



## AIR QUALITY CLASS II GENERAL OPERATING PERMIT

**PERMIT NUMBER: GOP-INCIN-2017**

**PERMIT NAME: Incinerator Operating**

**Project Description:** This Class II General Operating Permit approves the operation of incinerators.


**Superseded General Operating Permit:** General Operating Permit Issued February 14, 2014.

Pursuant to Title 129, Chapter 14, of the Nebraska Air Quality Regulations, the public has been notified by prominent advertisement of the proposed operation of an air contaminant source and the thirty (30) day period allowed for comments has elapsed. This Class II General Operating Permit approves the operation of an incinerator as identified in the approved Air Quality Class II General Incinerator Operating Permit Application including any supporting information received prior to issuance of this permit (hereafter referred to as the approved application). Additional details can be found in the accompanying Fact Sheet.

Compliance with this permit shall not be a defense to any enforcement action for violation of an ambient air quality standard. Unless otherwise noted, the conditions of this permit are enforceable by the United States Environmental Protection Agency (USEPA) and the Nebraska Department of Environmental Quality (NDEQ). The permit holder, owner, and operator of the facility shall assure compliance with all of the terms and conditions in this permit.

The undersigned issues this document on behalf of the Director in accordance with Title 129 – Nebraska Air Quality Regulations as amended July 20, 2016.

November 28, 2017  
Date

  
Kevin Stoner, Air Administrator  
Air Quality Division



**TABLE OF CONTENTS**

Permit Signature Page ..... i

Table of Contents ..... ii

Abbreviations, Symbols, and Units of Measure ..... iii

Permit Conditions:

I. General Conditions ..... I-1

II. Specific Conditions ..... II-1

III. Specific Conditions for Affected Emission Points..... III-1

---

**ABBREVIATIONS, SYMBOLS, and UNITS OF MEASURE**

AP-42	Compilation of Air Pollutant Emission Factors, Volume I, Stationary Point and Area Sources	NESHAP	National Emission Standards for Hazardous Air Pollutants
BACT	Best Available Control Technology	NO <sub>2</sub>	Nitrogen Dioxide
Btu	British Thermal Unit	NO <sub>x</sub>	Nitrogen Oxides
bu	Bushel	N <sub>2</sub> O	Nitrous Oxides
CAA	Clean Air Act	NSPS	New Source Performance Standard
CE	Control Equipment	NSR	New Source Review
cf	Cubic feet	OP	Operating Permit
CEMS	Continuous Emissions Monitoring System	PAL	Plant-wide Applicability Limit
CFC	Chlorofluorocarbons	PEMS	Predictive Emissions Monitoring System
CFR	Code of Federal Regulations	Pb	Lead (chemical abbreviation)
CO	Carbon Monoxide	PM	Particulate Matter
CO <sub>2</sub>	Carbon Dioxide	PM <sub>2.5</sub>	Particulate Matter with an aerodynamic diameter equal to or less than 2.5 microns
CO <sub>2</sub> e	Carbon Dioxide Equivalent	PM <sub>10</sub>	Particulate Matter with an aerodynamic diameter equal to or less than 10 microns
CP	Construction Permit	PM <sub>10</sub> (total)	Filterable and condensable particulate matter
Director	Director of the NDEQ	ppb	Parts per Billion
dscf	Dry Standard Cubic Feet	ppm	Parts per Million
dscfm	Dry Standard Cubic Feet per Minute	ppmv	Parts per Million by Volume
EMIS	Emergency Management Information System	ppmvd	Parts per Million by Volume, Dry Basis
EQC	Environmental Quality Council	PSD	Prevention of Significant Deterioration
EP	Emission Point	PTE	Potential to Emit
EU	Emission Unit	scf	Standard Cubic Feet
FIP	Federal Implementation Plan	SIC	Standard Industrial Classification
FR	Federal Register	SIP	State Implementation Plan
ft	Feet	SO <sub>2</sub>	Sulfur Dioxide
FTIR	Fourier Transform Infrared	SO <sub>x</sub>	Sulfur Oxides
GHGs	Greenhouse Gases	TDS	Total Dissolved Solids
HAP	Hazardous Air Pollutant(s)	Title 129	Title 129, Nebraska Air Quality Regulations
hp	Horsepower	tpy	Tons per year
hr	Hour	TRS	Total Reduced Sulfur
lb	Pound	TSP	Total Suspended Particulate Matter
LDAR	Leak Detection and Repair	USEPA	United States Environmental Protection Agency
LNB	Low NO <sub>x</sub> Burner	UTM	Universal Transverse Mercator
MACT	Maximum Achievable Control Technology	VHAP	Volatile Hazardous Air Pollutant
Mgal	One Thousand Gallons	VMT	Vehicle Miles Traveled
MMBtu	One Million British Thermal Units	VOC	Volatile Organic Compound
MMgal	One Million Gallons	yr	Year
MMscf	One Million Standard Cubic Feet		
MSDS	Material Safety Data Sheet		
n/a	Not Applicable		
NAAQS	National Ambient Air Quality Standards		
NDEQ	Nebraska Department of Environmental Quality		

---

**I. GENERAL CONDITIONS**

- (A) Administrative amendment of this permit for a change in ownership or operational control of this source is allowed provided the NDEQ determines that no other change in the permit is necessary and a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the NDEQ (Title 129, Chapter 15, Section 001.01D).
- (B) The permittee shall allow the NDEQ, USEPA or an authorized representative, upon presentation of credentials to (Title 129, Chapter 8, Sections 012.02 and 015):
- (1) Enter upon the permittee's premises at reasonable times where a source subject to this permit is located, emissions-related activity is conducted, or where records must be kept under the conditions of this permit, for the purpose of ensuring compliance with this permit or applicable requirements;
  - (2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, for the purpose of ensuring compliance with this permit or applicable requirements;
  - (3) Inspect at reasonable times any facilities, pollution control equipment, including monitoring and air pollution control equipment, practices, or operations regulated or required under this permit, for the purpose of ensuring compliance with this permit or applicable requirements;
  - (4) Sample or monitor, at reasonable times, substances or parameters for the purpose of ensuring compliance with the permit or applicable requirements.
- (C) Regulatory authority:
- (1) Title 40 Protection of Environment, Code of Federal Regulations that apply to the source including those not currently delegated to Nebraska or not yet included in Title 129 - Nebraska Air Quality Regulations, and
  - (2) Title 129 - Nebraska Air Quality Regulations that apply to the source as amended December 9, 2013.
- (D) This permit is issued for a fixed term of five (5) years. A renewal application shall be submitted to the NDEQ a minimum of six (6) months and a maximum of eighteen (18) months before permit expiration. Provided their application is submitted within the above timeframe, the source may continue to operate without a permit from the date the application is determined to be complete until final action on the application is taken by the NDEQ (Title 129, Chapter 8, Section 003, and Chapter 7, Sections 002.06 and 003.04).
- (E) The permittee shall comply with all conditions of this permit. Any permit noncompliance shall constitute a violation of the Nebraska Environmental Protection Act and the Federal Clean Air Act, and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application (Title 129, Chapter 8, Section 007.01).

