



**Bureau of Air Pollution Control**

901 SOUTH STEWART STREET SUITE 4001

CARSON CITY, NEVADA 89701-5249

p: 775-687-9349 • [www.ndep.nv.gov/bapc](http://www.ndep.nv.gov/bapc)

**Facility ID No. A1768A**

**Permit No. AP3692-4630**

**CLASS I AIR QUALITY OPERATING PERMIT TO CONSTRUCT**

**Issued to:** TESLA, INC. (HEREINAFTER REFERRED TO AS PERMITTEE)

**Mailing Address:** 1 ELECTRIC AVENUE, SPARKS, NV 89434

**Physical Address:** 1 ELECTRIC AVENUE, SPARKS, NV 89434

**Driving Directions:** HEAD EAST ON I-80E, TAKE EXIT 32 AND TURN RIGHT ON NV-439. TURN LEFT ON ELECTRIC AVENUE AND DRIVE APPROXIMATELY 1.8 MILES.

**General Facility Location:**

SECTIONS 5 – 8, T 19 N, R 23 E, MDB&M

HA 83 – TRACY SEGMENT / STOREY COUNTY

NORTH 4,379,839 M, EAST 289,486 M, UTM ZONE 11, NAD 83

**Emission Unit List:**

**A. System 01 – Powder Coating Process**

S2.001 Powder Coat Application

S2.002 Cure Oven (electric)

S2.003 Cooling Tunnel

**B. System 02 – Powder Coat Hot Water Boilers**

S2.004 Powder Coat Hot Water Boiler 1 (5.5 MMBtu/hr)

S2.005 Powder Coat Hot Water Boiler 2 (5.5 MMBtu/hr)

S2.006 Powder Coat Hot Water Boiler 3 (5.5 MMBtu/hr)

**\*\*\*\*End of Emission Unit List\*\*\*\***



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**Section I. General Conditions**

A. Nevada Revised Statute (NRS) 445B.470

Prohibited Acts

The Permittee shall not knowingly:

1. Violate any applicable provision, the terms or conditions of any permit or any provision for the filing of information;
2. Fail to pay any fee;
3. Falsify any material statement, representation or certification in any notice or report; or
4. Render inaccurate any monitoring device or method, required pursuant to the provisions of NRS 445B.100 to 445B.450, inclusive, or NRS 445B.470 to 445B.640, inclusive, or any regulation adopted pursuant to those provisions.

B. Nevada Administrative Code (NAC) 445B.22013

Prohibited Discharge

The Permittee shall not cause or permit the discharge into the atmosphere from any stationary source of any hazardous air pollutant or toxic regulated air pollutant that threatens the health and safety of the general public, as determined by the Director.

C. NAC 445B.22017 (*Federally Enforceable SIP Requirement*)

Maximum Opacity

1. Except as otherwise provided in this section and NAC 445B.2202, no owner or operator may cause or permit the discharge into the atmosphere from any emission unit which is of an opacity equal to or greater than 20 percent. Opacity must be determined by one of the following methods:
  - a. If opacity is determined by a visual measurement, it must be determined as set forth in Reference Method 9 in Appendix A of 40 CFR Part 60.
  - b. If a source uses a continuous monitoring system for the measurement of opacity, the data must be reduced to 6-minute averages as set forth in 40 CFR 60.13(h).
2. The provisions of this section and NAC 445B.2202 do not apply to that part of the opacity that consists of uncombined water. The burden of proof to establish the application of this exemption is upon the person seeking to come within the exemption.

D. NAC 445B.22037 (*Federally Enforceable SIP Requirement*)

Fugitive Dust

1. The Permittee may not cause or permit the handling, transporting, or storing of any material in a manner that allows or may allow controllable particulate matter to become airborne.
2. Except as otherwise provided in subsection 4, the Permittee may not cause or permit the construction, repair, demolition, or use of unpaved or untreated areas without first putting into effect an ongoing program using the best practical methods to prevent particulate matter from becoming airborne. As used in this subsection, "best practical methods" includes, but is not limited to, paving, chemical stabilization, watering, phased construction, and revegetation.
3. Except as provided in subsection 4, the Permittee may not disturb or cover 5 acres or more of land or its topsoil until the Permittee has obtained an operating permit for surface area disturbance to clear, excavate, or level the land or to deposit any foreign material to fill or cover the land.
4. The provisions of subsections 2 and 3 do not apply to:
  - a. Agricultural activities occurring on agricultural land; or
  - b. Surface disturbances authorized by a permit issued pursuant to NRS 519A.180 which occur on land which is not less than 5 acres or more than 20 acres.

E. NAC 445B.22067 (*Federally Enforceable SIP Requirement*)

Open Burning

The open burning of any combustible refuse, waste, garbage, oil, or for any salvage operations, except as specifically exempted (see NAC 445B.22067(2)), is prohibited.



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**Section I. General Conditions (continued)**

F. NAC 445B.22087

Odors

The Permittee may not discharge or cause to be discharged, from any stationary source, any material or regulated air pollutant which is or tends to be offensive to the senses, injurious or detrimental to health and safety, or which in any way interferes with or prevents comfortable enjoyment of life or property.

