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AIR GOP-INCIN-2022

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DEPT. OF ENVIRONMENT AND ENERGY

Pete Ricketts, Governor

AIR QUALITY CLASS II GENERAL OPERATING PERMIT

PERMIT NUMBER: GOP-INCIN-2022 **PERMIT NAME: Incinerator Operating**

Permit Term Begins: November 29, 2022

Project Description: This Class II General Operating Permit (GOP) approves the operation of incinerators.

Superseded General Operating Permit: General Operating Permit Issued November 28, 2017.

Pursuant to Title 129, Chapter 10, 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 Environment and Energy (NDEE). 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 September 28, 2022.

11/10/2022
Date

Shelley Schneider, P.E.
Permitting and Engineering Division Administrator

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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
BACT	Best Available Control Technology
Btu	British Thermal Unit
bu	Bushel
CAA	Clean Air Act
CE	Control Equipment
cf	Cubic feet
CEMS	Continuous Emissions Monitoring System
CFC	Chlorofluorocarbons
CFR	Code of Federal Regulations
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CO_2e	Carbon Dioxide Equivalent
CP	Construction Permit
Director	Director of the NDEE
dscf	Dry Standard Cubic Feet
dscfm	Dry Standard Cubic Feet per Minute
EMIS	Emergency Management Information System
EQC	Environmental Quality Council
EP	Emission Point
EU	Emission Unit
FIP	Federal Implementation Plan
FR	Federal Register
ft	Feet
FTIR	Fourier Transform Infrared
GHGs	Greenhouse Gases
HAP	Hazardous Air Pollutant(s)
hp	Horsepower
hr	Hour
lb	Pound
LDAR	Leak Detection and Repair
LNB	Low NO_x Burner
MACT	Maximum Achievable Control Technology
Mgal	One Thousand Gallons
MMBtu	One Million British Thermal Units
MMgal	One Million Gallons
MMscf	One Million Standard Cubic Feet
MSDS	Material Safety Data Sheet
n/a	Not Applicable
NAAQS	National Ambient Air Quality Standards
NDEE	Nebraska Department of Environment and Energy
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_2	Nitrogen Dioxide
NO_x	Nitrogen Oxides
N_2O	Nitrous Oxides
NSPS	New Source Performance Standard
NSR	New Source Review
OP	Operating Permit
PAL	Plant-wide Applicability Limit
PEMS	Predictive Emissions Monitoring System
Pb	Lead (chemical abbreviation)
PM	Particulate Matter
$PM_{2.5}$	Particulate Matter with an aerodynamic diameter equal to or less than 2.5 microns
PM_{10}	Particulate Matter with an aerodynamic diameter equal to or less than 10 microns
PM_{10} (total)	Filterable and condensable particulate matter
ppb	Parts per Billion
ppm	Parts per Million
ppmv	Parts per Million by Volume
ppmvd	Parts per Million by Volume,Dry Basis
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
scf	Standard Cubic Feet
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
SO_x	Sulfur Oxides
TDS	Total Dissolved Solids
Title 129	Title 129, Nebraska Air Quality Regulations
tpy	Tons per year
TRS	Total Reduced Sulfur
TSP	Total Suspended Particulate Matter
USEPA	United States Environmental Protection Agency
UTM	Universal Transverse Mercator
VHAP	Volatile Hazardous Air Pollutant
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
yr	Year

I. STANDARD CONDITIONS

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

(A) The permittee is subject to and will comply with all applicable requirements found in:

(1) Title 40 Protection of Environment, Code of Federal Regulations that apply to the source including those found at 40 CFR Part 52, Subpart CC or 40 CFR Part 70, Appendix A (federally enforceable requirements); and

(2) The Environmental Protection Act, Neb. Rev. Stat. §§ 81-1501 to 81-1532, and Nebraska Administrative Code Title 129 as amended September 28, 2022 (Title 129).

(B) The source shall allow the NDEE, 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, Chapter 3, 4, or 13;

(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, until the Director declares the air pollution episode terminated (Title 129, Chapter 2, Section 006.03).

(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 NDEE 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 (15^{th}) 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 11, Sections 002 and 005; and 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 6, Section 005.01; and Chapter 15, Sections 005.06, 006.02 and 006.05).

(5) All records of opacity readings, instrument readings, visual equipment inspections, log book/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 15, Section 005.06; Chapter 6, Sections 003.01 and 003.13; Neb. Rev. Stat. §81-1504 and §81-1506).

