



AIR QUALITY CONSTRUCTION PERMIT

NEW SOURCE REVIEW (NSR) CLASSIFICATION: MAJOR

PERMIT NUMBER: CP25-036R

NDWEE ID: 116017

Program ID: AIR 153 00196

Permit Issued To: Omaha Public Power District (OPPD)

Name of Source in Application: OPPD – Turtle Creek Station

Mailing Address: 444 S. 16th Street, Omaha, NE, 68102

Source Location: 14601 S. 168th St, Gretna, Sarpy County, Nebraska

Project Description: REOPEN FOR CAUSE for an electrical generation peaking station revising annual limitations for three (3) 225-MW simple-cycle combustion turbines.

Standard Industrial Classification (SIC) Code: 4911, Electric Services

North American Industry Classification System (NAICS) Code: 221112, Fossil Fuel Electric Power Generation

Revised or Superseded Construction Permits: This construction permit supersedes Conditions III.(D)(4) of construction permit CP25-036, issued on April 9, 2026.

Pursuant to Chapter 10 of the Nebraska Air Quality Regulations, the public has been notified by prominent advertisement of this proposed construction of an air contaminant source and the thirty (30) day period allowed for comments has elapsed. The above referenced construction permit was *reopened for cause* in accordance with Title 129, Chapter 9, Section 006. Additional details of the proposed project, including estimated pollutant emissions caused by the project, 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. The permit holder, owner, and operator of the facility shall assure that the installation, operation, and maintenance of all equipment is in compliance with all of the conditions of this permit.

The undersigned issues this permit on behalf of the Director under the authority of Title 129 – Nebraska Air Quality Regulations as amended on June 28, 2026.

DRAFT

Date

Reuel S. Anderson, Administrator
Permitting and Engineering Division

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ABBREVIATIONS, SYMBOLS, and UNITS OF MEASURE

AP-42	Compilation of Air Pollutant Emission Factors, Volume I, Stationary Point and Area Sources	MMBtu	One Million British Thermal Units
BACT	Best Available Control Technology	MMscf	One Million Standard Cubic Feet
bhp	Brake Horsepower	MSDS	Material Safety Data Sheet
BMP	Best Management Practice	MW	Megawatt
Btu	British Thermal Unit	NAAQS	National Ambient Air Quality Standards
bu	Bushel	NDWEE	Nebraska Department of Water, Energy, and Environment
CAA	Clean Air Act	NESHAP	National Emission Standards for Hazardous Air Pollutants
CE	Control Equipment	NO ₂	Nitrogen Dioxide
CEM	Continuous Emissions Monitor	NO _x	Nitrogen Oxides
CEMS	Continuous Emissions Monitoring System	NSPS	New Source Performance Standard
cf	Cubic feet	NSR	New Source Review
CFR	Code of Federal Regulations	PAL	Plant-wide Applicability Limit
CI	Compression Ignition	Pb	Lead (chemical abbreviation)
CO	Carbon Monoxide	PbR	Permit-by-Rule
CO ₂	Carbon Dioxide	PEMS	Predictive Emissions Monitoring System
CO _{2e}	CO ₂ equivalent	PM	Particulate Matter
COMS	Continuous Opacity Monitoring System	PM ₁₀	Particulate Matter with and aerodynamic diameter equal to or less than 10 microns
CP	Construction Permit	PM _{2.5}	Particulate Matter with and aerodynamic diameter equal to or less than 2.5 microns
DDGS	Dry Distillers Grains with Solubles	ppb	Parts per Billion
DGS	Distiller's Grains with Solubles	ppm	Parts per Million
dscf	Dry Standard Cubic Feet	ppmv	Parts per Million by volume
dscfm	Dry Standard Cubic Feet per Minute	ppmv _d	Parts per Million by volume, dry basis
EMIS	Emergency Management Information System	PSD	Prevention of Significant Deterioration
EP	Emission Point	PTE	Potential to Emit
EPA	Environmental Protection Agency	RATA	Relative Accuracy Test Audit
EQC	Environmental Quality Council	RICE	Reciprocating Internal Combustion Engine
ESP	Electrostatic Precipitator	RMP	Risk Management Plan
EU	Emission Unit	RTO	Regenerative Thermal Oxidizer
FDCP	Fugitive Dust Control Plan	RVP	Reid Vapor Pressure
FGR	Flue Gas Recirculation	scf	Standard Cubic Feet
FID	Facility Identification Number	SI	Spark Ignition
FIP	Federal Implementation Plan	SIC	Standard Industrial Classification
FR	Federal Register	SIP	State Implementation Plan
ft	Feet	SO ₂	Sulfur Dioxide
FTIR	Fourier Transform Infrared	SO _x	Sulfur Oxides
GHGs	Greenhouse Gases	SUSD	Start Up and Shutdown
H ₂ S	Hydrogen Sulfide	TDS	Total Dissolved Solids
HAP	Hazardous Air Pollutant	TO	Thermal Oxidizer
hp	Horsepower	TO/HRSG	Thermal Oxidizer with Heat Recovery
hr	Hour		Steam Generator
kWh	Kilowatt hours	tpy	Tons per year
lb	Pound	TRS	Total Reduced Sulfur
LDAR	Leak Detection and Repair	TSP	Total Suspended Particulate Matter
LNB	Low-NO _x Burner	ULNB	Ultra Low-NO _x Burner
MACT	Maximum Achievable Control Technology	UST	Underground Storage Tank
MECL	Minimum Emissions Compliant Load	UTM	Universal Transverse Mercator
Mgal	One Thousand gallons	VHAP	Volatile Hazardous Air Pollutant
		VMT	Vehicle Miles Traveled
		VOC	Volatile Organic Compound
		WDGS	Wet Distiller's Grains with Solubles

