



**FACTSHEET**  
**(pursuant to NAC 445A.236)**

**Permittee Name:** JASMINE DEVELOPMENT LLC  
560 W. WARM SPRINGS RD.  
HENDERSON, NV 89011

**Permit Number:** NV0024262

**Permit Type:** MANUFACTURING, COMMERCIAL, MINING AND SILVICULTURAL FACILITY THAT DISCHARGES NON-PROCESS WASTEWATER

**Designation:** MINOR NPDES

**New/Existing:** NEW

**Location:** JASMINE DEVELOPMENT LLC, CLARK  
560 W. WARM SPRINGS RD., HENDERSON, NV 89011  
LATITUDE: 36.05485040, LONGITUDE: -115.00717020  
TOWNSHIP: T22S, RANGE: R62E, SECTION: S12N

Outfall / Well Num	Outfall / Well Name	Location Type	Well Log Num	Latitude	Longitude	Receiving Water
001	COOLING TOWER BLOWDOWN WATER	External Outfall		36.0575	-115.0091	LAS VEGAS WASH

**Permit History/Description of Proposed Action**

The Permittee, Jasmine Development, LLC, has applied for a new National Pollutant Discharge Elimination System (NPDES) permit for their facility located at 560 West Warm Springs Road in Henderson, Clark County, Nevada. The Permittee proposes to discharge non-contact cooling tower blowdown water to the Las Vegas Wash via the Clark County storm drain system. This would be the first issuance of the permit for this facility.

**Facility Overview**

Jasmine Development, LLC is a data center which became fully operational in February of 2021. As a data center, the facility requires specific heating and cooling requirements to ensure critical IT infrastructure does not malfunction. The facility includes ten (10) cooling towers which use potable water, in a closed loop system, to help maintain the temperature within the data center. After the water has been cycled through the system for a period of time, it is discharged, and new potable water is added to the system. The discharged water is known as cooling tower blowdown.

The facility currently sends its blowdown water to a nearby wastewater treatment facility; however, wastewater treatment facilities operate best when receiving nutrient dense wastewater. As non-contact cooling tower blowdown lacks nutrients, the Permittee is proposing to connect to a nearby storm drain drop inlet to allow the blowdown water to be discharged into the Las Vegas Wash in an effort to aid in the operational performance of the wastewater treatment facility.

**Outfall Summary**

Outfall 001 - This outfall is for the discharge of non-contact cooling tower blowdown water.

**Effluent Characterization**

The discharge will consist of untreated non-contact cooling tower blowdown water.

**Pollutants of Concern**

Pollutants of concern are any pollutant, or parameters, that are believed to be present in the discharge and could affect or alter the physical, chemical, or biological conditions of the receiving water. According to the Reasonable Potential Analysis (RPA) that was conducted, pollutants of concern are total dissolved solids and zinc. Additional pollutants of concern are total petroleum hydrocarbons (TPH) and temperature.

**Receiving Water**

The receiving water is the Las Vegas Wash via the Clark County storm drain system.

**Applicable Water Quality Standards/Beneficial Uses**

The water quality standards (WQSs) for the nearest downstream control point, "Las Vegas Wash at the Historic Lateral" (Nevada Administrative Code (NAC) 445A.2156) apply. WQSs for the Las Vegas Wash from the confluence of the Sloan Channel and the Historic Lateral includes beneficial uses for watering of livestock, irrigation, aquatic life, recreation not involving contact with the water, propagation of wildlife, and maintenance of a freshwater marsh. Additional WQSs applicable to this section of the Las Vegas Wash include toxic materials (NAC 445A.1236). Furthermore, water quality narrative standards applicable to all surface waters (NAC 445A.121) apply.

**303 (d) Listing Status**

Section 305(b) of the Clean Water Act (CWA) requires states to report on the overall condition of aquatic resources and section 303(d) of the CWA requires states to develop lists of all impaired waterbodies and create a priority listing of waterbodies for which plans are needed to restore water quality. Combining requirements of these two sections produces Nevada's Water Quality Integrated Report. This report, required biennially by the U.S. EPA, also describes the extent to which current conditions are protecting the designated beneficial uses of Nevada's surface waters.