G. NAC 445B.225 (*Federally Enforceable SIP Requirement*)

Prohibited Conduct: Concealment of Emissions

The Permittee may not install, construct or use any device which conceals any emission without reducing the total release of regulated air pollutants to the atmosphere.

H. NAC 445B.252 (*Federally Enforceable SIP Requirement*)

Testing and Sampling

1. To determine compliance with NAC 445B.001 to 445B.3497, inclusive, before the approval or the continuance of an operating permit or similar class of permits, the Director may either conduct or order the owner of any stationary source to conduct or have conducted such testing and sampling as the Director determines necessary. Testing and sampling of either of them must be conducted and the results submitted to the Director within 60 days after achieving the maximum rate of production at which the affected facility will be operated, but not later than 180 days after initial start-up of the facility and at such other times as may be required by the Director.
2. Tests of performance must be conducted and data reduced in accordance with the methods and procedures of the test contained in each applicable subsection of this section unless the Director:
  - a. Specifies or approves, in specific cases, the use of a reference method with minor changes in methodology;
  - or
  - b. Waives the requirement for tests of performance because the owner or operator of a stationary source has demonstrated by other means to the Director's satisfaction that the affected facility is in compliance with the standard.
3. Tests of performance must be conducted under such conditions as the Director specifies to the operator of the plant based on representative performance of the affected facility. The owner or operator shall make available to the Director such records as may be necessary to determine the conditions of the test of performance. Operations during periods of start-up, shutdown and malfunction must not constitute representative conditions of a test of performance unless otherwise specified in the applicable standard.
4. The owner or operator of an affected facility shall give notice to the Director 30 days before the test of performance to allow the Director to have an observer present. A written testing procedure for the test of performance must be submitted to the Director at least 30 days before the test of performance to allow the Director to review the proposed testing procedures.
5. Each test of performance must consist of at least three separate runs using the applicable method for that test. Each run must be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the runs apply. In the event of forced shutdown, failure of an irreplaceable portion of the sampling train, extreme meteorological conditions or other circumstances with less than three valid samples being obtained, compliance may be determined using the arithmetic mean of the results of the other two runs upon the Director's approval.
7. The cost of all testing and sampling and the cost of all sampling holes, scaffolding, electric power and other pertinent allied facilities as may be required and specified in writing by the Director must be provided and paid for by the owner of the stationary source.
8. All information and analytical results of testing and sampling must be certified as to their truth and accuracy and as to their compliance with all provisions of these regulations, and copies of these results must be provided to the Director no later than 60 days after the testing or sampling, or both.



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**Section I. General Conditions (continued)**

H. NAC 445B.252 (*Federally Enforceable SIP Requirement*) (continued)

Testing and Sampling (continued)

9. Notwithstanding the provisions of subsection 2, the Director shall not approve an alternative method or equivalent method to determine compliance with a standard or emission limitation contained in Part 60, 61 or 63 of Title 40 of the Code of Federal Regulations for:

- a. An emission unit that is subject to a testing requirement pursuant to Part 60, 61 or 63 of Title 40 of the Code of Federal Regulations; or
- b. An affected source.

I. NAC 445B.273(1)

Schedules for Compliance

The Permittee must comply with NAC 445B.001 to 445B.3689, inclusive. Existing stationary sources are in compliance with those sections and may continue to operate under the provisions of their approved compliance schedules, which may be amended from time to time.

J. NAC 445B.315(3)(i) (*Federally Enforceable SIP Requirement*)

Fees

The Permittee shall pay fees to the Director in accordance with the provisions set forth in NAC 445B.327 and 445B.331.

K. NAC 445B.319 (*Federally Enforceable SIP Requirement*)

Administrative Amendment

Any changes to the operating permit to construct will comply with all provisions established under NAC 445B.319.

L. NAC 445B.326(1)

Assertion of Emergency as Affirmative Defense to Action for Noncompliance

The Permittee may assert an affirmative defense to an action brought for noncompliance with a technology-based emission limitation contained in the operating permit if the holder of the operating permit demonstrates through signed, contemporaneous operating logs or other relevant evidence that:

- 1. An emergency occurred and the holder of the operating permit can identify the cause of the emergency;
- 2. The facility was being properly operated at the time of the emergency;
- 3. During the emergency, the holder of the operating permit took all reasonable steps to minimize excess emissions; and
- 4. The holder of the operating permit submitted notice of the emergency to the Director within 2 working days after the emergency. The notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken to restore the normal operation of the facility.

M. NAC 445B.3265

Revocation and Reissuance

- 1. An operating permit may be revoked if the control equipment is not operating.
- 2. An operating permit may be revoked by the Director upon determination that there has been a violation of NAC 445B.001 to 445B.3689, inclusive, or the provisions of 40 CFR Part 52.21, or 40 CFR Part 60 or 61, Prevention of Significant Deterioration, New Source Performance Standards, and National Emission Standards for Hazardous Air Pollutants, adopted by reference in NAC 445B.221.
- 3. The revocation is effective 10 days after the service of a written notice, unless a hearing is requested.