(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 NDEE within fifteen (15) days after such change. The NDEE 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 NDEE 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 NDEE, the source shall make a one-time notification to the NDEE 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,

(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 NDEE 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 001.05E (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 NDEE shall be completed as follows:

(a) The source shall provide the NDEE a written notice at least thirty (30) days prior to testing to afford the NDEE an opportunity to have an observer present. The NDEE 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.

(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 NDEE 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 NDEE.

(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 NDEE 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

II. GENERAL OPERATING PERMIT CONDITIONS

The following General Conditions apply to this permit unless otherwise provided for in the Specific Conditions of this permit. Terms and conditions of this permit are in accordance with the requirements of Title 129, Chapter 6, Section 003.

(A) Submittals/Reporting:

All submittals, including reports, required by Condition II.(A) and Condition I.(M)(1)(g) shall contain a certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and the belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete (Title 129, Chapter 1, Section 002.89; Chapter 6, Section 002, Sections 002.06, 003.11 and 003.13).

The source shall submit reports to the NDEE as follows:

(1) The source shall submit a report of all instances of deviations from permit requirements including monitoring requirements stated in the permit every twelve (12) calendar months to the NDEE. The report shall be submitted by March 31 of the following year (Title 129, Chapter 6, Sections 003.03B and 003.13).

(a) The report of deviations may be combined with the certification of compliance report required in Condition II.(A)(4). The submittal must clearly state that it is for both and must meet the requirements for the report of deviations and certification of compliance.

(2) The source shall report all 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. All reports of deviations must be submitted within the time frame as per Conditions II.(A)(2)(a), (b), and (c) below (Title 129, Chapter 6, Sections 003.03B, 003.03B4, 003.13, 005 and Chapter 15, Sections 006.04 and 006.05).

(a) Any deviation resulting from emergency or upset conditions shall be reported within two (2) working days of the date on which the source first becomes aware of the deviation if the source wishes to assert the affirmative defense authorized under Chapter 6, Section 005 of Title 129. The report may be submitted initially without a certification by the responsible official, as required by Condition II.(A) above, if an appropriate certification is provided within ten (10) days thereafter, together with the information required under Condition II.(A)(2) and any corrected or supplemental information required concerning the deviation.

(b) Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported as soon as is practicable. The report may be submitted initially without a certification by a responsible official in accordance with Condition II.(A) above, if an appropriate certification is provided within ten (10) days thereafter, together with any corrected or supplemental information required concerning the deviation.

(c) All other deviations shall be reported as per Condition II.(A)(1).

(3) The source shall submit completed emission inventories electronically utilizing the State and Local Emissions Inventory System (SLEIS) for the preceding calendar year to the NDEE by March 31 of each year (Title 129, Chapter 11).

(4) 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 NDEE by March 31 of each year. The report shall be certified by a responsible official in accordance with Condition II.(A) and shall include the following (Title 129, Chapter 6, Sections 003.11 and 003.13).

(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; and

(d) The methods used for determining the compliance status of the source, currently and over the reporting period.

(5) Any emissions due to malfunctions, unplanned shutdowns, and ensuing start-ups that are, or may be in excess of applicable emission limitations shall be reported to the NDEE in accordance with Condition II.(A)(2)(a).

(B) This permit is issued for the life of the source (Title 129, Chapter 6, Sections 003.02, 003.02A and 003.02A2).

(C) The source shall comply with all conditions of this permit. Any permit noncompliance shall constitute a violation of the Nebraska Environmental Protection Act and/or 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 6, Sections 003.06A and 003.13).

(D) It shall not be a defense for a source 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 003.06B and 003.13).

(E) 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 source 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 6, Sections 003.06C and 003.13).

(F) 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 9, Section 006 and Chapter 6, Sections 003.09 and 003.13):

(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.

(G) This permit does not convey any property rights of any sort, or any exclusive privilege (Title 129, Chapter 6, Sections 003.06D and 003.13).

(H) The source shall furnish to the NDEE, within the time specified by the NDEE, any

information requested by the NDEE 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 source shall also furnish to the NDEE copies of records required to be kept in accordance with the permit or, for information claimed to be confidential, the source may furnish such records along with a claim of confidentiality pursuant to Title 115 - Rules of Practice and Procedure (Title 129, Chapter 6, Sections 003.06E and 003.13).