According to Nevada's 2020 – 2022 Water Quality Integrated Report, none of the designated beneficial uses are currently impaired for the Las Vegas Wash from the confluence of the Sloan Channel and the Las Vegas Wash to the Historic Lateral.

**TMDL**

Per section 303(d)(1)(C) of the CWA, states are required to develop Total Maximum Daily Loads (TMDLs) for those waters which the effluent limitations are not stringent enough to implement any WQS applicable to such waters. The downstream segment of the Las Vegas Wash, from the Historic Lateral to its confluence with Lake Mead, includes a TMDL for total ammonia as nitrogen and total phosphorus.

**Waste Load Allocation**

As stated above, the Las Vegas Wash, from the Historic Lateral to its confluence with Lake Mead, includes a TMDL for total ammonia as nitrogen and total phosphorus. The cooling towers are supplied with municipal drinking water provided by the Southern Nevada Water Authority. It is not anticipated that the cooling tower process will alter the background levels of total ammonia as nitrogen and total phosphorus. However, the proposed permit establishes the requirement to monitor and report, in pounds per day and in milligrams per liter, total phosphorus and total ammonia as nitrogen to assess the need for an individual waste load allocation.

**Compliance History**

This is a new permit.

**Proposed Effluent Limitations**

The discharge shall be limited and monitored as specified below:

**Discharge Limitations Table for Sample Location 001 (Cooling Tower Blowdown Water) To Be Reported Monthly**

Discharge Limitations				Monitoring Requirements			
Parameter	Base	Quantity	Concentration	Monitoring Loc	Sample Loc	Measurement Frequency	Sample Type
Flow rate	Daily Maximum	<= 2.0 Million Gallons per Day (Mgal/d)		Effluent Gross	001	Continuous	METER
Flow rate	30 Day Average	M&R Million Gallons per Day (Mgal/d)		Effluent Gross	001	Continuous	METER
Solids, total dissolved	Daily Maximum		<= 1900 Milligrams per Liter (mg/L)	Effluent Gross	001	Monthly	DISCRT
Zinc, dissolved (as Zn)	Daily Maximum		<= 438 Micrograms per Liter (ug/L)	Effluent Gross	001	Monthly	DISCRT
Temperature, water deg. centigrade	Daily Maximum		<= 34 Degrees Centigrade (deg C)	Effluent Gross	001	Monthly	INSTAN

### Discharge Limitations Table for Sample Location 001 (Cooling Tower Blowdown Water) To Be Reported Quarterly

Discharge Limitations				Monitoring Requirements			
Parameter	Base	Quantity	Concentration	Monitoring Loc	Sample Loc	Measurement Frequency	Sample Type
pH, maximum	Daily Maximum		<= 9.0 Standard Units (SU)	Effluent Gross	001	Quarterly	DISCRT
pH, minimum	Daily Minimum		>= 6.5 Standard Units (SU)	Effluent Gross	001	Quarterly	DISCRT
Nitrogen, inorganic total	Daily Maximum		<= 20 Milligrams per Liter (mg/L)	Effluent Gross	001	Quarterly	DISCRT
Nitrogen, nitrite total (as N)	Daily Maximum		M&R Milligrams per Liter (mg/L)	Effluent Gross	001	Quarterly	DISCRT
Nitrogen, nitrate total (as N)	Daily Maximum		M&R Milligrams per Liter (mg/L)	Effluent Gross	001	Quarterly	DISCRT
Hydrocarbons, total petroleum	Daily Maximum		<= 1.0 Milligrams per Liter (mg/L)	Effluent Gross	001	Quarterly	DISCRT
Nitrogen, ammonia total (as N)	Daily Maximum	M&R Pounds per Day (lb/d) <sup>[1]</sup>	M&R Milligrams per Liter (mg/L)	Effluent Gross	001	Quarterly	DISCRT
Phosphorus, total (as P)	Daily Maximum	M&R Pounds per Day (lb/d) <sup>[1]</sup>	M&R Milligrams per Liter (mg/L)	Effluent Gross	001	Quarterly	DISCRT

#### Notes (Discharge Limitations Table):

1. Pounds per day is calculated using the following formula: Flow (MGD) x concentration (mg/L) x 8.34 (lbs/gal).

**Discharge Limitations Table for Sample Location 001 (Cooling Tower Blowdown Water) To Be Reported Once During The Permit Term**