N. NAC 445B.3365(2)(c) (*Federally Enforceable SIP Requirement*)

Severability

Each of the conditions and requirements of the operating permit to construct is severable and, if any are held invalid, the remaining conditions and requirements continue in effect.



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**Section I. General Conditions (continued)**

O. NAC 445B.3365(2)(d) (*Federally Enforceable SIP Requirement*)

Noncompliance with Conditions

The Permittee shall comply with all conditions of this operating permit to construct. Any noncompliance constitutes a violation and is a ground for:

1. An action for noncompliance;
2. The revoking and reissuing, or the terminating, of the operating permit to construct by the Director; or
3. The reopening or revising of the operating permit to construct by the holder of the operating permit to construct as directed by the Director.

P. NAC 445B.3365(2)(e) (*Federally Enforceable SIP Requirement*)

Need to Halt or Reduce Activity to Maintain Compliance

The need to halt or reduce activity to maintain compliance with the conditions of the operating permit to construct is not a defense to noncompliance with any condition of the operating permit to construct.

Q. NAC 445B.3365(2)(f) (*Federally Enforceable SIP Requirement*)

Revise, Revoke and Reissue, Reopen and Revise or Terminate

The Director may revise, revoke and reissue, reopen and revise, or terminate the operating permit to construct for cause.

R. NAC 445B.3365(2)(g) (*Federally Enforceable SIP Requirement*)

Property Rights

The operating permit to construct does not convey any property rights or any exclusive privilege.

S. NAC 445B.3365(2)(h) (*Federally Enforceable SIP Requirement*)

Request for Information

The Permittee shall provide the Director, in writing and within a reasonable time, with any information that the Director requests to determine whether cause exists for revoking or terminating the operating permit to construct, or to determine compliance with the conditions of the operating permit to construct.

T. NAC 445B.3365(2)(i) (*Federally Enforceable SIP Requirement*)

Right to Entry

The Permittee shall allow the Director or any authorized representative of the Director, upon presentation of credentials, to:

1. Enter upon the premises of the Permittee where:
  - a. The stationary source is located;
  - b. Activity related to emissions is conducted; or
  - c. Records are kept pursuant to the conditions of the operating permit to construct.
2. Have access to and copy, during normal business hours, any records that are kept pursuant to the conditions of the operating permit to construct;
3. Inspect, at reasonable times, any facilities, practices, operations, or equipment, including any equipment for monitoring or controlling air pollution, that are regulated or required pursuant to the operating permit to construct; and
4. Sample or monitor, at reasonable times, substances or parameters to determine compliance with the conditions of the operating permit to construct or applicable requirements.

U. NAC 445B.3365(2)(j) (*Federally Enforceable SIP Requirement*)

Certification

A responsible official of the Permittee shall certify that, based on information and belief formed after reasonable inquiry, the statements made in any document required to be submitted by any condition of the operating permit to construct are true, accurate and complete.



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**Section I. General Conditions (continued)**

V. NAC 445B.342 (*Federally Enforceable SIP Requirement*)

Notification of Authorized Changes

Any changes to the operating permit to construct will comply with all provisions established under NAC 445B.342.

**\*\*\*End of General Conditions\*\*\***

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**Section II. Construction Conditions**

A. Notification (NAC 445B.250; NAC 445B.3365) (*Federally Enforceable SIP Requirement*)

The Permittee shall notify the Director in writing of the following for **S2.001 through S2.006** – added on **enter date permit signed**.

1. The date construction (or reconstruction as defined under NAC 445B.247) of the affected facility is commenced, postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.
2. The anticipated date of initial startup of an affected facility, postmarked no more than 60 days and no less than 30 days prior to such date.
3. The actual date of initial startup of the affected facility, postmarked within 15 days after such date.
4. The date upon which demonstration of the continuous monitoring system performance commences in accordance with NAC 445B.256 to 445B.267, inclusive. Notification must be postmarked not less than 30 days before such date.

B. NAC 445B.3366 (*Federally Enforceable SIP Requirement*)

Expiration

1. If construction will occur in one phase, an operating permit to construct for a new or modified stationary source expires if construction is not commenced within 18 months after the date of issuance thereof or construction of the facility is delayed for 18 months after initiated. The Director may extend the date on which the construction may be commenced upon a showing that the extension is justified.
2. If construction will occur in more than one phase, the projected date of the commencement of construction of each phase of construction must be approved by the Director. An operating permit to construct expires if the initial phase of construction is not commenced within 18 months after the projected date of the commencement of construction approved by the Director. The Director may extend only the date on which the initial phase of construction may be commenced upon a showing that the extension is justified.
3. Except as otherwise provided in this subsection, an operating permit to construct expires if a complete application for a Class I operating permit or modification of an existing Class I operating permit is not submitted within 12 months after the date of initial start-up.