- (F) It shall not be a defense for a permittee in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit (Title 129, Chapter 8, Sections 007.02 and 015).
- (G) This permit may be modified; revoked, reopened, and reissued; or terminated for cause in accordance with Title 129 and Title 115, Rules of Practice and Procedure. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not supersede any permit condition (Title 129, Chapter 8, Sections 007.03 and 015).
- (H) Conditions under which this permit will be reopened, revoked, and reissued, or terminated during its term for cause, include but are not limited to (Title 129, Chapter 8, Sections 010 and 015; and Chapter 15, Section 006):
  - (1) Additional applicable requirements under the Nebraska Environmental Protection Act or the Federal Clean Air Act, which become applicable to this source with a remaining permit term of three (3) or more years. No such reopening will occur if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended;
  - (2) Additional requirements, including excess emissions requirements, that become applicable to an affected source under the acid rain program under Chapter 26;
  - (3) A determination by the Director, or the Administrator of USEPA that:
    - (a) The permit must be revoked and reissued to ensure compliance with the applicable requirements;
    - (b) The permit contains a material mistake or that inaccurate statements were made in the emissions standards or other terms or conditions of the permit;
    - (c) An applicable requirement or applicable requirement under the Federal Clean Air Act applies which was not identified by the permittee in its application;
- (I) This permit may be revoked during its term for cause, including but not limited to (Title 129, Chapter 8, Sections 010 and 015; and Chapter 15, Section 006.02):
  - (1) The existence at the source of unresolved noncompliance with applicable requirements or a term or condition of the permit, and refusal of the permittee to agree to an enforceable schedule of compliance to resolve the noncompliance;
  - (2) The submittal by the permittee of false, incomplete, or misleading information to the NDEQ or USEPA;
  - (3) A determination by the Director that the permitted source or activity endangers human health or the environment and that the danger cannot be removed by a revision of the permit; or
  - (4) The failure of the permittee to pay a penalty owed pursuant to court

order, stipulation and agreement, or order issued by the Administrator of the USEPA.

- (J) The permit does not convey any property rights of any sort, or any exclusive privilege (Title 129, Chapter 8, Sections 007.04 and 015).
- (K) The permittee shall furnish to the NDEQ, within the time specified by the NDEQ, any information requested by the NDEQ in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the NDEQ copies of records required to be kept in accordance with the permit or, for information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality pursuant to Title 115 - Rules of Practice and Procedure (Title 129, Chapter 8, Sections 007.05 and 015).
- (L) The provisions of this permit supersede the provisions of any previously issued operating permit, except provisions contained in an operating permit covering emissions activities or units not addressed by this general incinerator permit. Previously issued construction permits are applicable requirements of this permit, except those construction permits that have been superseded by another construction permit. Any specific condition in a construction permit that is more stringent than or not otherwise addressed in Condition III of this general operating permit is an applicable requirement of this permit (Title 129, Chapter 8, Sections 002, 007.06, 009, 011, 015, and Chapter 9, Section 006).
- (M) In the event of a challenge to any portions of this permit, the unchallenged permit requirements shall remain valid (Title 129, Chapter 8, Section 006).
- (N) The following methods may be used to determine compliance with the terms and conditions in this permit (Title 129, Chapter 34, Section 008):
  - (1) Any compliance test method specified in the State Implementation Plan;
  - (2) Any test or monitoring method approved for the source in a permit issued pursuant to Title 129, Chapter 8, 17, 19, or 26;
  - (3) Any test or monitoring method provided for in Title 129; or
  - (4) Any other test, monitoring, or information-gathering method that produces information comparable to that produced by any method described in I.(N)(1) through (3).
- (O) Open fires are prohibited except as allowed by Title 129, Chapter 30.
- (P) Particulate Matter – General Requirements (Title 129, Chapter 32).
  - (1) The permittee shall not cause or permit the handling, transporting or storage of any material in a manner which allows particulate matter to become airborne in such quantities and concentrations that it remains visible in the ambient air beyond the property line.
  - (2) The permittee shall not cause or permit the construction, use, repair or demolition of a building, its appurtenances, a road, a driveway, or an open area without applying all reasonable measures to prevent particulate matter from becoming airborne and remaining visible beyond the property line. Such measures include, but are not limited to, paving or

frequent cleaning of roads, driveways and parking lots; application of dust-free surfaces; application of water; and planting and maintenance of vegetative ground cover.

- (Q) Application for review of plans or advice furnished by the Director will not relieve the source of legal compliance with any provision of these regulations, or prevent the Director from enforcing or implementing any provision of these regulations (Title 129, Chapter 37).
- (R) If and when the Director declares an air pollution episode as defined in Title 129, Chapter 38, Section 003.01B, 003.01C, or 003.01D, the permittee shall immediately take all required actions listed in Title 129, Appendix I, Paragraph 1.1, 1.2, and 1.3, respectively, until the Director declares the air pollution episode terminated (Title 129, Chapter 38, Section 003).



## II. SPECIFIC CONDITIONS

Terms and conditions of this permit are in accordance with the requirements of Title 129, Chapter 8, Sections 001 and 015. The specific applicable requirement that is the basis for each specific permit condition is listed with each permit condition.