Discharge Limitations				Monitoring Requirements			
Parameter	Base	Quantity	Concentration	Monitoring Loc	Sample Loc	Measurement Frequency	Sample Type
Arsenic, total recoverable	Daily Maximum		<= 100 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Beryllium, total recoverable (as Be)	Daily Maximum		<= 100 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Boron, total recoverable	Daily Maximum		<= 750 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Cadmium, dissolved (as Cd)	Daily Maximum		<= 2.29 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Chromium, total recoverable	Daily Maximum		<= 100 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Chromium, Hexavalent [As CR] (Chromium (VI)) <sup>[1]</sup>	Daily Maximum		<= 11 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Chromium, Trivalent [As CR] (Chromium (III)) <sup>[1]</sup>	Daily Maximum		<= 263 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Copper, dissolved (as Cu)	Daily Maximum		M&R Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Cyanide, total (as CN)	Daily Maximum		<= 5.2 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Fluoride, total (as F)	Daily Maximum		<= 1000 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Iron, total recoverable	Daily Maximum		M&R Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
			<= 13				

**Discharge Limitations Table for Sample Location 001 (Cooling Tower Blowdown Water) To Be Reported Once During The Permit Term**

Discharge Limitations				Monitoring Requirements			
Parameter	Base	Quantity	Concentration	Monitoring Loc	Sample Loc	Measurement Frequency	Sample Type
Lead, dissolved (as Pb)	Daily Maximum		Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Manganese, total recoverable	Daily Maximum		<= 200 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Mercury, dissolved (as Hg)	Daily Maximum		<= 0.77 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Molybdenum, total recoverable	Daily Maximum		M&R Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Nickel, total recoverable <sup>[1]</sup>	Daily Maximum		<= 193 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Selenium, dissolved [as Se]	Daily Maximum		<= 3.9 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Silver total recoverable <sup>[1]</sup>	Daily Maximum		<= 46 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Sulfide, total (as S)	Daily Maximum		<= 2 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Acrolein	Daily Maximum		<= 3 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Aldrin	Daily Maximum		<= 3 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
.alpha.-Endosulfan	Daily Maximum		<= 0.056 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
			<= 0.056				

**Discharge Limitations Table for Sample Location 001 (Cooling Tower Blowdown Water) To Be Reported Once During The Permit Term**

Discharge Limitations				Monitoring Requirements			
Parameter	Base	Quantity	Concentration	Monitoring Loc	Sample Loc	Measurement Frequency	Sample Type
.beta.-Endosulfan	Daily Maximum		Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Chlordane (tech mix. and metabolites)	Daily Maximum		<= 0.0043 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Chlorpyrifos	Daily Maximum		<= 0.041 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
4,4-DDT	Daily Maximum		<= 0.001 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Demeton	Daily Maximum		<= 0.1 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Diazinon	Daily Maximum		<= 0.17 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Dieldrin	Daily Maximum		<= 0.056 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Endrin	Daily Maximum		<= 0.036 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Azinphos-Methyl (Guthion)	Daily Maximum		<= 0.01 Micrograms per Liter (ug/L)	Effluent Gross (Supplementary)	001	Once Per Permit Term	DISCRT
Heptachlor	Daily Maximum		<= 0.0038 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Heptachlor epoxide	Daily Maximum		<= 0.0038 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
			<= 0.95				

**Discharge Limitations Table for Sample Location 001 (Cooling Tower Blowdown Water) To Be Reported Once During The Permit Term**

Discharge Limitations				Monitoring Requirements			
Parameter	Base	Quantity	Concentration	Monitoring Loc	Sample Loc	Measurement Frequency	Sample Type
Lindane	Daily Maximum		Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Malathion	Daily Maximum		<= 0.1 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Methoxychlor	Daily Maximum		<= 0.03 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Mirex	Daily Maximum		<= 0.001 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Nonylphenol	Daily Maximum		<= 6.6 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Parathion	Daily Maximum		<= 0.013 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Pentachlorophenol	Daily Maximum		<= 7.11 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Polychlorinated biphenyls (PCBs)	Daily Maximum		<= 0.014 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Toxaphene	Daily Maximum		<= 0.0002 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT
Tributyltin	Daily Maximum		<= 0.072 Micrograms per Liter (ug/L)	Effluent Gross	001	Once Per Permit Term	DISCRT

Notes (Discharge Limitations Table):

1. Analysis shall be for the dissolved fraction.

**Summary of Changes From Previous Permit**

This is a new permit.



