NEBRASKA ADMINISTRATIVE CODE

Title 129 - Department of Environmental Quality

Chapter 28 - HAZARDOUS AIR POLLUTANT; EMISSIONS STANDARDS

001 Notwithstanding any other provisions of these regulations, the following "National Emission Standards for Hazardous Air Pollutants", published at 40 CFR Part 63, effective July 1, 20~~12~~13, unless otherwise indicated are hereby adopted and incorporated herein:

001.01 General Provisions, Subpart A

001.02 Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks, Subpart N

001.03 Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations), Subpart R

001.04 Industrial Process Cooling Towers, Subpart Q

001.05 Halogenated Solvent Cleaning, Subpart T

001.06 Aerospace Industry (Surface Coating), Subpart GG

001.07 Secondary Lead Smelters, Subpart X

001.08 Wood Furniture Manufacturing (Surface Coating), Subpart JJ

001.09 Perchloroethylene Dry Cleaning Facilities, Subpart M

001.10 Butyl Rubber Production, Subpart U

001.11 Epoxy Resins Production and Non-Nylon Polyamides Production, Subpart W

001.12 Off-Site Waste and Recovery Operations, Subpart DD

001.13 Printing and Publishing Industry, Subpart KK

001.14 Tanks-Level 1, Subpart OO

001.15 Containers, Subpart PP

Title 129

Chapter 28

001.16 Surface Impoundments, Subpart QQ

001.17 Individual Drain Systems, Subpart RR

001.18 Oil-Water Separators and Organic-Water Separators, Subpart VV

001.19 Polyethylene Terephthalate and Styrene Polymer Production, Subpart JJJ

001.20 Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry, Subpart F

001.21 Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations and Wastewater, Subpart G

001.22 Organic Hazardous Air Pollutants for Equipment Leaks, Subpart H

001.23 Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Rulemaking for Equipment Leaks, Subpart I