**\*\*\*End of Construction Conditions\*\*\***



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**Section IIA. Specific Construction Requirements**

A. Initial Opacity Compliance Demonstration and Initial Performance Tests

- Under the authority of NAC 445B.22017, NAC 445B.252, and NAC 445B.3365, the Permittee, upon issuance of this operating permit, shall conduct and record initial opacity compliance demonstrations and/or initial performance tests within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup. The Permittee shall follow the test methods and procedures referenced in Table IIA-1 and Table IIA-2 below:

<b>Table IIA-1: Initial Opacity Compliance Demonstration</b>			
<b>System</b>	<b>Emission Unit(s)</b>	<b>Pollutant To Be Tested</b>	<b>Testing Methods/Procedures</b>
System 01 – Powder Coating Process	S2.001 through S2.003	Opacity	Method 9 in Appendix A of 40 CFR Part 60 shall be used to determine opacity. Opacity observations shall be conducted concurrently with the applicable performance test. The minimum total time of observations shall be six minutes (24 consecutive observations recorded at 15 second intervals), unless otherwise specified by an applicable subpart.
System 02 – Powder Coat Hot Water Boilers	S2.004 through S2.006	Opacity	Method 9 in Appendix A of 40 CFR Part 60 shall be used to determine opacity. Opacity observations shall be conducted concurrently with the applicable performance test. The minimum total time of observations shall be six minutes (24 consecutive observations recorded at 15 second intervals), unless otherwise specified by an applicable subpart.

<b>Table IIA-2: Initial Performance Demonstration</b>			
<b>System</b>	<b>Emission Unit(s)</b>	<b>Pollutant To Be Tested</b>	<b>Testing Methods/Procedures</b>
System 01 – Powder Coating Process	S2.001 through S2.003	PM	Method 5 in Appendix A of 40 CFR Part 60 shall be used to determine PM emissions. The sample volume for each test run shall be at least 1.7 dscm (60 dscf). Test runs must be conducted for up to two hours in an effort to collect this minimum sample.
		PM10/PM2.5	Method 201A in Appendix M of 40 CFR Part 51 shall be used to determine PM <sub>10</sub> and PM <sub>2.5</sub> emissions. The sample time and sample volume collected for each test run shall be sufficient to collect enough mass to weigh accurately.  The Method 201A test required in this section may be replaced by a Method 5 in Appendix A of 40 CFR Part 60 test. All particulate captured in the Method 5 test performed under this provision shall be considered PM <sub>2.5</sub> for determination of compliance.





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**Section IIA. Specific Construction Requirements (continued)**

A. Initial Opacity Compliance Demonstration and Initial Performance Tests (continued)

2. All initial opacity compliance demonstrations and initial performance tests must comply with the advance notification, protocol review, operational conditions, reporting, and other requirements of Section **II**. Testing and Sampling (NAC 445B.252) of this operating permit. Material sampling must be conducted in accordance with protocols approved by the Director. All initial performance test results shall be based on the arithmetic average of three valid runs. (NAC 445B.252(5))
3. Testing shall be conducted on the exhaust stack (post controls).
4. Initial opacity compliance demonstrations and initial performance tests in **Table IIA-1 and Table IIA-2** above, must be conducted under such conditions as the Director specifies to the operator of the plant based on representative performance of the affected facility. The Permittee shall make available to the Director such records as may be necessary to determine the conditions of the initial opacity compliance demonstrations and initial performance tests. Operations during periods of startup, shutdown and malfunction must not constitute representative conditions of the initial opacity compliance demonstrations and initial performance tests unless otherwise specified in the applicable standard. (NAC 445B.252(3))
5. The Permittee shall give notice to the Director 30 days before the initial opacity compliance demonstrations and initial performance tests to allow the Director to have an observer present. A written testing procedure must be submitted to the Director at least 30 days before the initial opacity compliance demonstrations and initial performance tests to allow the Director to review the proposed testing procedures. (NAC 445B.252(4) and 40 CFR Part 60.7(a)(6))
6. Within 60 days after completing the initial opacity compliance demonstrations and initial performance tests contained in **Table IIA-1 and Table IIA-2** of this section, the Permittee shall furnish the Director a written report of the results. All information and analytical results of testing and sampling must be certified as to the truth and accuracy and as to their compliance with NAC 445B.001 to 445B.3689, inclusive. (NAC 445B.252(8))
7. Initial opacity compliance demonstrations and initial performance tests required under this section that are conducted below the maximum allowable throughput, shall be subject to the Director's review to determine if the throughputs during initial opacity compliance demonstrations and initial performance tests sufficient to provide adequate compliance demonstration. Should the Director determine that the initial opacity compliance demonstrations and initial performance tests do not provide adequate compliance demonstration, the Director may require additional testing.

**\*\*\*End of Specific Construction Conditions\*\*\***



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**Section III. General Operating Conditions**

A. NAC 445B.227 (*Federally Enforceable SIP Requirement*)

Prohibited Conduct

*The Permittee* may not:

1. Operate a stationary source of air pollution unless the control equipment for air pollution that is required by applicable requirements or conditions of the permit is installed and operating.
2. Disconnect, alter, modify or remove any of the control equipment for air pollution or modify any procedure required by an applicable requirement or condition of the permit.