- (A) Recordkeeping: To ensure compliance with this permit, records shall be maintained as outlined below. Records include, but are not limited to: copies of all applications, notifications, reports, test protocols, test results, and plans; and, originals of all monitoring results, measurements, inspections, and observations (Title 129, Chapter 8, Sections 004.02 and 015.02).
- (1) All records required by this permit shall be kept on-site for a minimum of five (5) years and shall be clear and readily accessible to NDEQ representatives, unless otherwise specified in this permit.
  - (2) Monthly calculations and records required throughout this permit shall be compiled no later than the fifteenth (15<sup>th</sup>) day of each calendar month and shall include all records and calculations generated through the previous calendar month, unless otherwise specified in this permit.
  - (3) The source shall keep the following records for each malfunction, start-up and shutdown where emissions were, or may have been, in excess of an emission limitation or standard (Title 129, Chapter 6, Sections 002 and 005; Chapter 8, Section 004.03B and 015.03; Chapter 11; and Chapter 35, Sections 002, 004 and 005):
    - (a) The identity of the equipment.
    - (b) Reason for, or cause of, the malfunction, shutdown, or start-up.
    - (c) Duration of period of excess emissions.
    - (d) Date and time of the malfunction, shutdown, or start-up.
    - (e) Physical and chemical composition of pollutants whose emissions are affected by the action.
    - (f) Methods, operating data, and/or calculations used to determine these emissions.
    - (g) Quantification of emissions in the units of the applicable emission control regulation.
    - (h) All measures utilized to minimize the extent and duration of excess emissions during the malfunction, shutdown, and start-up.
  - (4) The source shall keep records of maintenance performed on all permitted emission units, permitted control equipment, and required monitoring equipment (Title 129, Chapter 8, Section 004.01C and 015.02; Chapter 11, Section 001; Chapter 34, Section 006; and Chapter 35, Sections 006.02 and 006.05).
  - (5) Except for electronically generated records, all manually entered records of opacity readings, instrument readings, visual equipment inspections, log book entries, and any other record of equipment performance shall be initialed, or otherwise signed, by the individual who entered the record.

- (6) Operation and maintenance manuals, or equivalent documentation, detailing proper operation and maintenance of all permitted emission units, required control equipment and required monitoring equipment shall be kept for the life of the equipment.

(B) Submittals/Reporting:

All submittals, including reports, required by Condition II.(B) and Condition II.(D)(1)(g) shall contain a certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete (Title 129, Chapter 1, Section 135; Chapter 7, Section 008; and Chapter 8 Sections 012.01 and 015).

The following reports shall be submitted to the NDEQ as specified:

- (1) Certification of compliance with the terms and conditions of this permit, including emission limitations, standards, or work practices, for the preceding calendar year, shall be submitted to the NDEQ by March 31 of each year. The report must be certified by a responsible official and shall include the following (Title 129, Chapter 8, Sections 012.05C and 015.03):
    - (a) The identification of each term or condition of the permit that is the basis of the certification;
    - (b) The compliance status;
    - (c) A determination of whether compliance was continuous or intermittent;
    - (d) The methods used for determining the compliance status of the source, currently and over the reporting period; and,
    - (e) All instances of deviations from permit requirements, including those attributable to start-ups, shutdowns or malfunctions, the probable cause of such deviations, and any corrective actions or preventive measures taken.
  - (2) The permittee shall submit completed emission inventory forms for the preceding calendar year to the NDEQ by March 31 of each year (Title 129, Chapter 6).
  - (3) Any emissions from emergency or upset conditions, or that are due to malfunctions, unplanned shutdowns, and ensuing start-ups that are, or may be, in excess of applicable emission limitations shall be reported within two (2) working days of the date on which the permittee first becomes aware of the excess emissions. The report may be submitted initially without a certification by the responsible official, as required in Condition II.(B) above, if an appropriate certification is provided within ten (10) days thereafter, together with the information required under Condition II.(A)(3) and any corrected or supplemental information required concerning the event (Title 129, Chapter 11 and Chapter 35, Sections 004 and 005).
- (C) Changes allowed for without an operating permit revision (Title 129, Chapter 15,

Section 007):

- (1) The permittee may make the changes identified in Condition II.(C)(1)(a) within a permitted facility without a permit revision if the change is not a modification under Title 129, Chapters 18, 23, 27, or 28; the change does not require a construction permit under Chapters 17 or 19; and the change does not result in the emissions allowable under the permit (whether expressed therein as a rate of emissions or in the terms of total emissions) being exceeded (Title 129, Chapter 15, Section 007.01).
- (a) Changes in the configuration of the source's equipment, defined as "Section 502(b)(10) changes", as defined in Title 129, Chapter 1, Section 139 (Title 129, Chapter 15, Section 007.01A). Written notification of these changes shall be sent to the NDEQ as follows:
  - (i) Non-Emergencies (Title 129, Chapter 1, Section 139; Chapter 15, Section 007.01):
    1. Written notification shall be received by the NDEQ a minimum of seven (7) days in advance of the proposed changes;
  - (ii) Emergencies (Title 129, Chapter 1, Section 139; Chapter 15, Section 007.01):
    1. Initial notification shall be made within two working days of the date on which the permittee first becomes aware of the need for the change;
    2. A follow-up written notification shall be submitted as soon as practicable; and,
    3. The notifications shall include an explanation of the nature of the emergency.
  - (iii) Required information (Title 129, Chapter 15, Section 007.01A):
    1. A brief description of the change within the permitted source (Chapter 15, Section 007.01A1);
    2. The date on which the change will occur (Chapter 15, Section 007.01A2);
    3. Any change in emissions (Chapter 15, Section 007.01A3); and,
    4. Any permit term or condition that is no longer applicable as a result of the change (Chapter 15, Section 007.01A4).
  - (iv) A copy of the notification shall be attached to the source's copy of the operating permit.
- (2) The permittee may make changes that are not defined as "Section

502(b)(10) changes” within a permitted source without a permit revision if the change is not a modification under Title 129, Chapters 18, 23, 27, or 28; and the change is not a change which would require a construction permit under Chapters 17 or 19 (Title 129, Chapter 15, Section 007.02).