(I) The provisions of this operating permit incorporate all applicable requirements contained in all previously issued active construction permits. Although the previously issued construction permits are still active, this operating permit will be the compliance and enforcement instrument for all applicable requirements incorporated into the operating permit (Title 129, Chapter 6, Section 003.13; 40 CFR 70.2 – Applicable Requirements (2)).

(J) In the event of a challenge to any portions of this permit, the unchallenged permit requirements shall remain valid (Title 129, Chapter 6, Section 003.05).

(K) Changes allowed without an operating permit revision (Title 129, Chapter 9, Section 007):

(1) The source may make the changes identified in Condition II.(K)(1)(a) within a permitted facility without a permit revision if the change is not a modification under Title 129, Chapter 12, or Chapter 13, Sections 001, 002, 003, 004 ; the change does not require a construction permit under Chapters 3 or 4; 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 9, Section 007.01).

(a) Changes in the configuration of the facility's equipment, defined as "Section 502(b)(10) changes", as defined in 40 CFR 70.4(b)(12). Written notification of these changes shall be sent to the NDEE as follows:

(i) Non-Emergencies (Chapter 9, Section 007.01):

1. Written notification shall be received by the NDEE a minimum of seven (7) days in advance of the proposed changes;

(ii) Emergencies (Title 129, Chapter 9, Section 007.01):

1. Initial notification shall be made within two working days of the date on which the source 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 9, Section 007.01):

1. A brief description of the change within the permitted source (Chapter 9, Section 007.01);
2. The date on which the change will occur (Chapter 9, Section 007.01);
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 9, Section 007.01).

(2) The source may make changes that are not defined as "Section 502(b)(10) changes" as defined in 40 CFR 70.4(b)(12) within a permitted facility without a permit revision if the change is not a modification under Title 129, Chapter 12, or Chapter 13, Sections 001, 002, 003, 004; and the change is not a change which would require a construction permit under Chapters 17 or 19 (Title 129, Chapter 9, 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 9, Section 007.02).

(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 6, Sections 002.05C and 002.05D. Such written notice shall include (Title 129, Chapter 9, Section 007.02):

(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 in the relevant operating permit for synthetic minor purposes.

(c) A copy of the notification in Condition II.(K)(2)(b) shall be attached to the source's copy of the operating permit.

(d) The source 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 9, Section 007.02).

(e) Upon review of a notice submitted in accordance with Condition II.(K)(2)(b), the NDEE may require a source to apply for an operating permit if the change does not meet the requirements of Condition II.(K)(2) (Title 129, Chapter 9, Section 007.02A).

(3) Testing requirements:

(a) Testing may be required if a change reported under Condition II.(K)(1) or II.(K)(2) involves an emissions unit that was previously tested (Title 129, Chapter 6, Sections 003.03 and 003.13; Chapter 15, Section 005).

(L) When applicable, the source shall comply with the requirements of 40 CFR Part 68, Chemical Accident Prevention Provisions, Risk Management Plan (RMP), as part of the compliance certification submitted under Condition II.(A)(4). The source shall submit a certification statement that the source is in compliance with all requirements of Part 68, including the registration and submission of the RMP (40 CFR 68.215(a); Title 129, Chapter 6, Section 003.10).

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 source shall not exceed the limits identified in the active construction permit for the incinerator(s). (Title 129, Chapter 6, Sections 003.11 and 003.13)

(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 14, 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 15, Section 001, Table 15-1. (Title 129, Chapter 15, Sections 001.01 and 001.02)

(a) Compliance shall be demonstrated through compliance with Conditions I.(H), 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 16, Section 001)

(a) Compliance shall be demonstrated through compliance with Conditions I.(H), 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 15, Section 001.04)

(a) Compliance shall be demonstrated through compliance with III.(C)(7).