B. NAC 445B.232

Excess Emissions: Schedule Maintenance, Testing or Repairs; Notification of Director

1. Scheduled maintenance or testing or scheduled repairs which may result in excess emissions of regulated air pollutants prohibited by NAC 445B.001 to 445B.3689, inclusive, must be approved in advance by the Director and performed during a time designated by the Director as being favorable for atmospheric ventilation.
2. Each owner or operator shall notify the Director of the proposed time and expected duration at least 30 days before any scheduled maintenance or testing which may result in excess emissions of regulated air pollutants prohibited by NAC 445B.001 to 445B.3689, inclusive. The scheduled maintenance or testing must not be conducted unless the scheduled maintenance or testing is approved pursuant to subsection 1.
3. Each owner or operator shall notify the Director of the proposed time and expected duration at least 24 hours before any scheduled repairs which may result in excess emissions of regulated air pollutants prohibited by NAC 445B.001 to 445B.3689, inclusive. The scheduled repairs must not be conducted unless the scheduled repairs are approved pursuant to subsection 1.
4. Each owner or operator shall notify the Director of any excess emissions within 24 hours after any malfunction or upset of the process equipment or equipment for controlling pollution or during start-up or shutdown of that equipment. Email to: **aircompliance@ndep.nv.gov**
5. Each owner or operator shall provide the Director, within 15 days after any malfunction, upset, start-up, shutdown or human error which results in excess emissions, sufficient information to enable the Director to determine the seriousness of the excess emissions. The information must include at least the following:
  - a. The identity of the stack or other point of emission, or both, where the excess emissions occurred.
  - b. The estimated magnitude of the excess emissions expressed in opacity or in the units of the applicable limitation on emission and the operating data and methods used in estimating the magnitude of the excess emissions.
  - c. The time and duration of the excess emissions.
  - d. The identity of the equipment causing the excess emissions.
  - e. If the excess emissions were the result of a malfunction, the steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of the malfunction.
  - f. The steps taken to limit the excess emissions.
  - g. Documentation that the equipment for controlling air pollution, process equipment or processes were at all times maintained and operated, to a maximum extent practicable, in a manner consistent with good practice for minimizing emissions.
6. Each owner or operator shall ensure that any notification or related information submitted to the Director pursuant to this section is provided in a format specified by the Director.



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**Section III. General Operating Conditions (continued)**

C. SIP 445.667 (*Federally Enforceable SIP Requirement*)

Excess Emissions: Scheduled Maintenance: Testing: Malfunctions

1. Scheduled maintenance or testing approved by the Director or repairs which may result in excess emissions of air contaminants prohibited by SIP 445.430 to 445.846, inclusive, must be performed during a time designated by the Director as being favorable for atmospheric ventilation.
2. The Director shall be notified in writing on the time and expected duration at least 24 hours in advance of any scheduled maintenance or repairs which may result in excess emissions of air contaminants prohibited by SIP 445.430 to 445.846, inclusive.
3. The Director must be notified within 24 hours after any malfunction, breakdown or upset of process or pollution control equipment or during startup of such equipment.
4. The owner or operator of an affected facility shall provide the Director, within 15 days after any malfunction, breakdown, upset, startup or human error sufficient information to enable the Director to determine the seriousness of the excess emissions. The submission must include as a minimum:
  - a. The identity of the stack and/or other emission point where the excess emission occurred.
  - b. The estimated magnitude of the excess emissions expressed in opacity or in the units of the applicable emission limitation and the operating data and methods used in estimating the magnitude of the excess emissions.
  - c. The time and duration of the excess emissions.
  - d. The identity of the equipment causing the excess emissions.
  - e. If the excess emissions were the result of a malfunction, steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of the malfunctions.
  - f. The steps taken to limit the excess emissions.
  - g. Documentation that the air pollution control equipment, process equipment or processes were at all times maintained and operated, to a maximum extent practicable, in a manner consistent with good practice for minimizing emissions.

D. SIP Article 2.5.4 (*Federally Enforceable SIP Requirement*)

Scheduled Maintenance, Testing, and Breakdown or Upset

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 the regulations.

**\*\*\*End of General Operating Conditions\*\*\***



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**Section IV. General Monitoring, Recordkeeping, and Reporting Requirements**

- A. NAC 445B.3365.2(b) (*Federally Enforceable SIP Requirement*)

Records

*The Permittee* shall retain records of all required monitoring data and supporting information for 5 years from the date of the sample collection, measurement, report or analysis. Supporting information includes, but is not limited to, all records regarding calibration and maintenance of the monitoring equipment and all original strip-chart recordings for continuous monitoring instrumentation.

- B. NAC 445B.3365.2(h) (*Federally Enforceable SIP Requirement*)

Reporting

*The Permittee* shall provide the Director, in writing and within a reasonable time, with any information that the Director requests to determine whether cause exists for revoking or terminating the operating permit to construct, or to determine compliance with the conditions of the operating permit to construct.