- (a) Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition (Title 129, Chapter 15, Section 007.02A).
  - (b) The source shall provide contemporaneous written notice to the Director, except for changes that qualify as insignificant activities under the provisions of Title 129, Chapter 7, Sections 006.03 and 006.04. Such written notice shall include (Title 129, Chapter 15, Section 007.02B):
    - (i) A description of each change;
    - (ii) The date the change will be made;
    - (iii) A description of any change in emissions;
    - (iv) A list of the pollutants emitted; and,
    - (v) A list of any applicable requirements that would apply as a result of the change, including terms and conditions established in the relevant operating permit for synthetic minor purposes.
  - (c) A copy of the notification in Condition II.(C)(2)(b) shall be attached to the source’s copy of the operating permit.
  - (d) The permittee shall keep a record describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and emissions resulting from those changes (Title 129, Chapter 15, Section 007.02D).
  - (e) Upon review of a notice submitted in accordance with Condition II.(C)(2)(b), the NDEQ may require a source to apply for an operating permit if the change does not meet the requirements of Condition II.(C)(2) [Title 129, Chapter 15, Section 007.02E].
- (3) Testing requirements:
- (a) Testing may be required if a change reported under Condition II.(C)(1) or II.(C)(2) involves an emissions unit that was previously tested (Title 129, Chapter 8, Section 004.01B and 015; Chapter 34).
- (D) Testing:
- (1) Performance tests, when required by the NDEQ, shall be completed as follows:
    - (a) The owner or operator of a source shall provide the NDEQ at least thirty (30) days written notice prior to testing to afford the NDEQ an opportunity to have an observer present (Title 129,

Chapter 34, Section 003).

- (b) The owner or operator shall provide the NDEQ with an emissions testing protocol at least thirty (30) days prior to testing.
  - (c) Testing shall be conducted according to the methodologies found in Title 129, Chapter 34, Section 002, or other NDEQ approved methodologies (Title 129, Chapter 34, Section 002).
  - (d) Performance tests shall be conducted while operating at full capacity, unless otherwise specified by the NDEQ (Title 129, Chapter 8, Sections 004.01B, 012.01, and 015.03).
  - (e) Performance tests shall be conducted for a minimum of three (3) one-hour runs unless another run-time is specified by the applicable Subpart or as deemed appropriate by the NDEQ (Title 129, Chapter 8, Sections 004.01B, 012.01B, and 015.03).
  - (f) The owner or operator shall monitor and record the operating parameters for process and control equipment during the performance testing required in the permit (Title 129, Chapter 8, Sections 004.01B, 012.01, and 015.03).
  - (g) A written copy of the test results, signed by the person conducting the test, shall be provided to the NDEQ within forty-five (45) days of completion of the test and will, at a minimum, contain the following items (Title 129, Chapter 8, Sections 004.01B, 012.01 and 015.03; Chapter 34, Section 002.07):
    - (i) A description of:
      - 1. The operating parameters for the emissions unit during testing. Examples include, but are not limited to, production rates, process throughputs, firing rates of combustion equipment, or fuel usage; and,
      - 2. The operating parameters for the control equipment during testing. Examples include, but are not limited to, baghouse fan speeds, scrubber liquid flow rates, or pressure drop across the control device.
    - (ii) Copies of all data sheets from the test run(s).
    - (iii) A description and explanation of any erroneous data or unusual circumstance(s) and the cause for such situation.
    - (iv) A final conclusion section describing the outcome of the testing.
- (E) All permitted emission units, associated emissions conveyances, required control equipment and required monitoring equipment shall be properly installed, operated, and maintained (Title 129, Chapter 8, Section 004.01C and 015; Chapter 11, Section 001; and Chapter 34, Section 006).

- (1) All emissions from emission units using required controls shall be captured and routed through associated emission conveyances to the required control equipment, except for:
  - (a) Uncaptured emissions due to the design of the equipment, or
  - (b) Uncaptured emissions described in the permit application and any additional information submitted prior to permit issuance.
- (F) Requirements Becoming Effective During the Term of this Permit: The source will meet, in a timely manner, applicable requirements that become effective during the permit term, unless a more detailed schedule is expressly required by the applicable requirement (Title 129, Chapter 7, Section 006.02H, and Chapter 8, Sections 012.03, 013, and 015).
- (G) In the event of any discrepancies between applicable NSPS or NESHAP standards and the terms and conditions of this permit, the NSPS or NESHAP standards shall take precedence unless they are less stringent (Title 129, Chapter 8, Section 013).
- (H) The approved application is hereby incorporated by reference. The source must comply with those provisions in the approved application.

### **III. SPECIFIC CONDITIONS FOR AFFECTED EMISSION POINTS**

(A) Permitted Emission Points:

The source's approved application identifies the incinerator units and associated control equipment (if applicable) at the source at the time of permit issuance.

(B) Emission Limitations and Testing Requirements:

- (1) The permittee shall not exceed the limits identified in the active construction permit for the incinerator(s). (Title 129, Chapter 8, Sections 013 and 015)
- (2) Particulate matter emissions (PM) from any incinerator shall not exceed 0.10 grains per dry standard cubic foot (gr/dscf) of exhaust gas, corrected to seven (7) percent oxygen. (Title 129, Chapter 22, Section 002)
  - (a) Compliance shall be demonstrated through compliance with Condition III.(D)(1)(f).
- (3) The source shall not cause or allow particulate matter caused by the combustion of fuel to be emitted from any stack or chimney into the outdoor atmosphere in excess of the hourly rate set forth in Title 129, Chapter 20, Table 20-1. (Title 129, Chapter 20, Sections 002)
  - (a) Compliance shall be demonstrated through compliance with Conditions II.(E), III.(C)(3) and (4), and Conditions III.(D)(1)(c), (d), and (e).
- (4) Incinerators in existence prior to February 26, 1974 shall not allow sulfur oxides to be emitted from any existing fossil fuel burning equipment in excess of two and one half (2.5) lb/MMBtu input, maximum 2-hour average. (Title 129, Chapter 24, Section 001)
  - (a) Compliance shall be demonstrated through compliance with Conditions II.(E), III.(C)(3) and (4), and Conditions III.(D)(1)(d), (c), and (e).
- (5) No person shall cause or allow emissions, from any source, which are of an opacity equal to or greater than twenty (20) percent. (Title 129, Chapter 20, Section 004)
  - (a) Compliance shall be demonstrated through compliance with III.(C)(7).
- (6) Performance testing, if required, shall be conducted in accordance with Specific Condition II.(D) and the following: (Title 129, Chapter 34)
  - (a) Waste burned during performance testing shall be representative of the waste normally generated by the incinerator and shall be charged at a rate equal to the burning capacity of the incinerator. (Title 129, Chapter 22, Section 004)
    - (i) The burning capacity of an incinerator shall be the manufacturer's or designer's guaranteed maximum rate

or such other rate as may be determined by the Director in accordance with good engineering practice. (Title 129, Chapter 22, Section 003)

(C) Operational and Monitoring Requirements:

