

LINCOLN-LANCASTER COUNTY AIR POLLUTION CONTROL PROGRAM

ARTICLE 1. ADMINISTRATION AND ENFORCEMENT

SECTION 7. COMPLIANCE—ACTIONS TO ENFORCE—
PENALTIES FOR NON-COMPLIANCE

- (A) The County Attorney or Attorney General may institute enforcement proceedings pursuant to Neb. Rev. Stat., §81-1504(23), Neb. Rev. Stat. §81-1508(4), or Neb. Rev. Stat. §81-1528 (2) against any person who fails to comply with the requirements of the Air Pollution Regulations and Standards. Nothing in air pollution control program shall preclude the control of air pollution by resolution, ordinance, or rule, regulation, or standard not in actual conflict with the state air pollution control regulations. (Ref: Neb. Rev. Stat. §71-1631(15).)
- (B) Any person who fails to comply with the requirements of the Air Pollution Regulations and Standards or who fails to perform any duty imposed by the Air Pollution Regulations and Standards shall be subject to a civil penalty of not more than \$10,000 per day per violation.
- (C) Any person who knowingly and willfully fails to comply with the requirements of the Air Pollution Regulations and Standards or who knowingly and willfully fails to perform any duty imposed by the Air Pollution Regulations and Standards shall be subject to felony prosecution under Neb. Rev. Stat. §81-1508(f) including a fine of not more than \$10,000 per day per violation and up to a maximum six month term of imprisonment.
- (D) Enforcement proceedings may include injunctive relief in court to restrain any violation that creates an imminent and substantial endangerment to the public health or to the environment.