*The Permittee* will submit yearly reports including, but not limited to, throughput, production, fuel consumption, hours of operation, and emissions. These reports will be submitted on the form provided by the Bureau of Air Pollution Control for all emission units/systems specified on the form. The completed form must be submitted to the Bureau of Air Pollution Control no later than March 1 annually for the preceding calendar year, unless otherwise approved by the Bureau of Air Pollution Control.

- C. NAC 445B.265.1 (*Federally Enforceable SIP Requirement*)

Records of the Occurrence and Duration of Any Start-Up, Shutdown or Malfunction

*The Permittee* subject to the provisions of NAC 445B.256 to 445B.267, inclusive, shall maintain records of the occurrence and duration of any start-up, shutdown or malfunction in the operation of an affected facility and any malfunction of the air pollution control equipment or any periods during which a continuous monitoring system or monitoring device is inoperative.

**\*\*\*End of General Monitoring, Recordkeeping, and Reporting Requirements\*\*\***



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**Section V. Specific Operating Conditions**

**A. Emission Units S2.001 through S2.003**

System 01 – Powder Coating Process		Location UTM (Zone 11, NAD 83)	
		m North	m East
S2.001	Powder Coat Application	4,380,368	289,781
S2.002	Cure Oven (electric)	4,380,368	289,781
S2.003	Cooling Tunnel	4,380,368	289,781

1. Air Pollution Control Equipment (NAC 445B.3365(3)) (*Federally Enforceable SIP Requirement*)
  - a. Emissions from **S2.001 through S2.003, combined**, shall be controlled by **product recovery cyclones and multistage filtration**.
  - b. Descriptive Stack Parameters  
 Stack Height: 50 feet  
 Stack Diameter: 1.5 feet  
 Stack Temperature: 70 °F  
 Exhaust Flow: 1,500 dry standard cubic feet per minute (dscfm)
  
2. Operating Parameters (NAC 445B.3365(3)) (*Federally Enforceable SIP Requirement*)
  - a. The maximum allowable throughput rate for **S2.001 through S2.003, each**, shall not exceed **1.88 tons of powder coating material** per hour, averaged over a calendar day, nor more than **5,490.0 tons** per 12-month rolling period.
  - b. Hours
    - (1) **S2.001 through S2.003, each**, may operate a total of **24 hours** per day.
  
3. Emission Limits (NAC 445B.305, NAC 445B.3365(3)) (*Federally Enforceable SIP Requirement*)  
 The Permittee, upon issuance of this operating permit, shall not discharge or cause the discharge into the atmosphere from **the common exhaust stack of S2.001 through S2.003, combined**, the following pollutants in excess of the following specified limits:
  - a. The discharge of **PM** (particulate matter) to the atmosphere shall not exceed **2.00 pounds** per hour, nor more than **2.93 tons** per 12-month rolling period.
  - b. The discharge of **PM<sub>10</sub>** (particulate matter less than or equal to 10 microns in diameter) to the atmosphere shall not exceed **2.00 pounds** per hour, nor more than **2.93 tons** per 12-month rolling period.
  - c. The discharge of **PM<sub>2.5</sub>** (particulate matter less than or equal to 2.5 microns in diameter) to the atmosphere shall not exceed **2.00 pounds** per hour, nor more than **2.93 tons** per 12-month rolling period.
  - d. NAC 445B.22017 – The opacity from the **common exhaust stack of S2.001 through S2.003, combined**, shall not equal or exceed **20 percent**.
  - e. NAC 445B.22033 – The maximum allowable discharge of **PM<sub>10</sub>** to the atmosphere from **S2.001 through S2.003, each**, shall not exceed **6.25 pounds** per hour.



**Bureau of Air Pollution Control**

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**CLASS I AIR QUALITY OPERATING PERMIT TO CONSTRUCT**

**Issued to:** TESLA, INC. (AS PERMITTEE)

**Section V. Specific Operating Conditions (continued)**

**A. Emission Units S2.001 through S2.003 (continued)**

4. Monitoring, Recordkeeping, and Reporting (NAC 445B.3365(3)) (*Federally Enforceable SIP Requirement*)

The Permittee, upon the issuance of this operating permit, shall maintain, in a contemporaneous log, the monitoring and recordkeeping specified in this section. All records in the log must be identified with the calendar date of the record. All specified records shall be entered into the log at the end of the shift, end of the day of operation, or the end of the final day of operation for the month, as appropriate.

- a. Monitor and record the throughput for **S2.001 through S2.003, each**, for each calendar day.
- b. Record the corresponding average hourly throughput rate in tons per hour. The average hourly throughput rate shall be determined from the total daily throughput and the total daily hours of operation.
- c. Record the throughput rate of material, in tons, on a cumulative monthly basis, for each 12-month rolling period.
- d. Monitor and record the hours of operation for **S2.001 through S2.003, each**, for each calendar day.
- e. Conduct and record an observation of visible emissions (excluding water vapor) on the product recovery cyclones and multistage filtration controlling **S2.001 through S2.003, combined**, on a **monthly** basis while operating. The observer shall stand at a distance sufficient to provide a clear view of the emissions with the sun oriented to their back. If visible emissions are observed and exceed the applicable opacity standard, the Permittee shall conduct and record a Method 9 visible emission test. Each Method 9 visible emission test shall be conducted by a certified visible emissions reader in accordance with 40 CFR Part 60, Appendix A. The Permittee shall maintain in a contemporaneous log the following recordkeeping: the calendar date of any required monitoring, results of the monthly visible emissions, and any corrective actions taken.
- f. Inspect the product recovery cyclones & multistage filtration installed on **S2.001 through S2.003, combined**, on a **monthly** basis in accordance with the manufacturer's operation and maintenance manual and record the results (e.g. the condition of the filter), and any corrective actions taken.