001.24 Ethylene Oxide Emissions from Sterilization Facilities, Subpart O

001.25 Pulp and Paper Industry, Subpart S

001.26 Phosphoric Acid Manufacturing Plants, Subpart AA

001.27 Phosphate Fertilizers Production Plants, Subpart BB

001.28 Petroleum Refineries, Subpart CC

001.29 Magnetic Tape Manufacturing, Subpart EE

001.30 Oil and Natural Gas Production Facilities, Subpart HH

001.31 Primary Aluminum Reduction Plants, Subpart LL

001.32 Closed Vent Systems/Control Devices, Subpart SS

001.33 Equipment Leaks Control Level 1, Subpart TT

001.34 Equipment Leaks Control Level 2, Subpart UU

001.35 Storage Tanks Control Level 2, Subpart WW

001.36 Generic MACT Standards, Subpart YY

001.37 Steel Pickling Plants (HCl Process and Hydrochloric Acid Regeneration Processes), Subpart CCC

001.38 Mineral Wool Production, Subpart DDD

001.39 Pharmaceutical Production, Subpart GGG

001.40 Natural Gas Transmission and Storage Facilities, Subpart HHH

001.41 Flexible Polyurethane Foam Production, Subpart III

001.42 Portland Cement Manufacturing, Subpart LLL

001.43 Pesticide Active Ingredient Production, Subpart MMM

001.44 Wool Fiberglass Manufacturing, Subpart NNN

001.45 Polyether Polyols Production, Subpart PPP

001.46 Primary Lead Smelting, Subpart TTT

001.47 Ferromanganese and Silicomanganese Production, Subpart XXX

001.48 Amino Phenolic Resins Production, Subpart OOO

001.49 Secondary Aluminum Production, Subpart RRR

001.50 Publicly Owned Treatment Works, Subpart VVV

001.51 Chemical Recovery Combustion Source at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills, Subpart MM

001.52 Solvent Extraction for Vegetable Oil Production, Subpart GGGG

001.53 Manufacturing of Nutritional Yeast, Subpart CCCC

001.54 Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units, Subpart UUU

001.55 Wet-Formed Fiberglass Mat Production, Subpart HHHH

001.56 Leather Finishing Operations, Subpart TTTT

001.57 Boat Manufacturing, Subpart VVVV

001.58 Metal Coil Surface Coating, Subpart SSSS

001.59 Cellulose Products Manufacturing, Subpart UUUU

001.60 Hazardous Waste Combustion, Subpart EEE

001.61 Tire Manufacturing, Subpart XXXX

001.62 Large Appliance Surface Coating, Subpart NNNN

001.63 Paper and Other Web Coating, Subpart JJJJ

001.64 Municipal Solid Waste Landfills, Subpart AAAA

001.65 Flexible Polyurethane Foam Fabrication, Subpart MMMMM

001.66 Refractory Products Manufacturing, Subpart SSSSS

001.67 Hydrochloric Acid Production, Subpart NNNNN

001.68 Reinforced Plastics Composite Manufacturing, Subpart WWWW

001.69 Asphalt Processing and Asphalt Roofing Manufacturing, Subpart LLLLL

001.70 ~~Reserved~~Industrial, Commercial and Institutional Boilers and Process Heaters (major sources), Subpart DDDDD

001.71 ~~Reserved~~Industrial, Commercial, and Institutional Boilers (area sources), Subpart JJJJJJ

001.72 Integrated Iron and Steel, Subpart FFFFF

001.73 Metal Furniture Surface Coating, Subpart RRRR

001.74 Engine Test Cells and Stands, Subpart PPPPP

001.75 Wood Building Products Surface Coating, Subpart QQQQ

001.76 Printing, Coating, and Dying of Fabrics and Other Textiles, Subpart OOOO

001.77 Site Remediation, Subpart GGGGG

001.78 Miscellaneous Organic Chemical Manufacturing, Subpart FFFF

001.79 Surface Coating of Metal Cans, Subpart KKKK

001.80 Miscellaneous Coating Manufacturing, Subpart HHHHH

001.81 Miscellaneous Metal Parts Surface Coating, Subpart MMMM

001.82 Lime Manufacturing, Subpart AAAAA

001.83 Organic Liquids Distribution (Non-gasoline), Subpart EEEE

001.84 Stationary Combustion Turbines, Subpart YYYY

001.85 Surface Coating of Plastic Parts and Products, Subpart PPPP

001.86 Iron and Steel Foundries, Subpart EEEEE

001.87 Surface Coating of Automobiles and Light Duty Trucks, Subpart IIII

001.88 Reciprocating Internal Combustion Engines, Subpart ZZZZ

001.89 ~~Reserved~~Coal and Oil Fired Electric Utility Steam Generating Units, Subpart UUUUU

001.90 Reserved

001.91 Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations, Subpart XX

001.92 Polyvinyl Chloride and Copolymers Production Area Sources, Subpart DDDDDD

001.93 Primary Copper Smelting Area Sources, Subpart EEEEEE

001.94 Secondary Copper Smelting Area Sources, Subpart FFFFFF

001.95 Primary Nonferrous Metals Area Sources – Zinc, Cadmium, Beryllium, Subpart GGGGGG

001.96 Acrylic and Modacrylic Fibers Production Area Sources, Subpart LLLLLL

001.97 Carbon Black Production Area Sources, Subpart MMMMMM

001.98 Chemical Manufacturing Area Sources: Chromium Compounds, Subpart NNNNNN

001.99 Flexible Polyurethane Foam Production and Fabrication Area Sources, Subpart OOOOOO

001.100 Lead Acid Battery Manufacturing Area Sources, Subpart PPPPPP

001.101 Wood Preserving Area Sources, Subpart QQQQQQ

001.102 Hospital Ethylene Oxide Sterilizers, Subpart WWWWW

001.103 Electric Arc Furnace Steelmaking Facilities, Subpart YYYYY

001.104 Iron and Steel Foundries Area Sources, Subpart ZZZZZ

001.105 Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, Subpart BBBBBB

001.106 Gasoline Dispensing Facilities, Subpart CCCCCC

001.107 Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources, Subpart HHHHHH

