based effluent limitations are not applicable to this permit.

Proposed Water Quality Based Effluent Limits (monthly/weekly/daily)

Water quality based effluent limitations are not applicable to this permit.

Basis for Effluent Limitations

The 50 NTU value is consistent with the limitations for turbidity established in temporary discharge permits issued by the Division that authorize the operation of heavy equipment and work in waters of the State.

Total petroleum hydrocarbons (TPH) are required to be under the Bureau of Corrective Actions action level of 1.0 mg/L in any discharges to the groundwater. TPH are limited to 1.0 mg/L per the State action level for remediation projects, and therefore will be sampled for monthly.

Permit requirements are included to ensure protection of human health and waters of the State. Daily visual inspection of equipment and BMPs is required so the Permittee can identify and correct potential pollution before discharge to a water of the State and for the protection of the environment, and therefore will be

sampled for in the event of a spill.

Anti-backsliding

To prevent backsliding, effluent limitations in a reissued permit are required to be as stringent as those in the previous permit. As this is a new permit, anti-backsliding is not applicable.

Antidegradation

The Division has developed an antidegradation regulation that is applied on a statewide basis, and which meets the statutory requirements of Nevada’s water pollution control law found at Nevada Revised Statute (NRS) 445A.520 and NRS 445A.565 and is consistent with the federal antidegradation policy found at Title 40 in the Code of Federal Regulations (CFR) § 131.12. The objective of the Division’s antidegradation regulation is to prevent degradation of Nevada’s surface waters and maintain the unique attributes and special characteristics and water quality associated with high-quality waters.

As there are no discharges authorized under this permit, the new antidegradation rule is not applicable.

Special Conditions

See the Special Approvals/Conditions table below.

SA – Special Approvals / Conditions Table

Item #	Description
1	The Permittee bears the responsibility to ensure that the requirements of this permit are fully satisfied.
2	All equipment shall be inspected for leaks daily prior to use and periodically throughout the day.
3	Spill containment equipment shall be readily available for use as needed.
4	All equipment fueling and storage of fuels shall be located off site and at least 100 feet away from any water of the State.
5	Any heavy equipment to be used in the work area must be steam cleaned at least once before work in the water bodies commences.
6	No work or stockpiling will be done with an approaching storm or during a precipitation event. Appropriate BMP’s will be in place prior to a storm event.
7	Presumption of Possession and Compliance: Copies of this permit and any subsequent modifications shall be maintained at the permitted project site at all times.
8	Sample the affected water in the event of a visible sheen, or equipment leak within 100 feet of the active project work areas, resulting in a spill in or near the waterway. Report to NDEP immediately.
9	Best Management Practices (BMPs) shall be applied and precautions shall be taken to prevent and control releases of debris, sediment, any transport of sediments, and to prevent and control turbidity in the waterbody during construction activities.
10	Other BMPs may include but are not limited to construction fences, track out devices, vegetation protection, and other BMPs as consistent with applicable BMP manuals and handbooks. If at any time the current BMPs are not effective, consultation with the Division is required prior to work resuming.
11	If a visible turbidity plume is generated work shall cease immediately, and grab samples shall be taken from the center of the plume at a location that is 200 feet downstream, and a location that is 100 feet upstream of the work area. The turbidity must be measured with a calibrated field meter, following the regulation by ISO 7027:2:2019 and follow specific criteria listed by the EPA 180:2 method and 2130 B standard method. The net increase shall be calculated as the value at 200 feet downstream minus the value at 100 feet upstream. The width and depth of the plume must be estimated at that time and recorded. BMPs must be reevaluated to stabilize the situation prior to resuming work.
12	Section C.2. of the permit is not applicable, the Permittee shall operate in accordance with a standalone BMP Plan.
13	If no discharge occurs, please use no data indicator (NODI) code "C" when reporting to NetDMR.

Item #	Description
14	Section B of the permit is not applicable.

Discharges From Future Outfalls/ Planned Facility Changes

Not Applicable - The Permittee does not anticipate discharges from any future outfalls.

Corrective Action Sites

The project falls within the Black Mountain Industrial (BMI) Complex Area of Concern, along with three confirmed releases that fall within a one-mile radius of the wash crossings. Corrective Actions personnel has confirmed that the Area of Concern (BMI) and the three active non-LUST sites being AltSiteID: H-000041 (diesel release); AltSiteID: H-000926 (solvents release); and AltSiteID: H-000534 (Other - as identified as perchlorate by BCA) should not have any impacts on the project if there is no discharge as stated on the application.

Wellhead Protection Program

The nearest Public Water Supply (PWS) well is located approximately five (5) miles to the west of the facility. There are other PWS wells located to the east and west of the outfalls. The outfalls are not located within a Wellhead Protection Area, which represents an approximate 10-year capture zone of a well, or within a Drinking Water Protection Area, which is defined by a 3,000-foot radius around a PWS well.

Schedule of Compliance:

SOC – Schedule of Compliance Table

Item #	Description	Due Date
1	The Permittee shall submit two (2) copies (one (1) electronic and one (1) hard copy) of a BMP plan for review and approval by the Division. The plan shall be prepared by a Nevada registered Professional Engineer or Certified Environmental Manager. The BMP must be approved by the Division prior to the commencement of any construction activities.	4/28/2025

Deliverable Schedule:

DLV– Deliverable Schedule for Reports, Plans, and Other Submittals

Item #	Description	Interval	First Scheduled Due Date
1	Quarterly Discharge Monitoring Report	Quarterly	1/28/2025

Procedures for Public Comment:

The Notice of the Division's intent to issue a permit authorizing the facility to discharge to groundwater of the State of Nevada subject to the conditions contained within the permit, is being mailed to interested persons on our mailing list and will be posted on our website at <https://ndep.nv.gov/posts>. Anyone wishing to comment on the proposed permit can do so in writing until 5:00 P.M. **11/23/2024**, a period of 30 days following the date of the public notice. The comment period can be extended at the discretion of the Administrator.

A public hearing on the proposed determination can be requested by the applicant, any affected State, any affected interstate agency, the Regional Administrator of EPA Region IX or any interested agency, person or group of persons. The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted. Any public hearing determined by the Administrator to be held must be conducted in the geographical area of the proposed discharge or any other area the Administrator determined to be appropriate. All public hearings must be conducted in accordance with NAC 445A.238.

The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to NRS 445A.605.

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Proposed Determination:

The Division has made the tentative determination to issue/re-issue the proposed 5-year permit.

Prepared by: **Melissa Marr**

Date: **10/21/2024**

Title: **Staff II Engineer**