### Technology Based Effluent Limitations

There are no technology based effluent limitations associated with this permit.

### Water Quality Based Effluent Limitations

Per NAC 445A.2156, dissolved oxygen (DO), total suspended solids (TSS), fecal coliform, and *Escherichia coli* (*E. Coli*) are required to be monitored. The discharge from this facility will travel, at a minimum, approximately two (2) miles, through the Clark County storm drain system before finally reaching the Las Vegas Wash. Therefore, sampling the discharge for DO and TSS is irrelevant in this instance. Furthermore, since the discharge is not associated with treated wastewater, sampling for fecal coliform and *E. Coli* are not required.

The proposed permit establishes the requirement to monitor and report total nitrate (as N) and total nitrite (as N) in lieu of establishing a limit based on WQSs as these constituents proved no reasonable potential to cause, or contribute to, in-stream excursions above the applicable water quality criteria.

The following parameters are limited in accordance with the Nevada water quality based effluent limits (WQBELs) as listed in NAC 445A.2156 and NAC 445A.1236:

NAC 445A.2156 includes a requirement to maintain existing higher quality (RMHQ) for temperature of a maximum allowable increase of 0 degrees Celsius. There are no feasible alternatives that the Permittee can implement to achieve a temperature difference of 0 degrees Celsius between the upstream and downstream receiving water. Therefore, the proposed permit establishes a daily maximum limit of 34 degrees Celsius for temperature in accordance with the aquatic life beneficial use.

The proposed permit establishes a daily maximum and a daily minimum pH limit of 9.0 standard units (S.U.) and 6.5 S.U., respectively, in accordance with the aquatic life beneficial use.

The proposed permit establishes a daily maximum limit of 20 mg/L for total inorganic nitrogen (as N), in accordance with the RMHQ.

The receiving water body, the Las Vegas Wash, from the Sloan Channel to the Historic Lateral, has a RMHQ of 95% of a single value (S.V.) samples  $\leq 1,900$  mg/L and a water quality criterion of  $\leq 3,000$  mg/L, per NAC 445A.2156. Water quality samples obtained on March 26, 2024, from four (4) of the ten (10) cooling towers shows the TDS in the cooling tower blowdown water ranges from 1,500 mg/L to 1,600 mg/L. The RPA determined TDS has the potential to cause, or contribute to, an exceedance above the RMHQ as well as the beneficial use standard. Therefore, the proposed permit establishes effluent limits for TDS of 1,900 mg/L, in accordance with the RMHQ.

Except for copper, iron, and molybdenum, the proposed permit establishes effluent limits for toxic materials listed in NAC 445A.1236. Copper, iron, and molybdenum proved no reasonable potential to cause, or contribute to, in-stream excursions above the applicable water quality criteria; therefore, the proposed permit establishes the requirement to monitor and report copper, iron, and molybdenum. All other toxic materials are limited per NAC 445A.1236 to protect the aquatic life, irrigation, and watering of livestock beneficial uses. Municipal or domestic supply is not a designated beneficial use for the Las Vegas Wash; therefore, effluent limits to protect this beneficial use were not included in this permit.

Additionally, based on the proposed discharge flow rate, the 96-hour limits have been established. If there is no 96-hour limit listed for a constituent, then the 1-hour limit was used.

NAC 445A.1236 lists water quality criteria for seven (7) metals that vary as a function of hardness. The lower the hardness the lower the water quality criteria. The metals with hardness-dependent criteria include cadmium, chromium (III), copper, lead, nickel, silver, and zinc. The Bureau of Water Quality Planning (BWQP) recommends calculating the 10th percentile receiving water hardness value to determine water quality criteria for hardness-dependent metals that are sufficiently protective of aquatic life. The BWQP reviewed ten (10) years of water quality data on the Las Vegas Wash at the Historic Lateral and found the hardness data to be normally distributed. The BWQP recommended a 10th percentile value of 470 mg/L

for hardness to be sufficiently protective of aquatic life under most conditions for this reach of the Las Vegas Wash. Therefore, the Division has used the 10th percentile value of 470 mg/L to calculate the applicable water quality criteria for hardness-dependent metals listed in NAC 445A.1236. Furthermore, based on 126 pH samples collected from the water quality station LW6.85 located in the Las Vegas Wash downstream of the confluence with Duck Creek, and upstream from the proposed discharge, from 2007 to 2020, the minimum value of 7.06 SU for pH was used to calculate the permit limit for pentachlorophenol.

