

APPENDIX II

AIR POLLUTION EMERGENCY EPISODES

1.0 EMERGENCY EMISSION REDUCTION REGULATIONS

The following action plan defines the actions that shall be taken by the general populace and by specific point sources to prevent the excessive buildup of air pollutant concentrations.

1.1 ALERT LEVEL

(a) General

- (1) There shall be no open burning by any persons of tree waste, vegetation, refuse, or debris in any form.
- (2) The use of incinerators for the disposal of any form of solid waste shall be limited to the hours between 12:00 noon and 4:00 p.m.
- (3) Persons operating fuel-burning equipment which require boiler lancing or soot blowing shall perform such operations only between the hours of 12:00 noon and 4:00 p.m.
- (4) Persons operating motor vehicles shall eliminate all unnecessary operations.

(b) Source Curtailment

- (1) Any person responsible for the operation of a source of air pollutants listed below shall take all required control actions for this Alert level.

Source of Air Pollution

Control Actions

(1) Coal or oil-fired electric power generating facilities

- a. Substantial reduction by utilization of fuel having low ash and sulfur content.
- b. Maximum utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for

boiler lancing and soot blowing.

c. Substantial reduction by diverting electric power generation to facilities outside of Alert Area.

(2) Coal and oil-fired process steam generating facilities

a. Substantial reduction by utilization of fuels having low ash and sulfur content.

b. Maximum utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing and soot blowing.

c. Substantial reduction of steam load demands consistent with continuing plant operations.

(3) Manufacturing industries of the following classification:
Primary Metals Industry
Petroleum Refining Operations
Chemical Industries
Mineral Processing Industries
Paper and Allied Products
Grain Industry

a. Substantial reduction of air pollutants from manufacturing operations by curtailing, postponing, or deferring production and all operations.

b. Maximum reduction by deferring trade waste disposal operations which emit solid particles, gas vapors or malodorous substances.

c. Maximum reduction of heat load demands for processing.

d. Maximum utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing and soot blowing.

1.2 WARNING LEVEL

(a) General

(1) There shall be no open burning by any person of tree waste, vegetation, refuse, or debris in any form.

(2) The use of incinerators for the disposal of any form of solid waste or liquid waste shall be prohibited.

(3) Persons operating fuel-burning equipment which requires boiler lancing or soot blowing shall perform such operations only between the hours of 12:00 noon and 4:00 p.m.

(4) Persons operating motor vehicles must reduce operations by the use of car pools and increased use of public transportation and elimination of unnecessary operation.

(b) Source Curtailment

(1) Any person responsible for the operation of a source of air pollution listed below shall take all required control actions for this warning level.

	<u>Source of Air Pollution</u>	<u>Control Action</u>
(1)	Coal or oil-fired electric power generating facilities	<ul style="list-style-type: none">a. Maximum reduction by utilization of fuels having lowest ash and sulfur content.b. Maximum utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing and soot blowing.c. Maximum reduction by diverting electric power generation to facilities outside of Warning Area.
(2)	Coal or oil-fired process steam generating facilities	<ul style="list-style-type: none">a. Maximum reduction by utilization of fuels having the lowest available ash and sulfur content.b. Maximum utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing and soot blowing.c. Making ready for use a plan of action to be taken if an emergency develops.
(3)	Manufacturing industries which require considerable	<ul style="list-style-type: none">a. Maximum reduction of air contaminants from

lead time for shut-down
including the following classifications:

Petroleum Refining
Chemical Industries
Primary Metals Industries
Grain Industries
Paper and Allied Products

manufacturing operations by,
if necessary, assuming
reasonable economic
hardships by postponing
production and allied
operation.

- b. Maximum reduction by deferring trade waste disposal operations which emit solid particles, gases, vapors, or malodorous substances.
- c. Maximum reduction of heat load demands for processing.
- d. Maximum utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing and soot blowing.

- (4) Manufacturing industries which require relatively short lead times for shutdown including classifications:
Petroleum Refining
Chemical Industries
Primary Metals Industries
Grain Industries
Paper and Allied Products

- a. Elimination of air pollutants from manufacturing operations by ceasing, curtailing, postponing, or deferring production and allied operations to the extent possible without causing injury to persons or damage to equipment.
- b. Elimination of air pollutants from trade waste disposal processes which emit solid particles, gases, vapors, or malodorous substances.
- c. Maximum reduction of heat Load demands for processing.
- d. Maximum utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing or soot blowing.

1.3 EMERGENCY LEVEL

- (a) General

(1) There shall be no open burning by any persons of tree waste, vegetation, refuse, or debris in any form.

(2) The use of incinerators for the disposal of any form of solid or liquid waste shall be prohibited.

(3) All places of employment described below shall immediately cease operations:

a. Mining and quarrying of non-metallic minerals.

b. All construction work except that which must proceed to avoid emergent physical harm.

c. All manufacturing establishments except those required to have in force an air pollution emergency plan.

d. All wholesale trade establishments; i.e. places of business primarily engaged in selling merchandise to retailers, or industrial, commercial, institutional or professional users, or to other wholesalers, or acting as agents in buying merchandise for or selling merchandise to such persons or companies, except those engaged in the distribution of drugs, surgical supplies and food.

e. All offices of local, county and state government including authorities, joint meetings, and other public bodies excepting such agencies which are determined by the chief administrative officer of local, county or state government, authorities, joint meetings and other public bodies to be vital for public safety and welfare and the enforcement of the provisions of this order.

f. All retail trade establishments except pharmacies, surgical supply distributors, and stores primarily engaged in the sale of food.

g. Banks, credit agencies other than banks, securities and commodities brokers, dealers, exchanges and services; offices of insurance carriers, agents and brokers, real estate offices.

h. Wholesale and retail laundries, laundry services and cleaning and dyeing establishments; photographic studios; beauty shops, barber shops, shoe repair shops.

i. Advertising offices, consumer credit reporting, adjustment and collection agencies; duplicating, addressing, blueprinting, photocopying, mailing, mailing list and stenographic services, equipment rental services, commercial testing laboratories.

j. Automobile repair, automobile services, garages.

k. Establishments rendering amusement and recreational services including motion picture theaters.

l. Elementary and secondary schools, colleges, universities, professional schools, junior colleges, vocational schools, and public and private libraries.

(4) All commercial and manufacturing establishments not included in this order will institute such actions as will result in maximum reduction of air pollutants from their operation by ceasing, curtailing, or postponing operations which emit air pollutants to the extent possible without causing injury to persons or damage to equipment.

(5) The use of motor vehicles is prohibited except in emergencies with the approval of local or state police.

(b) Source Curtailment

(1) