

LINCOLN-LANCASTER COUNTY AIR POLLUTION CONTROL PROGRAM

ARTICLE 2. REGULATIONS AND STANDARDS

SECTION 2. MAJOR SOURCES -- DEFINED

(A) Hazardous Air Pollutants--A major source of hazardous air pollutants is defined as:

(1) For pollutants other than radionuclides, any stationary source or any group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, in the aggregate, 10 tons per year (tpy) or more of any hazardous air pollutant listed in Appendix II, 25 tpy or more of any combination of such hazardous air pollutants, or such lesser quantity as the Administrator may establish by rule. Notwithstanding the preceding sentence, emissions from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are major sources for hazardous air pollutants; or

(2) For radionuclides, "major source" shall have the meaning specified by the Administrator by rule.

(B) Except as otherwise expressly provided herein, a major stationary source of air pollutants is one that directly emits or has the potential to emit, 100 tpy or more of any air pollutant (including any major source of fugitive emissions of any such pollutant, as determined by rule by the Administrator). The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source for the purposes of this subsection, unless the source belongs to one of the following categories of stationary source:

- (1) Coal cleaning plants (with thermal dryers);
- (2) Kraft pulp mills;
- (3) Portland cement plants;
- (4) Primary zinc smelters;
- (5) Iron and steel mills;
- (6) Primary aluminum ore reduction plants;
- (7) Primary copper smelters;

ARTICLE 2
SECTION 2

LINCOLN-LANCASTER COUNTY

(8) Municipal incinerators capable of charging more than 250 tons of refuse per day;

(9) Hydrofluoric, sulfuric, or nitric acid plants;

(10) Petroleum refineries;

(11) Lime plants;

(12) Phosphate rock processing plants;

(13) Coke oven batteries;

(14) Sulfur recovery plants;

(15) Carbon black plants (furnace process);

(16) Primary lead smelters;

(17) Fuel conversion plants;

(18) Sintering plants;

(19) Secondary metal production plants;

(20) Chemical process plants;

(21) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British Thermal units per hour heat input;

(22) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;

(23) Taconite ore processing plants;

(24) Glass fiber processing plants;

(25) Charcoal production plants;

(26) Fossil-fuel-fired steam electric plants of more than 250 million British Thermal Units per hour heat input; or

(27) All other stationary source categories regulated by a standard promulgated under Section 18, Section 23, Section 27, or Section 28 of these Regulations and Standards, but only with respect to those air pollutants that have been regulated for that category.

(C) A major stationary source of air pollutants is defined as one which emits, or has the potential to emit 5 tons per year or more of lead.

(D) Any physical change that would occur at a stationary source not otherwise qualifying as a major stationary source, shall be considered a major stationary source, if the change by itself would constitute a major stationary source.

(E) A major stationary source that is major for volatile organic compounds shall be considered major for ozone.

(F) A major stationary source for purposes of Section 17, paragraph (M) of these Regulations and Standards includes:

(1) For ozone nonattainment areas, sources with the potential to emit 100 tpy or more of volatile organic compounds or oxides of nitrogen in areas classified as "marginal" or "moderate," 50 tpy or more in areas classified as "serious," 25 tpy or more in areas classified as "severe," and 10 tpy or more in areas classified as "extreme"; except that the references in this paragraph to 100, 50, 25, and 10 tpy of nitrogen oxides shall not apply with respect to any source for which the Administrator has made a finding, under section 182(f)(1) or (2) of the Clean Air Act, that requirements under section 182(f) of the Act do not apply;

(2) For ozone transport regions established pursuant to section 184 (control of ozone or interstate ozone pollution) of the Act, sources with the potential to emit 50 tpy or more of volatile organic compounds;

(3) For carbon monoxide nonattainment areas:

(a) That are classified as "serious," and

(b) In which stationary sources contribute significantly to carbon monoxide levels as determined under rules issued by the Administrator, sources with the potential to emit 50 tpy or more of carbon monoxide; and

(4) For particulate matter (PM₁₀) nonattainment areas classified as "serious," sources with the potential to emit 70 tpy or more of PM₁₀.