SUMMARY OF REVISIONS

The following permit condition has been updated:

Permit Condition / Summary of Revision	Page
III.(D)(4) – Revisions to NSPS applicability pertaining to emission units DFT-1 NW, DFT-2 NE, DFT-3 SE and DFT-4SW.	D-1

I. STANDARD CONDITIONS

The following Standard Conditions apply to this permit unless otherwise provided for in the Specific Conditions of this permit.

- (A) 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; and
 - (2) Title 129 as approved by EPA under 40 CFR Part 52, Subpart CC or 40 CFR Part 70, Appendix A as of the date of issuance of this permit (federally enforceable requirements); and Title 129 as amended June 28, 2026 (state only enforceable requirements).
- (B) The source shall allow the NDWEE, USEPA or an authorized representative, upon presentation of credentials (Neb. Rev. Statute §81-1504; Title 129, Chapter 6, Section 003.11) to:
 - (1) Enter upon the source's premises during reasonable hours 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, during reasonable hours, 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 during reasonable hours 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, during reasonable hours, substances or parameters for the purpose of ensuring compliance with the permit or applicable requirements.
- (C) All requested permit amendments and revisions must adhere to the requirements of Title 129, Chapter 9.
- (D) The following methods may be used to determine compliance with the terms and conditions in this permit (Title 129, Chapter 15, Section 005.08):
 - (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, Chapters 3, 4, or 13, Section 004;
 - (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 Condition I.(D)(1) through (3).
- (E) 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 1, Section 001.06).
- (F) If and when the Director declares an air pollution episode as defined in Title 129, Chapter 2, Section 006.01, the source shall immediately take all required actions listed in Title 129, Appendix II, Paragraph 1.1, 1.2, and 1.3, respectively, until the Director declares the air pollution episode terminated (Title 129, Chapter 2, Section 006.03).

