



DEPT. OF WATER, ENERGY, AND ENVIRONMENT

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01-100

July 2025

Inspection Tips From DWEE's Air Quality Program

Introduction

In order to ensure smoother inspections and better compliance at facilities the Nebraska Department of Water, Energy, and Environment (DWEE) has developed some inspection tips. These tips should prepare facility personnel for an inspection and emphasize better compliance with rules and regulations.

Purpose of Inspections

A goal of the DWEE is to ensure the full compliance of regulated facilities. In order to determine compliance of a specific facility, the program needs to collect information about the facility's operations, waste streams, and emissions. One way to collect information is through an inspection. Inspectors collect and record information regarding the actual conditions at the facility.

Inspection Procedures

As a matter of policy, the Air Quality Program of DWEE performs unannounced inspections. The purpose of these inspections is to ensure the inspector observes the facility as it is normally operated.

Once on-site, an inspection generally consists of a pre-inspection interview, records review, inspection, and exit interview. Inspectors often take photographs during the inspection. Photographs are a means of collecting information and documenting the level of compliance of a facility.

Keep in mind that cooperation is better than confrontation when dealing with inspectors. Inspectors are simply doing their job helping to keep Nebraska's air clean and healthy, or responding to citizen concerns. Inspectors didn't write the rules. Nor can they change the rules or make compliance issues go away.

Confidential Information

Many times, when an inspector is at a facility, they are told the records they want to review are confidential. These types of claims should not restrict access by inspectors who are responsible for assuring the facility is in compliance with departmental regulations. If the record is needed to verify compliance with departmental regulations, it must be made available to the inspector.

Claims of confidentiality related to trade secrets might be made in limited circumstances for records furnished to or obtained by the Agency. The DWEE has formal procedures that a facility must go

through in order for records to be considered trade secrets. (See Title 115 – Rules of Practice and Procedure, Chapter 2, for more information on how a document is determined by the Director to be a confidential trade secret.) When a record is given trade secret status, agency personnel can still view the record in question. Agency personnel are prohibited from revealing trade secret material to the public pursuant to Nebraska Revised Statutes §81-1527 and §84-712.05(3).

Emissions information is never to be held confidential.

Dealing with Non-Compliance

If a compliance concern is found during an inspection, make sure to continue communicating with DWEE staff. When informed of a probable deficiency, keep DWEE informed of your corrective actions. Taking prompt action and following your compliance plans in a timely manner is always prudent policy.

Prepare for Inspections

The following suggestions are meant to benefit facilities that are inspected. By following these suggestions, the inspection process will more likely be smooth and lead to better compliance.

1. READ AND UNDERSTAND YOUR PERMIT

Many violations result from not reading the permit. Know what the permit requires and call the permit writer if you have questions or need clarification.

- Avoid immediately filing a new permit without thoroughly reading and understanding it.
- Know the permit limits - not knowing what the permit requires for documentation, limits on hours of operation, material use or quantity is a common problem.
- Understand the records and reporting requirements of your permit.

2. KEEP RECORDS IN ORDER

Record keeping requirements and accurate records are essential. This will save time during inspections and allow facilities to remedy any emission or other concerns before a problem occurs.

- Keep records in a readily accessible area.
- Keep records in logical order.
- Do not cram records and permits into one folder.
- When recording measuring units, be consistent with those required in the permit and record data for required reporting period - gallons to gallons and pounds to pounds; monthly, quarterly, or annually.

3. REGULARLY CHECK ALL CONTROL EQUIPMENT

Good records and logs do more than meet legal requirements or impress inspectors. Properly functioning control equipment and routine maintenance is better for the environment and your community, and can help reduce loss of valuable products or costly chemicals.

- Keep a maintenance log – keeping a log helps with proper routine maintenance and prevents violations.
- Keep a log of manometer and other pressure device readings.
- Change filters, clean equipment regularly and document these actions.

4. TRAIN A BACKUP

- An extra person with knowledge about records, and the ability to help identify stacks, vents and other processes can save time

5. USE LABELS

- Label control equipment, vents and stacks to avoid confusion.
- Labels can clarify inside the facility where stacks go up.
- Be consistent with how equipment, vents, stacks, etc. are labeled and named.

6. PLAN AHEAD

- Construction of new equipment or a modification of existing equipment may require a new permit.
- Until a new permit is signed and issued, the terms and conditions of your present permit remain in effect.

IF YOU HAVE ANY QUESTIONS ON INSPECTIONS OR ANY COMPLIANCE ISSUES, YOU CAN REACH DWEE INSPECTION AND COMPLIANCE STAFF AT (402) 471-2186.

Produced by: Nebraska Department of Water, Energy, and Environment, 245 Fallbrook Blvd, Suite 100, Lincoln, NE 68521; phone (402) 471-2186. To view this, and other information related to our agency, visit our web site at <https://dwee.nebraska.gov>