ARTICLE 2
SECTION 2

LINCOLN-LANCASTER COUNTY

(G) Major source, for purposes of Class I operating permits, means any stationary source (or group of stationary sources that are located on one or more contiguous or adjacent properties, and are under common control of the same person (or persons under common control)) belonging to a single major industrial grouping and that are described in paragraph (A), (B), (C), (D), (E) or (F) of this definition. For the purposes of defining "major source", a stationary source or group of stationary sources shall be considered part of a single industrial grouping if all of the pollutant emitting activities at such source or group of sources on contiguous or adjacent properties belong to the same major group (i.e., all have the same two-digit code) as described in the Standard Industrial Classification Manual, 1987.

(H) Major stationary source for the purposes of prevention of significant deterioration of air quality shall have the meaning given in Section 19 of these Regulations and Standards.

(I) Major source of particulate matter, for purposes of Class I operating permits, shall be determined based on the potential to emit PM₁₀.

Ref: Title 129, Chapter 2, Nebraska Department of Environmental Quality

ARTICLE 2
SECTION 2

LINCOLN-LANCASTER COUNTY

EPA Rulemakings

CFR: 40 C.F.R. 52.1420(c) and Part 70, Appendix A, Nebraska; City of Omaha; Lincoln-Lancaster County Health Department, (d)
FRM: 65 FR 3130 (1/20/00)
PRM: 65 FR 3168 (1/20/00)
State Submission: 2/5/99
State Final: 8/11/98
APDB File: NE-41
Description: In this revision, Major Sources-Defined, subsection (B)(27) was revised to include fugitive emissions from MACT source categories (Section 28) in making major source determinations and a new subsection (I) was added regarding particulate matter regulations.

CFR: 40 C.F.R. 52.1420(c)(44)(i)(A)
FRM: 61 FR 5701 (2/14/96)
PRM: 61 FR 5725 (2/14/96)
State Submission: 5/31/95
State Proposal: 2/28/95
State Final: 5/16/95 (effective date locally)
APDB File: NE-37
Description: EPA approved a revision to the SIP that updated the local ordinances of the Lincoln-Lancaster County Health Department and created a Federally enforceable Class II operating permit program. The Lincoln-Lancaster County Air Pollution Control Program rules replaced Chapter 8.64 regulations of the city of Lincoln and Resolution No. 3155 of Lancaster County in their entirety.

CFR: 40 C.F.R. 70, Appendix A, Lincoln-Lancaster County (c)
FRM: 60 FR 53872 (10/18/95), Correction Notice 61 FR 7073 (2/26/96)
PRM: 60 FR 5883 (1/31/95)
State Submission: 11/12/93
State Proposal: 2/28/95
State Final: 5/16/95 (effective date locally)
APDB File: NE-32b
Description: EPA fully approved the operating permits program submitted by Lincoln-Lancaster County for the purpose of complying with Federal requirements for an approvable program to issue operating permits to all major stationary sources and certain other sources. The EPA also approved, under 112(1), the county's program for accepting delegation of section 112 standards to enforce air toxics regulations.

Note: All previous versions of the rule are obsolete; the record of prior rulemakings is shown below for historical purposes only.

CFR: 40 C.F.R. 52.1420(c)(24)
FRM: 47 FR 22954 (5/26/82)
PRM: 42 FR 46371 (9/15/77)
State Submission: 12/27/76
State Proposal: 12/10/76
State Final: 3/16/76; 6/21/76 (effective dates locally)
APDB File: NE-08
Description: EPA approved the revised ordinance and regulations for the city of Lincoln. The state withdrew Section 051 of the ordinance and Sections 4, 15, and 17 of the regulations.

CFR: 40 C.F.R. 52.1420(c)(23)
FRM: 47 FR 22954 (5/26/82)
PRM: 42 FR 46371
State Submission: 4/4/77; 2/18/82
State Proposal: 3/18/77
State Final: 2/4/77 (effective date locally)
APDB File: NE-08
Description: EPA approved the Lancaster County regulations into the SIP. Sections 6, 9, and 23 were withdrawn by the state prior to final rulemaking by the EPA.

ARTICLE 2
SECTION 2

LINCOLN-LANCASTER COUNTY

CFR: 40 C.F.R. 52.1420(a)
FRM: 37 FR 10842 (5/31/72)
PRM: None
State Submission: 1/28/72
State Proposal: Unknown
State Final: 2/28/67 (effective date locally)
APDB File: NE-00
Description: EPA approved the city of Lincoln's ordinance for air pollution control as part of the original SIP.

Difference Between the State and EPA-Approved Regulation

None.