

# Air Quality Construction Permit Application Instructions

## Section 1.1: AQ Construction Permit General Information

### **INSTRUCTIONS:**

#### **Section 1.1: Air Quality Construction Permit General Information**

**IMPORTANT:** Do NOT use pencil to fill out the application. Please type responses or print using black ink. If you have any questions, feel free to contact the Nebraska Department of Water, Energy, and Environment (DWEE) via [DWEE.AirQuality@nebraska.gov](mailto:DWEE.AirQuality@nebraska.gov) the Air Quality Permitting Section at (402) 471- 2186.

#### **Facility, Company, Source**

The facility is the plant or processing operation that is physically located in Nebraska. The facility may be owned by a company whose name differs from the facility. In some cases the facility and the company may be the same. The source is the collection of all emission units that are included in determining your applicability with regard to state and federal regulations. Your facility may be your entire source, however if another facility has been determined to be a support facility, have common control, and is located on adjacent property, the other facility and your facility may be considered a single stationary source for permitting purposes. Please contact the Department for assistance in deciphering these terms if needed.

#### **Administrative Information**

- 1) Enter the legal name of the facility as it is or will be known in Nebraska. This is the name of the facility that is physically located in Nebraska. The facility name should be identical on all the forms included in this application.
- 2) Enter the DWEE facility identification number. If this is a new facility or the facility ID number is unknown, leave this box blank.
- 3) Enter the 4-digit Standard Industrial Classification (SIC) code(s) associated with the primary activity(ies) at your facility. To search for the SIC code(s) for your industry, visit [http://www.osha.gov/pls/imis/sic\\_manual.html](http://www.osha.gov/pls/imis/sic_manual.html)
- 4) Enter the North American Industrial Classification System (NAICS) code(s) associated with the primary activity(ies) at your facility. To search for the NAICS code(s) for your industry, visit <http://www.census.gov/epcd/www/naics.html>. Be sure to use the most current set of codes.
- 5) Give a brief description of the facility (e.g. what product or material is being processed)
- 6-10) Enter the physical address of the facility including the county and legal description of the property (e.g. SE ¼, SW ¼, Sec 2, T 9N, R 14W).
- 11) Check the states and tribal lands that are within 50 miles of the facility.
- 12) Provide the Universal Transverse Mercator (UTM) zone and approximate coordinates of the entrance to the facility. UTM zones for Nebraska include zones 13, 14, and 15. Coordinates are in meters (ex: 55,000, 4,520,500). If UTM coordinates are unknown, please enter longitude and latitude in decimal degrees (ex. 40.8565, 95.5850). If a datum other than NAD 83 is being used, please indicate the datum.
- 13) Provide the legal name of the company as it is registered to do business in the state of Nebraska. For national corporations, provide the name and address of the parent corporation with the name of its Nebraska site (e.g. EnviroProducts, Inc, d.b.a. Ethanol Production, etc).
- 14-17) Provide the mailing address of the company.
- 18) Indicate whether or not the business is incorporated and provide the state of incorporation.

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### Contact Information

- 19) Give the name of the Facility's Contact Person. This is the person located at the facility or company that the Department can contact with questions concerning the facility itself or the application (depending on the response to field number 25).
- 20) Give the job title or responsibility within the company of the facility's contact person.
- 21-24) Provide the phone number, alternate (cellular) phone number, fax number, and email address of the facility's contact person.
- 25) Indicate who the primary contact should be in the event that DWEE has questions concerning the application. If "Other" is selected, please fill out lines 26-31. If email or written communication is sent to the Primary Contact, the Facility Contact person will be copied.
- 26-31) Enter the name and contact information of the Primary Contact if different than the Facility Contact.
- 32) Indicate if draft documents and the final permit should be sent to the Facility Contact person or someone else. If someone other than the Facility Contact person should receive the documents, select the "Other" box and complete the information below.
- 33-37) Enter the name and address information of the person who should receive the hard-copy draft and final permitting documents. This person is typically associated directly with the facility and not a hired consultant. The Department will send the draft and final permitting documents to this person. The final permitting documents will be sent via certified mail (signature required). If the "Facility Contact" is selected, documents will be mailed to the address listed on lines 5-8 unless lines 34-37 are filled out.

### Construction Permit Fee Information

- 38) Indicate the application fee amount that is enclosed. Your application cannot be processed without the appropriate application fee. The fee amount is based on the controlled/permited potential-to-emit of the entire facility after completion of this permitting action, not just the change in emissions due to the proposed project, after the issuance of the permitting action. See Air Quality Fact Sheet entitled "Construction Permit Application Fees" on the Department website for additional information.

The following table provides guidance in determining the appropriate application fee that should be submitted with this application.

Facility-Wide Potential-To-Emit (PTE)	Application Fee
100 tons or more per year of any air pollutant; or 10 tons or more per year of any single hazardous air pollutant (HAP); or 25 tons or more per year of any single combination of HAPs	\$3,000
50 tons or more but less than 100 tons per year of any air pollutant; or 2.5 tons or more but less than 10 tons per year of any single HAPs; or 10 tons or more but less than 25 tons per year of any combination of HAPs	\$1,500
Less than 50 tons per year of any air pollutant; or Less than 2.5 tons per year of any single HAP; or Less than 10 tons per year of any combination of HAPs	\$250

