NEBRASKA ADMINISTRATIVE CODE

Title 129 – ~~Nebraska~~ Department Of Environmental Quality

Chapter 22 - INCINERATORS; EMISSION STANDARDS

001 The provisions of this chapter shall apply to all new and existing incinerators except for those listed in sections 001.01 through 001.05 of this chapter. Incinerators not included in the exceptions listed in sections 001.01 through 001.05 must comply with construction permit requirements listed in Chapter 17, section 001.03.

001.01 Incinerators located on residential premises containing five or less dwelling units and used exclusively for the disposal of waste originating on said premises.

001.02 Incinerators used solely for space heating.

001.03 Incinerators used to burn hazardous waste and subject to regulations under Nebraska Administrative Code Title 128, Chapter 7, section 008.

001.04 Furnaces used for law enforcement purposes specified in definition of "incinerator" in Chapter 1.

001.05 Air curtain incinerators subject to Chapter 18 sections 001.68 or 001.69 or which operate in compliance with Chapter 30, section 002.07G and combust only 100 percent wood waste; 100 percent clean lumber; 100 percent yard waste; or a 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

001.05A Air curtain incinerators must meet additional requirements in section 007 of this chapter.

002 No person shall cause or permit ~~emissions of~~ particulate matter emissions from any incinerator to be discharged into the outdoor atmosphere to exceed 0.10 grains per dry standard cubic foot (gr~~.~~/dscf) of exhaust gas, corrected to 7% oxygen.

003 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.

004 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. Copies of any additional operational data recorded during the test shall be submitted to the Department together with the completed test report forms.

005 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.

006 Except as provided in sections 006.01 and 006.02 below, each incinerator shall consist of (a) refractory lined combustion furnace(s) employing adequate design parameters necessary for maximum combustion of the materials to be burned, and shall be designed to vent the products of combustion through an adequate stack, duct, or chimney.

006.01 An alternate design for a new unit may be permitted provided it can be shown that the alternative design is at least as effective in controlling pollutant emissions as the design criteria of this section.

006.02 An operating permit can be issued to an existing unit not meeting the design criteria set forth in section 006 above, provided compliance with both section 002 of this chapter and the visible emission standard in section 005 of Chapter 20 can be demonstrated.

007 Air curtain incinerators which combust only clean lumber, wood waste, and/or yard waste shall meet the following requirements:

007.01 Within 60 days after the air curtain incinerator reaches the charge rate at which it will operate, but no later than 180 days after its initial startup, the limitations in sections 007.01A and 007.01B must be met:

007.01A The opacity limitation is 10 percent (6-minute average), except as described in section 007.01B.

007.01B The opacity limitation is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

007.02 Except during malfunctions, the requirements of section 007.01 apply at all times, and each malfunction must not exceed 3 hours.

007.03 Opacity monitoring of the air curtain incinerator shall include:

007.03A Use of Method 9 of appendix A of New Source Performance Standards (40 CFR 60) to determine compliance with the opacity limitation.

007.03B Conducting an initial test for opacity as specified in 40 CFR 60.8.

007.03C After the initial test for opacity, conducting annual opacity tests no more than 12 calendar months following the date of the previous test.

007.04 Prior to commencing construction on the air curtain incinerator, submit ~~the three~~ all items described in sections 007.04A through 007.04C:

007.04A Notification of intent to construct the air curtain incinerator.

007.04B Planned initial startup date.

007.04C Types of materials to be burned in the air curtain incinerator.

007.05 Recordkeeping requirements for air curtain incinerators:

007.05A Keep records of results of all initial and annual opacity tests onsite (or readily available) in either ~~o~~paper copy or electronic format, unless the Director approves another format, for at least five years.

007.05B Make all records available for submittal to the Director or for an inspector's onsite review.

007.05C The results (each 6-minute average) of the initial opacity tests must be submitted no later than 60 days following the initial test. Submit annual opacity test results within 12 months following the previous report.

007.05D Submit initial and annual opacity test reports ~~as~~ in electronic or paper copy on or before the applicable submittal date.

007.05E Keep a copy of the initial and annual reports onsite (or readily available) for a period of five years.

Enabling Legislation: Neb. Rev. Stat. §§81-1504(1)(2); 81-1505(1)(2)

Legal Citation: Title 129, Ch. 22, Nebraska Department of Environmental Quality.