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- (G) Recordkeeping: To ensure compliance with this permit, records shall be maintained as outlined below. Records include: electronic and/or paper copies of all application materials, notifications, reports, test protocols, test results, and plans; and, electronic and/or original paper copies of all required monitoring results, measurements, inspections, and observations (Title 129, Chapter 15, Section 005.06; Neb. Rev. Stat. §81-1504):
- (1) All records required by this permit shall be kept for a minimum of five (5) years and shall be clear and readily accessible to NDWEE representatives during an inspection, unless otherwise specified in this permit.
 - (2) Monthly calculations and records required throughout this permit shall be compiled no later than the fifteenth (15th) day of each calendar month and shall include all records and calculations generated through the previous calendar month, unless otherwise specified in this permit (Title 129, Chapter 6, Section 003.03).
 - (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 11, Sections 002 and 005; Chapter 15, Sections 006.02, 006.04 and 006.05):
 - (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 components of permitted emission units that would affect or potentially affect the emission rate of that unit and on control and monitoring equipment associated with the permitted emission unit (Title 129, Chapter 15, Sections 005.06, 006.06B, and 006.06E).
 - (5) All records of opacity readings, instrument readings, visual equipment inspections, logbook/sheet entries, and any other record of equipment performance shall identify the individual who entered the record, except for continuously generated electronic records.
 - (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.
- (H) All permitted emission units, associated emissions conveyances, required control equipment, and required monitoring equipment shall be properly installed, operated, and maintained (Title 129, Chapter 6, Sections 003.01 and 003.13; Chapter 15, Section 005.06; Neb. Rev. Stat. §81-1504 and §81-1506).
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- (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 uncaptured emissions described in the permit application and any additional information submitted prior to permit issuance.
 - (2) All equipment must be maintained to minimize the amount of uncontrolled pollutants that are released to the atmosphere. Proper equipment maintenance activities may include repair or replacement, and include, but are not limited to activities in response to the following:
 - (a) cracks, holes or gaps,
 - (b) broken, cracked, or otherwise damaged seals or gaskets, and
 - (c) broken, missing or open hatches, access covers, caps, or other closure devices.
- (I) When the source makes physical or operational changes to an emissions unit or associated control equipment that may cause an increase in emissions that makes the original testing not representative of current operating conditions or emissions, the source shall submit a notification of the change. Such notification shall be received by NDWEE within fifteen (15) days after such change. The NDWEE may require performance testing based on review of the specific changes identified in the notification and the resulting potential impact on emissions from the unit(s) and/or performance of the control equipment (Title 129, Chapter 15, Section 005.01).
- (1) This notification requirement applies to emissions units and/or control equipment that meet the following requirements, except as provided in Condition I.(I)(5):
 - (a) Emissions from the emissions unit and/or control equipment is subject to an emissions limit;
 - (b) A valid performance test has been conducted for the pollutant to which the emissions limit applies;
 - (c) Changes that may cause emissions to increase or invalidate prior testing include, but are not limited to, increasing the capacity of an emissions unit, changing the operational parameters of any control equipment outside of the range allowed for under this permit that makes the control equipment less efficient, changing the type of scrubber packing, or increasing the inlet pollutant loading of any control equipment.
 - (2) For emission units that have had a performance test conducted after January 1, 2012, the source shall make a one-time notification to the NDWEE within fifteen (15) days of when there is a 10% increase in daily production/throughput rate, over the tested rate recorded during the most recent valid performance test unless otherwise specified in this permit. If there are subsequent 10% increases over the rate most recently notified to the NDWEE, the source shall make a one-time notification to the NDWEE of each such subsequent increase. This will not apply to emissions that already have emission rates that are normalized to production and/or throughput rates.
 - (3) The notification shall include the date of the changes, a description of the changes made, and an evaluation of the expected impact on emissions from the emissions units and/or control equipment.
 - (4) The following definitions apply for purposes of Condition I.(I)(2) above:
 - (a) “rate” shall mean the production or throughput of an emissions unit in the same units of production or throughput as the “tested rate” as defined below; and,
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- (b) “tested rate” shall mean the production or throughput rate of an emissions unit as recorded in the most recent valid performance test and reported to the NDWEE in the source’s written copy of the test results, or test report, documenting the maximum capacity of the unit(s). The tested rate shall be extrapolated to daily. Examples include, but are not limited to, tons per hour to tons per day or gallons per hour to gallons per day.
 - (5) The above notification requirements do not apply when compliance with the emission limitation is demonstrated through the use of a CEMS, PEMS or COMS.
 - (J) No person shall cause or allow emissions, from any source, which are of 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 operated and maintained pursuant to 40 CFR Part 60 Appendix B except as provided for in Chapter 15, Sections 001.05 or 001.06 (Title 129, Chapter 15, Section 001.04).
 - (K) Open fires are prohibited except as allowed by Title 129, Chapter 15, Section 002.
 - (L) Particulate Matter – General Requirements (Title 129, Chapter 15, Section 003):
 - (1) The source 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 source 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.
 - (M) Testing:
 - (1) Performance testing if required by this permit or required by the NDWEE shall be completed as follows:
 - (a) The source shall provide the NDWEE a written notice at least thirty (30) days prior to testing to afford the NDWEE an opportunity to have an observer present. The NDWEE may, in writing, approve a notice of less than 30 days. If the testing is pursuant to an underlying requirement contained in a federal rule, the notice provisions of the underlying requirement apply (Title 129, Chapter 15, Section 005.03).
 - (b) The notification required by Condition I.(M)(1)(a) shall include the following (Title 129, Chapter 15, Section 005.03):
 - (i) Facility Name, Address and FID number.
 - (ii) Company Name, Address and Contact Person’s name.
 - (iii) Test schedule including date and estimated start time of testing.
 - (iv) List all applicable regulatory requirements that testing is being conducted for (permit condition, MACT, NSPS, etc.).
 - (v) Types of pollutants to be sampled including applicable emission limits and demonstration requirements.
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- (vi) Test methods and documentation of any proposed variations from the specified procedures and reason for variance.
 - (c) Testing shall be conducted according to the methodologies found in Title 129, Chapter 15, Section 005.02, or other NDWEE approved methodologies (Title 129, Chapter 15, Section 005.02).
 - (d) Performance tests shall be performed under those representative (normal) conditions that: represent the range of combined process and control measure conditions under which the facility expects to operate (regardless of the frequency of the conditions); and are likely to most challenge the emissions control measures of the facility with regard to meeting the applicable emission standards, but without creating an unsafe condition. (Title 129, Chapter 15, Section 005).
 - (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 NDWEE.
 - (f) The source shall monitor and record the operating parameters for process and control equipment during the performance testing required in the permit.
 - (g) A certified written copy of the test results, signed by the person conducting the test, shall be provided to the NDWEE within sixty (60) days of completion of the test, unless a different time period is specified in the underlying requirements of an applicable federal rule, and will, at a minimum, contain the following items (Title 129, Chapter 15, Section 005.02G):
 - (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.
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II. GENERAL CONSTRUCTION PERMIT CONDITIONS