- (1) The source shall calculate emissions each month and each period of twelve (12) consecutive rolling calendar months for each incinerator and all applicable incinerators combined, using the actual incinerator throughput and the emission factors used in the active construction permit to demonstrate compliance with Condition III.(B)(1).
- (2) The incinerator throughput rating shall not exceed the limited rate(s) indicated in the active construction permit, if applicable. (Title 129, Chapter 8, Section 015.01 and Chapter 9, Section 007)
- (3) If applicable, emission control device(s) shall operate at all times the incinerator operates and in accordance with Condition II.(E). (Title 129, Chapter 8, Section 015.02 and Chapter 9, Section 007)
- (4) Fuel combustion shall include natural gas, propane, or Number 2 fuel oil. No other fuel type shall be used without NDEQ approval. If the source wants to use another fuel type, then the source shall request permission from the NDEQ in writing. (Title 129, Chapter 9, Section 007; Chapter 8, Sections 004.01B and 015)
- (5) Less than ten (10) percent by weight, as measured on a calendar quarter basis, of the total fuel feed stream combusted in any incinerator shall be hospital waste and medical/infectious waste as defined in 40 CFR 60.51c. (40 CFR 60.32e(c) and 40 CFR 60.50c(c))
- (6) The source shall only combust materials allowed by the active construction permit. (Title 129, Chapter 9, Section 007 and Chapter 8, Sections 013 and 015)
- (7) Compliance with Condition III.(B)(5) shall be demonstrated through the following.
  - (a) A source representative shall conduct daily visible emissions surveys, during daylight hours, of all incinerators during periods of normal operation. (Chapter 8, Sections 004.01B and 015)
  - (b) The results of the visible emissions surveys shall be recorded in a log, which shall include, at a minimum, the following items. (Chapter 8, Sections 004.02 and 015)
    - (i) The emission points included in the survey.
    - (ii) All emission points from which visible emissions occurred (except for water vapor).
    - (iii) Emission points for which the units were not in operation during the survey.
    - (iv) Each entry shall be dated and initialed, or otherwise



signed, by the person conducting the visible emissions survey.

- (c) For deviation reporting purposes, visible emissions from an incinerator shall be considered a deviation and shall be reported in accordance with Condition II.(B). (Chapter 8, Sections 004.03 and 015)

(D) Recordkeeping and Reporting Requirements:

- (1) The source shall maintain the following records: (Title 129, Chapter 8, Sections 004.02 and 015)
  - (a) Emissions calculations to comply with Condition III.(C)(1)
  - (b) The operator shall keep an operation log for each incinerator and shall record the following:
    - (i) Contents and weight of waste combusted each operating cycle, each calendar month, and for each period of twelve (12) consecutive rolling calendar months to demonstrate compliance with Conditions III.(C)(2) and III.(C)(6)
    - (ii) Whether the control device, if applicable, was operating during each operating cycle to demonstrate compliance with Condition III.(C)(3)
    - (iii) The results of visible emissions surveys to demonstrate compliance with Condition III.(C)(7)
  - (c) Receipts for fuel combusted to demonstrate compliance with the Condition III.(C)(4).
  - (d) Instructions for proper operation of applicable emission control devices shall be posted on-site to demonstrate compliance with Condition III.(C)(3).
  - (e) Instructions for proper operation of each incinerator shall be posted on site and written certification that each operator has read these instructions, understands them and intends to comply, shall be kept on record by the owner. (Title 129, Chapter 22, Section 005)
  - (f) Documentation from manufacturer specifications, stack test results, or other equivalent documentation that each incinerator complies with the limitation in Condition III.(B)(2).
    - (i) If adequate documentation is unavailable, performance testing may be required.
  - (g) Any other records that are required by Condition II.(A).
- (2) If any incinerator combusts hospital waste and/or medical/infectious waste, the source shall notify the NDEQ of an exemption claim which

provides an estimate of the relative amounts of hospital waste, medical/infectious waste, and other fuels and wastes to be combusted. (40 CFR 60.32e(c) and 40 CFR 60.50c(c)).

- (a) In addition to the recordkeeping requirements of Condition III.(D)(1)(b)(i), the source shall keep records on a calendar quarter basis of the weight of hospital waste and medical/infectious waste combusted, and the weight of all other fuels and wastes combusted at the co-fired combustor to demonstrate compliance with Condition III.(C)(5).
- (3) Reporting shall be done in accordance with Condition II.(B).

**Fact Sheet for General Operating Permit Number: GOP-INCIN-2017**

**Date: November 28, 2017**

---

**DESCRIPTION OF GENERAL OPERATING PERMIT:**

The Nebraska Department of Environmental Quality (NDEQ) has determined there are numerous similar sources in Nebraska that are subject to the same Federal and State regulatory requirements. Chapter 9 of Nebraska Administrative Code Title 129 – Air Quality Regulations allows the NDEQ to issue a general operating permit (GOP) for these sources. This GOP follows the applicable procedures of Chapters 5, 7, 9, and 14 of Title 129. The owner of a source that qualifies for this GOP must apply to the NDEQ for coverage under the applicable terms of the GOP. Each application must include all information necessary to determine qualification for, and to ensure compliance with, the GOP.

The NDEQ will notify the applicant of the determination of coverage under this GOP for the source identified in the application. If the Director of the NDEQ denies coverage of the source under the GOP, the applicant may request an adjudicative hearing in accordance with the procedures established in Title 115 – Rules of Practice and Procedure. The NDEQ may issue coverage under a GOP to an individual source without repeating the notice and comment procedures required in Chapter 14 of Title 129. The NDEQ shall maintain a list of all sources covered by general permits, which shall be available for public review.

This Class II General Operating Permit Renewal approves the operation of incinerators. If the air contaminant source utilizes emission points or emission units other than the incinerators covered under this general permit, it is the source's responsibility to correctly permit the entire source and understand the source classification (Class I or Class II) under the Operating Permit Program.

**DESCRIPTION OF THE FACILITY OR ACTIVITY:**

The sources covered by this Class II general operating permit operate one or more incinerators that combust waste material for the purpose of volume reduction and/or destruction of waste material. Sources that want to be covered under this Class II general permit must demonstrate, through the permit application submitted to the NDEQ, that they can keep facility-wide air pollutant emissions below major source thresholds.