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Section V. Specific Operating Conditions (continued)

B. Emission Units S2.004 through S2.006

System 02 – Powder Coat Hot Water Boilers		Location UTM (Zone 11, NAD 83)	
		m North	m East
S2.004	Powder Coat Hot Water Boiler 1 (5.5 MMBtu/hr)	4,380,289	289,805
S2.005	Powder Coat Hot Water Boiler 2 (5.5 MMBtu/hr)	4,380,267	289,806
S2.006	Powder Coat Hot Water Boiler 3 (5.5 MMBtu/hr)	4,380,228	289,808

1. Air Pollution Control Equipment (NAC 445B.3365(3)) (Federally Enforceable SIP Requirement)

- a. S2.004 through S2.006, each, have no add-on controls.
- b. Descriptive Stack Parameters (each)
  - Stack Height: 50.0 feet
  - Stack Diameter: 1.00 feet
  - Stack Temperature: Ambient
  - Exhaust Flow: 3,298.7 dry standard cubic feet per minute (dscfm)

2. Operating Parameters (NAC 445B.3365(3)) (Federally Enforceable SIP Requirement)

- a. S2.004 through S2.006, each, may consume only natural gas.
- b. The maximum allowable fuel consumption rate for S2.004 through S2.006, each, shall not exceed 5,392.2 standard cubic feet (scf) per clock hour.
- c. Hours
  - (1) S2.004 through S2.006, each, may operate a total of 24 hours per day.

3. Emission Limits (NAC 445B.305, NAC 445B.3365(3)) (Federally Enforceable SIP Requirement)

- The Permittee, upon issuance of this operating permit, shall not discharge or cause the discharge into the atmosphere from S2.004 through S2.006, each, the following pollutants in excess of the following specified limits:
- a. The discharge of PM (particulate matter) to the atmosphere shall not exceed 0.041 pounds per hour, nor more than 0.18 tons per 12-month rolling period.
  - b. The discharge of PM<sub>10</sub> (particulate matter less than or equal to 10 microns in diameter) to the atmosphere shall not exceed 0.041 pounds per hour, nor more than 0.18 tons per 12-month rolling period.
  - c. The discharge of PM<sub>2.5</sub> (particulate matter less than or equal to 2.5 microns in diameter) to the atmosphere shall not exceed 0.041 pounds per hour, nor more than 0.18 tons per 12-month rolling period.
  - d. The discharge of SO<sub>2</sub> (sulfur dioxide) to the atmosphere shall not exceed 0.0032 pounds per hour, nor more than 0.014 tons per 12-month rolling period.
  - e. The discharge of NO<sub>x</sub> (oxides of nitrogen) to the atmosphere shall not exceed 0.54 pounds per hour, nor more than 2.36 tons per 12-month rolling period.
  - f. The discharge of CO (carbon monoxide) to the atmosphere shall not exceed 0.45 pounds per hour, nor more than 1.98 tons per 12-month rolling period.
  - g. The discharge of VOCs (volatile organic compounds) to the atmosphere shall not exceed 0.030 pounds per hour, nor more than 0.13 tons per 12-month rolling period.
  - h. NAC 445B.22017 – The opacity from the S2.004 through S2.006, each, shall not equal or exceed 20 percent.
  - i. NAC 445B.2203 – The maximum allowable discharge of PM<sub>10</sub> to the atmosphere from S2.004 through S2.006, each, shall not exceed 0.60 pounds per MMBtu.
  - j. NAC 445B.22047 – The maximum allowable discharge of sulfur to the atmosphere from S2.004 through S2.006, each, shall not exceed 3.85 pounds per hour.



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**CLASS I AIR QUALITY OPERATING PERMIT TO CONSTRUCT**

**Issued to:** TESLA, INC. (AS PERMITTEE)

**Section V. Specific Operating Conditions (continued)**

**B. Emission Units S2.004 through S2.006 (continued)**

**4. Monitoring, Recordkeeping, and Reporting (NAC 445B.3365(3)) (*Federally Enforceable SIP Requirement*)**

The Permittee, upon the issuance of this operating permit, shall maintain, in a contemporaneous log, the monitoring and recordkeeping specified in this section. All records in the log must be identified with the calendar date of the record. All specified records shall be entered into the log at the end of the shift, end of the day of operation, or the end of the final day of operation for the month, as appropriate.