001.108 Clay Ceramics Manufacturing, Subpart RRRRRR

001.109 Glass Manufacturing Area Sources, Subpart SSSSSS

001.110 Secondary Nonferrous Metals Processing, Subpart TTTTTT

001.111 Plating and Polishing Area Sources, Subpart WWWWWW

001.112 Metal Fabrication Area Sources, Subpart XXXXXX

001.113 Ferroalloys Production, Subpart YYYYYY

001.114 Aluminum, Copper, and Other Non-ferrous Foundries, Subpart ZZZZZZ

001.115 Chemical Manufacturing Area Source, Subpart VVVVVV

001.116 Asphalt Processing and Roofing Manufacturing, Subpart AAAAAAA

001.117 Chemicals Preparation Facilities, Subpart BBBBBBB

001.118 Paints and Allied Products Manufacturing Area Sources, Subpart CCCCCCC

001.119 Prepared Feeds Manufacturing, Subpart DDDDDDD

001.120 Gold Ore Mining, Subpart EEEEEEE

001.121 Polyvinyl Chloride and Copolymers Production, Subpart HHHHHHH

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002 Should the source need assistance in determining the CFR requirements the Department will provide the needed information on request.

003 Operational Limits for Area Sources. Area sources subject to a standard adopted by reference in section 001, and specifically referenced in section 003, may accept operational limits to avoid the requirements associated with operating at the source's maximum design capacity or monthly throughput.

003.01 General Provisions. An owner or operator of a source may apply for coverage under this provision if the following criteria are met:

003.01A The Director has established operational limitations for the industry category in section 003.06.

003.01B The responsible official for the source certifies that it will comply with the applicable section(s) of this chapter.

003.01C Records are collected and maintained as described for each applicable section and retained for a period of not less than five years and made available to the Department for review upon request.

003.01D A source may change its status under section 003.06 without violating this rule by meeting the following requirements:

003.01D1 The owner or operator of the source must provide written notification to the Department of the intent to change status. The notification must be certified by the responsible official for the source;

003.01D2 The source must comply with the requirements for its industry category;

003.01D3 Once a source changes status, it is no longer eligible for coverage under Section 003.

003.02 Approval Procedures

003.02A Notice of Intent. The owner or operator of a source intending to be covered under this provision shall submit a complete Notice of Intent Form provided by the Department.

003.02B Department approval. Department approval of the Notice of Intent Form request shall be in writing. Upon approval, the source must comply with the applicable limitations specified in section 003.03 of this rule.

003.03 Duty to Comply. Each source approved for coverage under this provision must comply with all sections of this chapter applicable to the source. Any non-compliance shall constitute a violation of the State Act and the Act, and is grounds for enforcement action and/or for disapproval of the Notice of Intent to operate under this provision.

003.04 Compliance with Other Applicable Requirements. Compliance with the provisions of this chapter does not shield the owner or operator from the duty to comply with any other applicable requirement under Title 129 or the Act not specifically addressed in this chapter.

003.05 Duty to Provide Requested Information. Additional information, such as an annual emissions inventory as required in Chapter 6, or information necessary to determine applicability or to determine that emissions from the source in conjunction with all other sources will not prevent attainment or maintenance of the ambient air quality standards specified in Chapter 4, must be provided upon Department request.

003.06 Industry Categories Eligible to Accept Operational Limits

003.06A A bulk gasoline terminal subject to section 001.105 Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities, with a maximum calculated design throughput capacity greater than or equal to 20,000 gallons per day, may be approved to operate pursuant to the provisions of section 003 if the owner or operator certifies that the source will comply with sections 003.01 through 003.05 above and each of the following:

003.06A1 Limit actual gasoline throughput to less than 20,000 gallons per day; and

003.06A2 Maintain a daily record of actual gasoline throughput, in accordance with the provisions of section 003.01C; and,

003.06A3 Comply with the requirements specified in section 001.105 for bulk gasoline plants with a maximum design throughput capacity of less than 20,000 gallons per day.

Enabling Legislation: Neb. Rev. Stat. §§81-1504(1)(2); 81-1505(1)(12)

Legal Citation: Title 129, Ch. 28, Nebraska Department of Environmental Quality