The sources may have additional emission points or emissions units that emit pollutants. It is the source's responsibility to evaluate whether these other emission points require air quality permits and how these emission points or emission units impact the classification of the source under the operating permit program. Some of these emission points may be insignificant activities, such as space heaters, that are subject to limits on particulate matter, sulfur oxides, and opacity of visible emissions (Title 129, Chapters 20 and 24).

This Class II general incinerator operating permit is a statewide permit covering similar sources. In order to address site-specific nuances, such as control devices, the NDEQ requires that sources identify all means of reducing emissions from their incinerator(s) in their application. The approved applications are then adopted by reference into the permit.

**TYPE AND QUANTITY OF AIR CONTAMINANT EMISSIONS ANTICIPATED:**

The potential pollutants from incineration include particulate matter (PM), PM with an aerodynamic diameter of less than or equal to 10 micrometers (PM<sub>10</sub>), PM with an aerodynamic diameter of less than or equal to 2.5 micrometers (PM<sub>2.5</sub>), sulfur dioxide (SO<sub>2</sub>), oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), volatile organic compounds (VOCs), hazardous air pollutants (HAP), and lead (Pb). Emissions from the incinerator(s) covered under this general permit have been accounted for in the associated active construction permit. As part of the application for this general permit, the source has agreed not to exceed

any emission limitations identified in the construction permit. For more details, see the source-specific approved application.

## **APPLICABLE REQUIREMENTS AND VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS:**

### **Title 129, Chapter 5 – Operating Permit Program**

As per Title 129, Chapter 2, Section 007, a major source under the Operating Permit Program directly emits or has the potential to emit 100 tons per year (tpy) or more of NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, CO, or VOCs; 10 tpy or more of any one HAP; 25 tpy or more of a combination of HAPs; or 5 tpy or more of Pb (Title 129, Chapter 2, Section 007). This Class II general incinerator operating permit is available to sources with incinerators that emit below these major source thresholds.

### **Title 129, Chapter 9 – General Operating Permits for Class I and Class II Sources**

The NDEQ may develop and issue a general permit to similar sources that are subject to identical regulatory requirements (Title 129, Chapter 9, Section 001). The NDEQ has chosen to develop a Class II general operating permit for sources that operate incinerators that meet certain criteria. Sources that qualify for this general permit can apply to the NDEQ for coverage under the general permit. The NDEQ reviews the applications and notifies all sources that have applied as to whether they are qualified and will be issued a general permit. The NDEQ maintains a list of the sources that receive a Class II general operating permit for incinerators, and this list is available to the public.

The general operating permit document is the same for all sources that receive a general permit for their incinerators. Source specificity in the general permit comes from references within the general operating permit to the source's approved application. The approved application contains all source-specific conditions, such as applicable requirements, construction permit terms that are more specific than the general operating permit terms, and control equipment required.

Public notice is made once for all of the Class II general incinerator operating permits. The notice is published in a newspaper with state-wide circulation. The public comment period is thirty (30) days. Any member of the public may comment on the permit or request a public hearing. At the end of the public notice period or after the public hearing, the general operating permit is issued for a fixed term of five years. Should a source become eligible for the general permit during the five year permit term, the source may apply for and be issued a Class II general permit for incinerators. The public notice process will not be repeated for each source seeking coverage under this permit; the source's name will be added to the list maintained by the NDEQ of sources with a Class II general incinerator operating permit. When sources receive coverage under this general permit during its term, they will only have coverage for the remaining term of the general permit. (Title 129, Chapter 9, Section 009)

Sources have flexibility in how they choose to permit their emission points/units. A source may choose to obtain a Class II general operating permit for its incinerator and permit other emission units/points under a separate operating permit. (Title 129, Chapter 9, Section 011)

### **Title 129, Chapter 18 - New Source Performance Standards (NSPS)**

Sources that are subject to an incinerator-related NSPS cannot obtain a Class II general operating permit for incinerators. These sources must apply for a site-specific operating permit.

Applicable non-incinerator NSPS requirements, if any, are identified in the approved application of each source. The applicable NSPS are incorporated by reference to the approved application in the Class II general operating permit. The source must comply with applicable requirements of the applicable NSPS identified in the approved application.

The NSPS rules are subject to change. Detailed and up-to-date information related to NSPS subparts can be found on the NDEQ NSPS Notebook located on the NDEQ website (<http://deq.ne.gov>), under Focus on Air. It is the source's obligation to comply with applicable NSPS subparts and requirements whether or not they are identified in this permitting action or Title 129.

### **Title 129, Chapter 20 - Particulate Limitations**

#### *Section 001 – Process Weight Rate*

The incinerator(s) covered by this GOP is not required to comply with the particulate emissions limits identified in Table 20-2 because Section 001 specifically exempts incinerators and indirect heating equipment.

#### *Section 002- Particulate Emissions from Combustion Sources*

The incinerator(s) must meet the particulate matter emission limits in Table 20-1. These limits vary depending upon the heat input capacities of the combustion sources.

#### *Section 004 – Opacity:*

No person shall cause or allow emissions, from any source, which have an opacity equal to or greater than twenty percent (20%), as evaluated by an EPA-approved method, or recorded by a continuous opacity monitoring system.

### **Title 129, Chapter 22 – Incinerators**

This chapter applies to all incinerators except those listed in Chapter 22, Sections 001.01- 001.05.

#### *Section 002- Particulate Matter Emissions*

Particulate matter emissions from the incinerator are not to exceed 0.10 grains per dry standard cubic (gr/dscf) foot of exhaust gas, corrected to 7% oxygen.

#### *Section 003- Burning Capacity*

The burning capacity of an incinerator shall be the manufacturer's or designer's guaranteed maximum rate or such other rate as may be determined by the Director in accordance with good engineering practice.

#### *Section 004- Performance Testing*

Waste burned during performance testing required by Chapter 34 shall be representative of the waste normally generated by the affected facility and shall be charged at a rate equal to the burning capacity of the incinerator.

#### *Section 005- Proper Operation*

Instructions for proper operation of the incinerator shall be posted on-site and written certification that each operator has read these instructions, understands them, and intends to comply, shall be kept on record by the owner.

#### *Section 006- Proper Design*

The incinerators must be refractory lined combustion furnaces that are designed for the maximum combustion of materials placed in the incinerators. Each incinerator must vent the combustion emissions through a stack, duct, or chimney that is adequate for that particular incinerator. A source may use an alternative design if the source can demonstrate that the alternative design is as effective in controlling pollutant emissions.