The following General Conditions apply to this permit unless otherwise provided for in the Specific Conditions of this permit.

- (A) The source shall provide the following notifications to the NDWEE:
 - (1) The date construction, reconstruction, or modification commenced as defined in Chapter 1. Notification shall be received by NDWEE no later than thirty (30) days after such date and include a summary description of the event associated with the commencement of construction. The source may use either of the following to determine that construction commenced (Title 129, Chapter 3, Section 003.02):
 - (a) Initiating physical on-site construction activities of a permanent nature that meet the definition of “begin actual construction” or
 - (b) Entering into binding agreements or contractual obligations. If this option is used, the notice shall also include a brief summary of each binding agreement or contractual obligation entered into, the date of the agreement or contract, and why the agreement or contract cannot be cancelled or modified without substantial loss to the source.
 - (2) Notification of the date on which the source or modification first becomes operational, shall be received by the NDWEE within fifteen (15) days after such date (Title 129, Chapter 6, Section 002.01A).
 - (3) Any emissions due to malfunctions, unplanned shutdowns, and ensuing start-ups that are, or may be, in excess of applicable emission limits shall be reported to the NDWEE in accordance with Title 129, Chapter 15, Section 006.05.
- (B) Approval to construct, reconstruct, and/or modify the source will become invalid if a continuous program of construction is not commenced within 18 months after the date of issuance of the construction permit except upon a showing by the source that the complexity of the construction, reconstruction and/or modification requires additional time, or if construction, reconstruction or modification is discontinued for a period of 18 months or more, or if construction, reconstruction and/or modification is not completed within a reasonable period of time (Title 129, Chapter 3, Section 003.02).
- (C) This permit is not transferable to another location, unless otherwise specified in this permit (Title 129, Chapter 3).
- (D) Holding of this permit does not relieve the source from the responsibility to comply with all applicable portions of the Nebraska Air Quality Regulations and any other requirements under local, State, or Federal law. 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 or permit revocation (Title 129, Chapter 3, Section 001).
- (E) Any source who failed to submit any relevant facts or who submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. If the permittee wishes to make changes at the source that will result in change(s) to values, specifications, and/or locations of emission points that were indicated in the permit application (or other supplemental information provided by the permittee and reviewed by the NDWEE in issuance of this permit), the source must notify the NDWEE before the change(s) can be made. In addition, the source must notify the NDWEE if any modification which may result in an adverse change to the air quality impacts