(6) Performance testing, if required, shall be conducted in accordance with Specific Condition I.(M) and the following: (Title 129, Chapter 15, Section 005)

(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 14, 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 14, 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 6, Section 003.13A and Chapter 7, Section 007)

(3) If applicable, emission control device(s) shall operate at all times the incinerator operates and in accordance with Condition I.(H). (Title 129, Chapter 6, Section 003.13B and Chapter 7, Section 007)

(4) Fuel combustion shall include natural gas, propane, or Number 2 fuel oil. No other fuel type shall be used without NDEE approval. If the source wants to use another fuel type, then the source shall request permission from the NDEE in writing. (Title 129, Chapter 7, Section 007; Chapter 6, Sections 003.03 and 003.13)

(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 7, Section 007 and Chapter 6, Sections 003.11 and 003.13)

(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 6, Sections 003.03 and 003.13)

(b) The results of the visible emissions surveys shall be recorded in a log, which shall include, at a minimum, the following items. (Chapter 6, Sections 003.03 and 003.13)

(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.(A). (Chapter 6, Sections 003.03B and 003.13)

(D) Recordkeeping and Reporting Requirements:

(1) The source shall maintain the following records: (Title 129, Chapter 6, Sections 003.03 and 003.13)

(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 14, 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 I.(G).

(2) If any incinerator combusts hospital waste and/or medical/infectious waste, the source shall notify the NDEE 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.(A).

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AIR GOP-INCIN-2022

FACT SHEET FOR: GOP-INCIN-2022 **DATE: November 2022**

Source Classification: Class II Synthetic Minor at time of issuance
Area Source of Hazardous Air Pollutants (HAPs)

Regulatory changes may supersede information in this document. If the source should add or change equipment or change processes such that a NESHAP or NSPS subpart becomes an applicable requirement, it is the source's obligation to comply with that subpart and applicable requirements whether or not they are identified in the associated permitting action or Title 129. Also note that the NESHAP and NSPS subparts are subject to change. Detailed information related to NESHAP and NSPS subparts can be found on the NDEE Air Toxics Notebook and NDEE NSPS Notebook located on the NDEE website (http://dee.ne.gov/). The NDEE website can also be used to find other permit related and facility specific information that is not identified in this fact sheet.

DESCRIPTION OF GENERAL OPERATING PERMIT:

The Nebraska Department of Environment and Energy (NDEE) has determined there are numerous similar sources in Nebraska that are subject to the same Federal and State regulatory requirements. Chapter 7 of Nebraska Administrative Code Title 129 – Air Quality Regulations allows the NDEE to issue a general operating permit (GOP) for these sources. This GOP follows the applicable procedures of Chapters 6, 7 and 10 of Title 129. The owner of a source that qualifies for this GOP must apply to the NDEE 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 NDEE will notify the applicant of the determination of coverage under this GOP for the source identified in the application. If the Director of the NDEE 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 NDEE may issue coverage under a GOP to an individual source without repeating the notice and comment procedures required in Chapter 10 of Title 129. The NDEE shall maintain a list of all sources covered by general permits, which shall be available for public review.

This Class II GOP 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. Class I and Class II operating permits are discussed in Chapter 6 of Title 129.

DESCRIPTION OF THE FACILITY OR ACTIVITY:

The sources covered by this Class II GOP 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 NDEE, 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 15 and 16).

This Class II GOP is a statewide permit covering similar sources. In order to address site-specific nuances, such as control devices, the NDEE requires that sources identify all means of reducing emissions

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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_{10}), PM with an aerodynamic diameter of less than or equal to 2.5 micrometers ($PM_{2.5}$), sulfur dioxide (SO_2), oxides of nitrogen (NO_x), 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 6 – Operating Permits

As per Title 129, Chapter 1, Section 002.56, 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_x, SO_x, PM_{10}, $PM_{2.5}$, CO, or VOCs; ten (10) tpy or more of any one HAP; 25 tpy or more of a combination of HAPs; or five (5) tpy or more of lead (Title 129, Chapter 1, Section 002.56). This Class II general incinerator operating permit is available to sources with incinerators that emit below these major source thresholds.

Title 129, Chapter 7 – General Permits

The NDEE may develop and issue a general permit to similar sources that are subject to identical regulatory requirements (Title 129, Chapter 7, Section 001). The NDEE has chosen to develop a Class II GOP for sources that operate incinerators that meet certain criteria. Sources that qualify for this general permit can apply to the NDEE for coverage under the general permit. The NDEE reviews the applications and notifies all sources that have applied as to whether they are qualified and will be issued a general permit. The NDEE maintains a list of the sources that receive a Class II GOP for incinerators, and this list is available to the public.

The GOP 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 GOP is issued without an expiration date. If the incinerator changes location, is replaced, or undergoes major modification please contact the NDEE for determination of a new GOP. 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 NDEE of sources with a Class II general incinerator operating permit.