### **Title 129, Chapter 24 - Sulfur Compound Emissions**

Title 129, Chapter 24 applies to combustion emission units that burn fossil fuel and existed prior to February 26, 1974. Combustion sources meeting those criteria shall limit SO<sub>x</sub> emissions to 2.5 pounds per million British Thermal Units (lb/MMBtu) (2-hour average).

## **Title 129, Chapter 28 - National Emission Standards for Hazardous Air Pollutants (NESHAP)**

Sources that are subject to an incinerator-related NESHAP cannot obtain a Class II general operating permit for incinerators, but must apply for a site-specific operating permit.

There are no potentially applicable NESHAP subparts identified in the application. It is the source's obligation to comply with applicable NESHAP subparts and requirements whether or not they are identified in this permitting action or Title 129. The NESHAP rules are subject to change. Detailed and up-to-date information related to NESHAP subparts can be found on the NDEQ Air Toxics Notebook located on the NDEQ website (<http://deq.ne.gov>), under Focus on Air.

### **Permit Conditions II and III are discussed as follows:**

Condition II includes Specific Conditions that are standard for all permitted sources.

II.(A) This condition contains general recordkeeping that apply to all permitted emission units, including a date for when records must be completed, the length of time records must be maintained, and the identification of specific types of records that must be maintained by the permittee. Records are required to be maintained to ensure compliance with all applicable requirements. Specific recordkeeping requirements for permitted emission units can be found in the respective section covering the unit (Title 129, Chapter 8, Section 015.02).

II.(B) This condition specifies general submittal and reporting requirements. The reports required by this condition include, reports of all deviations from permit requirements, the annual emissions inventory report, a submission of emissions fees, annual certification of compliance, and excess emissions reports. Unit specific reporting requirements are provided in Condition III of the permit (Title 129, Chapter 1, Section 135; Chapter 7, Section 008; and Chapter 8 Sections 012.01 and 015).

II.(C) This condition allows the permittee to make changes in the configuration of equipment at the source, defined as "Section 502(b)(10) changes (Title 129, Chapter 1, Section 139), without a permit revision, provided that the change does not require a construction permit and other criteria are met. If these types of changes are made at the source, a notification must be sent to the NDEQ in accordance with Condition II.(C)(1) [Title 129, Chapter 15, Section 007].

Title 129, Chapter 15, Section 007 refers to the types of changes identified in this condition as "modifications". The term "modification" is defined in Title 129, Chapter 1, Section 089, and does not include routine maintenance, repair, and replacement (except as defined as reconstruction). Therefore, for purposes of Condition II.(C), notification is not required for changes that are deemed to be routine maintenance, repair, or replacement, unless the change results in an exceedance in emissions allowable under this permit; the change violates the terms of this permit as related to monitoring, recordkeeping, testing, and compliance certification; or the change violates an applicable requirement.

II.(D) This condition establishes requirements related to performance testing, should it be required. For all testing, the permittee is required to provide the NDEQ at least thirty (30) days written (i.e. hard copy, not electronic or verbal) notice prior to testing. The notification should include the emissions testing protocol. This is to ensure that the NDEQ has the opportunity to witness the emissions testing and/or review the testing plan proposed. The owner or operator must also submit the final test results within forty-five (45) days after the test has occurred. Note that testing must take place when the source is operating at full capacity (Title 129, Chapter 8, Sections 004.01B and 012.01 and Chapter 34, Sections 002 and 003).

II.(E) This condition requires all emission units, control equipment, and monitoring equipment to be properly installed, operated, and maintained (Title 129, Chapter 8, Section 004.01C;

Chapter 11, Section 001; Chapter 34, Section 006; and Chapter 35 Sections 006.02 and 006.05).

- II.(F) This condition requires the permittee to comply, in a timely matter, with requirements that become effective during the permit term (Title 129, Chapter 7, Section 006.02H, and Chapter 8, Sections 012.03 and 015).
- II.(G) This condition states that if there are any discrepancies between applicable NSPS or NESHAP standards and the terms and conditions of this permit, the NSPS or NESHAP standards take precedence unless they are less stringent (Title 129, Chapter 8, Section 013).
- II.(H) This condition identifies that the source's approved application is incorporated into the permit. The source must operate as specified in their application, including compliance with the maximum throughput limit, if specified.

Condition III includes Specific Conditions that are specific to the emissions units and emission points listed in each respective condition.

- III.(A) This condition states that the source can operate the incinerator(s) and applicable control devices identified in the approved application. The application includes any submittals as part of the general construction application process, including a copy of the active construction permit.
- III.(B) This condition contains the emission limitation and performance testing requirements for the incinerator(s).
- III.(B)(1) This condition requires that the source complies with the incinerator limits in the active construction permit.
- III.(B)(2) Title 129, Chapter 22, Section 002 limits PM to 0.10 grains per dry standard cubic foot (gr/dscf), corrected to seven (7) percent oxygen. Compliance is demonstrated by complying with Condition III.(D)(1)(f).
- III.(B)(3) Particulate matter from the combustion of fuel must not exceed the maximum allowable rates in Title 129, Chapter 20, Sections 002. By using emission factors from AP-42, the combustion of Number 2 (No. 2) fuel oil, natural gas, and/or propane is expected to demonstrate compliance with these limits.
- III.(B)(4) If the incinerator(s) existed prior to February 26, 1974, that emission unit is subject to the sulfur dioxide limitation of Title 129, Chapter 24. By using emission factors from AP-42, the combustion of No.2 fuel oil, natural gas, and/or propane is expected to demonstrate compliance with these limits.
- III.(B)(5) The opacity of visible emissions must be less than twenty (20) percent from the incinerator(s). Compliance is demonstrated by compliance with Condition III.(C)(7).
- III.(B)(6) If the NDEQ decides to require performance testing (stack testing), the testing must be done in accordance with Condition II.(D). In addition to following Condition II.(D), Title 129, Chapter 22, Section 004 requires that incinerators burn waste during a test that is representative of waste normally generated and the waste be charged at a rate equal to the burning capacity of the incinerator.
- III.(C) Condition III.(C) contains the operational and monitoring requirements for the incinerator and any associated control equipment, if applicable.
- III.(C)(1) The source must calculate emissions each month and each period of twelve consecutive rolling calendar months to demonstrate compliance with the emission limitations in