- a. Monitor and record the consumption rate of **natural gas** for each clock hour for **S2.004 through S2.006, each**, (in scf) by use of a fuel flow meter.
- b. Record the consumption rate of **natural gas**, in scf, on a cumulative monthly basis, for each 12-month rolling period.
- c. Monitor and record the hours of operation for **S2.004 through S2.006, each**, for each calendar day.

**\*\*\*End of Specific Operating Conditions\*\*\***





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**CLASS I AIR QUALITY OPERATING PERMIT TO CONSTRUCT**

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**Section VI. Emission Caps**

A. Not Applicable.

**\*\*\*End of Emission Caps\*\*\***

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**CLASS I AIR QUALITY OPERATING PERMIT TO CONSTRUCT**

**Issued to:** TESLA, INC. (AS PERMITTEE)

**Section VII. Surface Area Disturbance Conditions**

The surface area disturbance for **Tesla, Inc.** is **65** acres.

A. Fugitive Dust (NAC 445B.22037)

1. The Permittee may not cause or permit the handling, transporting, or storing of any material in a manner which allows or may allow controllable particulate matter to become airborne.
2. Except as otherwise provided in NAC 445B.22037(4), the Permittee may not cause or permit the construction, repair, demolition, or use of unpaved or untreated areas without first putting into effect an ongoing program using the best practical methods to prevent particulate matter from becoming airborne. As used in NAC 445B.22037, “best practical methods” includes, but is not limited to, paving, chemical stabilization, watering, phased construction, and revegetation.
3. Except as provided in NAC 445B.22037(4), the Permittee may not disturb or cover 5 acres or more of land or its topsoil until Permittee has obtained an Operating permit for surface area disturbance to clear, excavate, or level the land or to deposit any foreign material to fill or cover the land.
4. The provisions of NAC 445B.22037(2) and (3) do not apply to:
  - a. Agricultural activities occurring on agricultural land; or
  - b. Surface disturbances authorized by a permit issued pursuant to NRS 519A.180 which occur on land which is not less than 5 acres or more than 20 acres.

**\*\*\*End of Surface Area Disturbance Conditions\*\*\***



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**CLASS I AIR QUALITY OPERATING PERMIT TO CONSTRUCT**

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**Section VIII. Schedules of Compliance**

A. Not Applicable

**\*\*\*\*End of Schedule of Compliance \*\*\*\***

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**Bureau of Air Pollution Control**

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**CLASS I AIR QUALITY OPERATING PERMIT TO CONSTRUCT**

Issued to: TESLA, INC. (AS PERMITTEE)

**Section IX. Amendments**

This permit:

1. Shall be posted conspicuously at or near the stationary source. (NAC 445B.318(5))
2. Shall expire if construction is not commenced within 18 months after the date of issuance or if construction of the facility is delayed for 18 months after initiated. (NAC 445B.3366)
3. Shall expire if a complete application for a Class I operating permit or modification of an existing Class I operating permit is not submitted within 12 months after the initial start-up. (NAC 445B.3366)
4. Any party aggrieved by the Department's decision to issue this permit may appeal to the State Environmental Commission (SEC) within ten days after the date of notice of the Department's action. (NRS 445B.340)
5. The Permittee shall submit a complete Class I application within 12 months after the notification date of commencement of operation as required in this permit to construct. (NAC 445B.3361)

**THIS PERMIT EXPIRES ON:** \_\_\_\_\_ DRAFT \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Issued by:** Jaimie Mara  
Supervisor, Permitting Branch  
Bureau of Air Pollution Control

**Phone:** (775) 687- 9343 **Date:** \_\_\_\_\_ DRAFT \_\_\_\_\_

dr XX/XXXX



**Bureau of Air Pollution Control**

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**CLASS I AIR QUALITY OPERATING PERMIT TO CONSTRUCT**

**Issued to:** TESLA, INC. (AS PERMITTEE)

**Class I OPTC Non-Permit Equipment List**

Appended to Permit #AP3692-4630

Emission Unit #	Emission Unit Description
IA1.001	Dryoff Burner 1 (2 MMBtu/hr)
IA1.002	Dryoff Burner 2 (2 MMBtu/hr)
IA1.003	Heated Flash Burner 1 (3 MMBtu/hr)
IA1.004	Heated Flash Burner 2 (3 MMBtu/hr)
IA1.005	Heated Flash Burner 3 (3 MMBtu/hr)
IA1.006	Heated Flash Burner 4 (3 MMBtu/hr)
IA1.007	Wet Paint Cure Burner 1 (3 MMBtu/hr)
IA1.008	Wet Paint Cure Burner 2 (3 MMBtu/hr)
IA1.009	Wet Paint Cure Burner 3 (3 MMBtu/hr)
IA1.010	Wet Paint Cure Burner 4 (3 MMBtu/hr)
IA1.011	Powder Cure Burner 1 (2 MMBtu/hr)
IA1.012	Powder Cure Burner 2 (2 MMBtu/hr)
IA1.013	Powder Cure Burner 3 (1.5 MMBtu/hr)
IA1.014	Powder Cure Burner 4 (1.5 MMBtu/hr)

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