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### **Project Information**

- 39) Indicate the reason for submitting the application.
- Initial Construction Permit for a New Facility means that you are either constructing emission units at a new facility where no facility now exists, or you are constructing emission units at a facility that previously had no emission units.
  - Modification of an Existing Facility means that you already have emission units at your facility that are properly permitted and you are making a physical or operational change to the facility that increases the amount of any air pollutant.
  - Significant Revision of an Existing Construction Permit means that you have a construction permit(s) for your facility, and you need changes made to the permit(s) that do not qualify as a “Modification of an Existing Facility”. Enter the permit number and/or issue date(s) of the construction permit(s) to be revised. Clarification between “Modification” and “Revision”: A modification is a physical or operation change to an existing facility (e.g. adding a boiler, changing a process line). A revision is a request to make changes to an existing construction permit (e.g. changing a lb/hr limitation). See [Title 129, Chapter 9](#) for permit revision requirements. If this qualifies as a minor permit revision in accordance with Title 129, Chapter 9, complete a minor permit revision application. Enter the permit number of the permit that needs to be revised.
  - Historical Construction/Modification means that construction or modification has occurred in the past at your facility, which required a construction permit, but one was not obtained prior to construction.
- 40) Indicate if this is a Greenfield facility. A Greenfield facility is a facility located on a plot of land where no previous construction has been conducted. These facilities will need to undergo additional evaluation to ensure that no habitats for threatened or endangered species will be damaged as a result of the proposed project.
- 41) Enter the projected date for when actual construction will begin. “Beginning Actual Construction” means the initiation of physical on-site construction activities on an emissions unit that are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. Applications should be submitted **at least** 150 days prior to the proposed date that construction will begin. Enter N/A if this question is not applicable to the permitting action.
- 42) Enter the projected date for when the source will begin operation or indicate that the source has begun operating.
- 43) Enter the estimated cost of the project (\$).

### **Historical Permitting Information**

If this is a new facility, check the N/A box.

**NOTE:** If this is a historical construction or modification project(s) (line 39, item d.), fill out Historical Permitting Information for the existing operations that are not the subject of this application.

- Enter the year the facility was originally constructed.
- Enter the date the last construction permit for the facility was issued.
- Indicate the date of all other modification(s), if/when the modification was permitted, and a brief summary of the modification. Use additional pages if necessary.

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### **Source Information**

- 47) Prior to this permitting action, is the facility considered a major Prevention of Significant Deterioration (PSD) source in accordance with [Title 129, Chapter 4](#)? In general, the term “major” in the PSD program applies to 28 specific industrial categories that have the potential to emit 100 tons per year or more of any pollutant regulated by the PSD program (See Section 4.3 of this application for a full list of the regulated pollutants), or any other source that has the potential to emit 250 tons per year or more. Contact the Department if you are unsure whether your existing facility is considered a major PSD source. If this is a new facility, select the N/A box.
- 48) Indicate whether this is a major PSD project subject to review under Chapter 4. If this is a new facility, the total potential to emit must be 100 tons per year or more of any pollutant regulated by the PSD program (See Section 4.3 of this application for a full list of the regulated pollutants) for the 28 specific industrial source categories listed in [Title 129, Chapter 1](#), Section [002.56](#), or any other source that has the potential to emit 250 tons per year or more of a PSD regulated pollutant. If the source is an existing PSD source, then this is a PSD project if the net emissions resulting from the project are in excess of the PSD significance thresholds as indicated in Title 129, Chapter 4, Section [001](#).
- 49) Indicate if the proposed project is subject to the Nebraska state toxics requirement that Best Available Control Technology (T-BACT) is required for projects that have the potential to emit hazardous air pollutants (HAP) in excess of 2.5 tons/year for a single HAP and/or 10 tons/year for collective HAPs ([Title 129, Chapter 13](#), Section [004.02](#)). If you do not know if your project will be subject to this requirement or how to complete a T-BACT analysis, please contact the Department for assistance.
- 50) Indicate if the source is or will be subject to a federal toxics requirement (either a National Emissions Standard for Hazardous Air Pollutants (NESHAP) or a Maximum Achievable Control Technology (MACT)). If you do not know if your facility is subject to this requirement, please contact the Department for assistance.
- 51) Reserved

### **Responsible Official Certification Statement**

- 52) Each application must include a certification statement indicating the information contained in the application is true, accurate, and complete, and must be signed and dated in ink by a Responsible Official of the organization that will operate the source, or by a Responsible Official that owns the source. If an electronic copy of the Air Quality Construction Permit application will be submitted, the Responsible Official must certify that the electronic copy is identical in content to the original. The application will be considered incomplete without a proper signature.

## **Air Quality Construction Permit Application Instructions**

### **Section 1.1: AQ Construction Permit General Information**

#### **Responsible Official Certification Statement (continued)**

A Responsible Official can be:

- a) For a corporation:
  - i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function; or,
  - ii) Any other person who performs similar policy or decision-making functions for the corporation; or,
  - iii) A duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
    - a) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or,
    - b) The delegation of authority to such representatives is approved in advance by the DWEE.
- b) For a partnership or sole proprietorship:
  - i) A general partner or the proprietor, respectively;
- c) For a municipality, State, Federal, or other public agency:
  - i) Either a principal executive officer or ranking elected official. For the purposes of this application, the principal executive officer of a Federal agency included the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of EPA); or,
- d) For affected sources:
  - i) The designated representative in so far as actions, standards, requirements, or prohibitions under [Chapter 5, of Title 129](#), are concerned; and,
  - ii) The designated representative for any other purposed under the Title V program.

Contact DWEE if you have questions regarding the information below or review the Sample Construction Permit Application available on the Department website. Please attach this information directly behind this Section of your application.

- 53) Project Description
- 54) Facility Layout Diagram
- 55) Process Flow Diagram
- 56) Air Dispersion Modeling Information. Don't forget to fill out Form 2.0 for modeling-related information.
- 57) Conservation and Environment Review Report