predicted by atmospheric dispersion modeling (such as changes in stack parameters or increases in emission rates, potential emissions, or actual emissions). The permittee shall provide all necessary information to verify that there are no substantive changes affecting the basis upon which this permit was issued. Information may include, but not be limited to, additional engineering, modeling, and ambient air quality studies (Title 129, Chapter 3, Sections 002.02B, 002.03B, and 002.03C).

- (F) When requested by the NDWEE, the permittee shall submit completed emission inventory forms for the preceding year to the NDWEE by March 31 of each year (Title 129, Chapter 11).
- (G) If required, performance tests shall be conducted in accordance with Standard Condition I.(M) within sixty (60) days after first reaching the maximum capacity, but not more than 180 days after the start-up of operations of each unit, unless otherwise specified by the NDWEE (Title 129, Chapter 15, Section 005.07).
- (H) If applicable, the following conditions apply to the verification of NAAQS modeling analysis (Title 129, Chapter 2):
 - (1) The stack dimensions of the emission points identified in the air dispersion modeling analysis shall be constructed such that the reliability of the air dispersion modeling analysis associated with the permit application is maintained. A site survey or similar documentation containing the as-built stack dimensions, shall be maintained on-site and kept for the life of the source. If the as-built stack dimensions do not meet the criteria used in air dispersion modeling analysis, the permittee shall notify the NDWEE prior to start-up of any emission unit associated with a stack not meeting the above criteria and, if requested by NDWEE, submit a revised air dispersion modeling analysis to NDWEE to ensure that the source will not interfere with the attainment or maintenance of the ambient air quality standards in Title 129 Chapter 2.
 - (2) The source shall sufficiently restrict public access to the source at the ambient air boundary relied upon in the air dispersion modeling analysis for the NAAQS compliance demonstration. A site survey, or similar documentation containing the locations of the boundary vertices, shall be maintained on-site and kept for the life of the source. If the boundary dimensions do not comply with the boundary information in the air dispersion model (plus or minus 25 meters), the permittee shall notify the NDWEE prior to start-up of any emission unit and, if requested, submit a revised air dispersion modeling analysis to the NDWEE to ensure that the source will not interfere with the attainment or maintenance of the ambient air quality standards in Title 129 Chapter 2.

III. SPECIFIC CONDITIONS FOR AFFECTED EMISSION UNITS

(D) Specific Conditions for Tanks

(4) Applicable NSPS, NESHAP, and MACT Standards:

The following standards are applicable to DFT-1 NW, DFT-2 NE, DFT-3 SE, and DFT-4 SW:

Applicable Standard	Title	Rule Citation
NSPS Subpart A	General Provisions	Chapter 12, Sec. <u>001.01</u> 40 CFR 60.1
NSPS Subpart Kb	Standards of Performance for Volatile Organic Liquid (VOL) Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, and On or Before October 4, 2023.	Chapter 12, Sec. <u>001.20</u> 40 CFR 60.110b