The full toxic materials list shall be sampled once during this permit term to obtain additional water quality data. If, during the next renewal review process, the water quality data shows a reasonable potential (via a RPA) for any constituent, the Division will retain that constituent with a limit and may increase its sampling frequency. Toxic constituents that prove no reasonable potential may remain in future permits; however, a limit may not be associated with said constituent. The sampling frequency may remain once during the term of the permit, unless new information proves otherwise.

### **Reasonable Potential Analysis (RPA)**

Section 301(b)(1)(c) of the CWA requires effluent limitations necessary to meet WQSs, and Title 40 of the Code of Federal Regulation (CFR) section 122.44(d) requires permits to include conditions that are necessary to achieve WQSs established under section 303 of the CWA, including state narrative criteria for water quality. Federal regulations at 40 CFR 122.44(d)(1)(i) state, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality." The process to determine whether a WQBEL is required as described in 40 CFR 122.44(d)(1)(i) is referred to as a reasonable potential analysis, or RPA. Furthermore, NAC 445A.243 requires the Division to consider the establishment of effluent limitations necessary to meet WQSs.

For conducting the RPA, the Division used a mass balanced approach to determine the expected critical downstream receiving water concentration using statistics recommended in the United States Environmental Protection Agency's Technical Support Document (TSD) for Water Quality-Based Toxic Control for statistically calculating the project maximum effluent concentration (i.e., Table 31 of the TSD using the 99 percent probability basis and 99 percent confidence interval). For purposes of the RPA, the critical receiving water flow was assumed to be zero (i.e., no dilution); therefore, the critical effluent pollutant concentrations were compared with the most restrictive water quality criteria for TDS, nitrate, and nitrite found in NAC 445A.2156 and copper, iron, molybdenum, and zinc found in NAC 445A.1236 to determine if the discharge has reasonable potential to cause, or contribute to, an excursion above a State WQS.

The RPA was based on one set of water quality data, collected from all ten (10) of the cooling towers on March 26, 2024.

Based on the RPA, the discharge exhibits reasonable potential to cause, or contribute to, in-stream excursions above the applicable water quality criteria for TDS and zinc (see Attachment A). Therefore, a limit was established for these constituents.

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

The proposed permit has established monthly sampling for TDS and zinc as the RPA proved these constituents have the reasonable potential to cause, or contribute to, in-stream excursions above the applicable water quality criteria. Additionally, the proposed permit establishes monthly sampling for temperature as blowdown cooling water has the potential to have elevated temperatures. Monthly sampling is sufficient for determining compliance with the applicable WQSs.

The proposed permit has established quarterly sampling for nitrate (as N) and nitrite (as N) as these constituents are listed in NAC 445A.2156 and they are present in the discharge; however, the RPA proved no reasonable potential to cause, or contribute to, in-stream excursions above the applicable water quality criteria. Additionally, the permit establishes quarterly sampling for total inorganic nitrogen (as N) and pH as these constituents are also listed in NAC 445A.2156. Furthermore, the permit establishes quarterly

sampling for TPH, as there is the potential for contamination from mechanical failures, and total phosphorus and total ammonia as nitrogen, as the downstream segment, the Las Vegas Wash at Lake Mead, has a TMDL for total phosphorus and total ammonia as nitrogen. As the Division does not currently have water quality data for these constituents, quarterly sampling is sufficient for determining compliance with the applicable WQSs and permit limits.

The proposed permit establishes once per permit term sampling of toxic materials (excluding zinc) as these constituents are listed in NAC 445A.1236. The Division does not have water quality data for these constituents and will need initial data before establishing a set sampling frequency. The Division does not expect most of these constituents to be present in the discharge; therefore, once per permit term sampling is deemed sufficient for obtaining initial water quality data for toxic materials.