Sources have flexibility in how they choose to permit their emission points/units. A source may choose to obtain a Class II GOP for its incinerator and permit other emission units/points under a separate operating permit. (Title 129, Chapter 7, Section 011)

Title 129, Chapter 12 - New Source Performance Standards and Emission Limits for Existing Sources

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 GOP. 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 NDEE NSPS Notebook located on the NDEE website (http://dee.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 15 - Compliance

Section 001.01 – Process Weight Rate
The incinerator(s) covered by this GOP is not required to comply with the particulate emissions limits identified in Table 15-1 because Section 001.01 specifically exempts incinerators and indirect heating equipment.

Section 001.02- Particulate Emissions from Combustion Sources
The incinerator(s) must meet the particulate matter emission limits in Table 15-2. These limits vary depending upon the heat input capacities of the combustion sources.

Section 001.04 – 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 14 – Incinerators

This chapter applies to all incinerators except those listed in Chapter 14, 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 seven percent (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 15 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 source.

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 16 - Sulfur Compound and Nitrogen Oxides Emissions Standards

Title 129, Chapter 16, Section 001 applies to combustion emission units that burn fossil fuel and existed prior to February 26, 1974. Combustion sources meeting those criteria shall limit SO_x emissions to two and one half (2.5) pounds per million British Thermal Units (lb/MMBtu) (2-hour average).

Title 129, Chapter 13 - Hazardous Air Pollutants

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 NEHSAP subparts can be found on the NDEE Air Toxics Notebook located on the NDEE website (http://dee.ne.gov), under Focus on Air.

Permit Conditions I, II, and III are discussed as follows:

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

I.(G) 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 source. 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 6, Section 003.13B).

I.(H) This condition requires all emission units, control equipment, and monitoring equipment to be properly installed, operated, and maintained (Title 129, Chapter 6, Sections 003.03 and 005.01; and Chapter 15, Sections 005.06, 006.02 and 006.05).

I.(M) This condition establishes requirements related to performance testing, should it be required. For all testing, the source is required to provide the NDEE 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 NDEE 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 6, Sections 003.03 and 003.11 and Chapter 15, Sections 005.02 and 005.03).

II.(A) 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 002.89; Chapter 6, Sections 002.06, 003.11 and 003.13).

II.(I) 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.

II.(L) This condition allows the source to make changes in the configuration of equipment at the source, defined as "Section 502(b)(10) changes" as defined in 40 CFR 70.4(b)(12) , 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 NDEE in accordance with Condition II.(L)(1) (Title 129, Chapter 9, Section 007).

Title 129, Chapter 9, 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 002.58, and does not include routine maintenance, repair, and replacement (except as defined as reconstruction). Therefore, for purposes of Condition II.(L), 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.

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 14, 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 15, Section 001.02. 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 16, Section 001. 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 NDEE decides to require performance testing (stack testing), the testing must be done in accordance with Condition I.(M). In addition to following Condition I.(M), Title 129, Chapter 14, 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 16, Section 001 and Title 129, Chapter 15, Section 001.02. The source may request (in writing) permission to use another fuel, but can do so only if the NDEE approves. Note that the NDEE 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 15, Section 001.04 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 8, Section 011.09A1). 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 14, Section 005.

III.(D)(1)(f) The source must keep record of documentation that demonstrates compliance with the limitation of Title 129, Chapter 14, 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 I.(G).

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 NDEE 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 NDEE all reports required by Condition II.(A).

STATUTORY OR REGULATORY PROVISIONS ON WHICH PERMIT REQUIREMENTS ARE BASED:

Applicable regulations: Title 129 - Nebraska Air Quality Regulations.

FINAL DETERMINATION OF GENERAL OPERATING PERMIT:

The public notice, required by Title 129 Chapter 10, shall be published on Friday, October 7, 2022 in the Omaha World Herald newspaper and at http://dee.ne.gov under "Public Notices." Persons or groups shall have 30 days after the public notice Monday, November 7, 2022 to provide the NDEE with written comments concerning the proposed permit action or to request a public hearing, in accordance with Title 129, Chapter 10. 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 Section Supervisor
Air Quality Program
Nebraska Department of Environment and Energy
PO Box 98922
Lincoln, Nebraska 68509-8922
Email: NDEE.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.