- Condition III.(B)(1). The emission factors used must be the same used to calculate potential emissions in the active construction permit.
- III.(C)(2) This condition states that the source must comply with the throughput limits, if any, stated in the construction permit. If no limit was identified in the approved application and only a maximum incinerator throughput was stated, this condition does not apply because, in any event, the maximum rate of incineration cannot be exceeded.
- III.(C)(3) This condition states that the control devices used to limit actual and/or potential emissions in the approved application shall be operated and maintained appropriately, and must operate at all times the associated incinerator is in operation. If no control devices were identified as required to limit emissions (potential or actual) in the approved application, this condition does not apply.
- III.(C)(4) This condition limits the fuel that can be combusted in the incinerator to natural gas, propane, or Number 2 fuel oil. This helps demonstrate compliance with the requirements of Title 129, Chapter 24 and Title 129, Chapter 20, Section 002. The source may request (in writing) permission to use another fuel, but can do so only if the NDEQ approves. Note that the NDEQ may require the submittal of additional information from the source to determine whether the alternate fuel request is expected to comply with the General Incinerator permit and can be approved.
- III.(C)(5) If any incinerator combusts hospital waste and/or medical/infectious waste, it must constitute less than ten (10) percent by weight of the total fuel feed stream on a calendar quarter basis. Hospital waste and medical/infectious waste are defined by the U.S. Environmental Protection Agency in 40 CFR 60.51c. With guidance from EPA, it was determined that the fuel feed stream is everything that is being fed into the combustion unit as fuel, whether that fuel is composed of waste, natural gas, No. 2 fuel oil, or propane.
- If more than ten percent by weight of the total waste combusted in an incinerator is hospital/medical/infectious waste, then the incinerator would no longer be defined as a co-fired combustor (defined in 40 CFR 60.51c) and may no longer be exempt from 40 CFR 60 Subpart Ce or 40 CFR 60 Subpart Ec (current exemptions under 40 CFR Parts 60.32e(c) and 60.50c(c)). Sources subject to the requirements of 40 CFR Subparts Ce and Ec cannot be covered by this general permit. Compliance with this condition is demonstrated by compliance with Condition III.(D)(2).
- III.(C)(6) This condition requires the source to incinerate only the approved materials that were allowed by the active construction permit.
- III.(C)(7) This condition details how the source will demonstrate compliance with the Title 129, Chapter 20, Section 004 opacity limitation. A source representative must conduct visible emissions surveys on a daily basis during periods of normal operation.
- III.(D)(1) The records that must be kept by the source are listed in this condition.
- III.(D)(1)(a) The source must keep records of the emissions calculations performed in Condition III.(C)(1).
- III.(D)(1)(b) The source must keep an operation log for each incinerator containing the contents and weight of waste combusted per each incinerator operating cycle, per each calendar month, and per each period of twelve consecutive rolling calendar months; a statement of whether the required control device (if applicable) is operated during the operating cycle; and the results of visible emission surveys. It is not a requirement of this permit that a



thermocouple or other device be installed to monitor control device operation; a statement (or initialing of a statement) by the operator that the control device was operating during the incinerator's cycle is sufficient. The duration of an operating cycle is defined as the period of time starting at the initial charge after the preheat period and ending after all material in the final charge of the operating cycle is combusted (Title 129, Chapter 42, Section 012.09A1). Because the limitation in Condition III.(C)(2) (if applicable) is to be stated in a tpy basis, it is important to record the throughput per incinerator cycle, per calendar month and per each period of twelve (12) consecutive rolling calendar months in tons to demonstrate compliance with the tpy incinerator throughput limitation.

- III.(D)(1)(c) The source must keep fuel receipts in order to demonstrate compliance with the requirement on the types of fuel that can be combusted in the incinerator.
- III.(D)(1)(d) The source must keep instructions for applicable control devices on site so they are readily available to the incinerator operator.
- III.(D)(1)(e) The source must keep instructions for proper operation of the incinerator on-site and certify that each operator has read the instructions in order to comply with Title 129, Chapter 22, Section 005.
- III.(D)(1)(f) The source must keep record of documentation that demonstrates compliance with the limitation of Title 129, Chapter 22, Section 002. If documentation is not available, it is possible that the source may need to do performance testing to demonstrate compliance.
- III.(D)(1)(g) The source must also keep any other records required by Condition II.(A).
- III.(D)(2) If any incinerator combusts hospital waste and/or medical/infectious waste (and is therefore considered a co-fired combustor due to the limitation on burning hospital and medical/infectious waste in Condition III.(C)(5)), the source must notify the NDEQ in accordance with 40 CFR 60.32e(c) and 40 CFR 60.50c(c). Then, in addition to keeping records as required in Condition III.(D)(1)(b)(i), the source must keep records on a calendar quarter basis of the weight of hospital and medical/infectious waste and all other wastes and fuels combusted in accordance with the above-referenced federal regulations.
- III.(D)(3) The source must submit to the NDEQ all reports required by Condition II.(B).

**STATUTORY OR REGULATORY PROVISIONS ON WHICH PERMIT REQUIREMENTS ARE BASED:**

Applicable regulations: Title 129 - Nebraska Air Quality Regulations as amended July 20, 2016.

**FINAL DETERMINATION OF GENERAL OPERATING PERMIT:**

The public notice, required by Title 129 Chapter 14, shall be published on Saturday, October 21, 2017 in the Omaha World Herald newspaper and at <http://deq.ne.gov/> under "Public Notices." Persons or groups shall have 30 days after the public notice {Tuesday, November 21, 2017} to provide the NDEQ with written comments concerning the proposed permit action or to request a public hearing, in accordance with Title 129 Chapter 14. If a public hearing is granted by the Director, there will be a notice of that meeting published at least 30 days prior to the hearing. The Director may issue the permit following the close of the public comment period and, if one is held, any public hearing.

To request additional information, submit written comments, or to request a public hearing (either electronically or through hardcopy letter) contact:

David L. Christensen-Operating Permits Unit Supervisor  
Air Quality Division  
Nebraska Department of Environmental Quality  
PO Box 98922  
Lincoln, Nebraska 68509-8922  
Email: [NDEQ.AirQuality@nebraska.gov](mailto:NDEQ.AirQuality@nebraska.gov)

**Telephone inquiries may be made at:** (402) 471-2186

**TTD users should call (800) 833-7352 and ask the relay operator to call the Department at (402) 471-2186**

Compliance with this permit shall not be a defense to any enforcement action for violation of an ambient air quality standard.