**Basis for Effluent Limitations**

The proposed permit establishes the requirement to sample for TPH as there is the potential for contamination from mechanical failures. A limit of 1.0 mg/L is established per the State action level for remediation projects.

**Anti-backsliding**

Section 402(o) and 303(d)(4) of the CWA and federal regulations of 40 CFR 122.44(i) prohibit backsliding and require effluent limitations in a reissued permit 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 40 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. This objective is achieved through the implementation of procedures to ensure that waters are protected from regulated activities that have the potential to degrade the water quality. The regulation uses four (4) tiers of antidegradation protection. Tier 1 protects water quality for beneficial uses of the water on a parameter-by-parameter basis. Tier 2 protects high-quality waters where data show the water quality is better than levels needed to protect beneficial uses (on a parameter-by-parameter basis). Tier 2.5 and Tier 3 protect water quality and the special characteristics of waterbodies designated with the beneficial use of “extraordinary, ecological, aesthetic or recreational value” (NAC 445A.122). The Division will conduct an antidegradation review only when a permit application is submitted for a new or expanding point source discharge to a surface water or for a new or altered zone of mixing.

As the proposed discharge from the facility is considered a new point source, an antidegradation review was conducted. It was determined that the Las Vegas Wash, merits Tier 1 protection. As such, WQBEL have been set according to WQSs needed to protect the designated beneficial uses of the waterbody, unless RMHQs existed for any parameters in which case the RMHQs have been used, with the exception of temperature (see the Water Quality Based Effluent Limitations section of the fact sheet).

**Special Conditions**

See the Special Approvals / Conditions Table below.

SA – Special Approvals / Conditions Table

Item #	Description
1	The Permittee shall provide proof of authorization to discharge to the Clark County storm drain system prior to commencing discharge to the Las Vegas Wash.

**Discharges From Future Outfalls/ Planned Facility Changes**

The Permittee does not anticipate any planned facility changes or discharges from future outfalls.

**Corrective Action Sites**

There are two (2) active Bureau of Corrective Action (BCA) sites located within a one-mile radius of the facility. The first site (H-000041) is for the release of diesel to the environment. The second site (H-000926) is for the release of solvents to subsurface water (i.e., groundwater).

**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 facility. The facility is 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 for review and approval two (2) copies (one electronic and one hard copy) of a new Operation and Maintenance (O&M) Manual, prepared in accordance with WTS-2: <i>Minimum Information Required for an Operation and Maintenance Manual</i> .	7/28/2025
2	All Discharge Monitoring Reports (DMRs) shall be submitted electronically through the Nevada NetDMR website <a href="https://netdmr.ndep.nv.gov/netdmr/public/home.htm">https://netdmr.ndep.nv.gov/netdmr/public/home.htm</a> .	7/28/2025

**Deliverable Schedule:**

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

Item #	Description	Interval	First Scheduled Due Date
1	Quarterly DMR	Quarterly	7/28/2025
2	Once Per Permit Term DMR	Once during the permit term	4/28/2030

**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. **3/21/2025**, 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.605.

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

**Proposed Determination:**

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

Prepared by: **Bonnie Hartley**  
 Date: **2/11/2025**  
 Title: **Staff II, Associate Engineer**

## Attachment A

### Summary of Reasonable Potential Analysis

Parameter	Units	No. of Effluent Samples	Critical Effluent Concentration	Most Stringent Criterion	Criterion Basis	Does RP Exist?
<b>Metals (Total Recoverable), Cyanide and Phenols</b>						
Copper, Total Recoverable	ug/L	8	33.3	35	Chronic Aquatic Life	No
Iron, Total Recoverable	ug/L	8	299.7	1,000	Chronic Aquatic Life	No
Molybdenum, Total Recoverable	ug/L	8	699.3	1,650	Chronic Aquatic Life	No
Zinc, Total Recoverable	ug/L	8	499.5	445	Acute Aquatic Life	Yes
<b>Other Pollutants</b>						
Chloride	mg/L	8	899.11	No Criteria		No
Nitrate, Total (as N)	mg/L	8	27.97	90	WQC to Protect Beneficial Uses	No
Sulfate	mg/L	8	1,831.52	No Criteria		No
Total Dissolved Solids	mg/L	4	7,577.65	1900	RMHQ	Yes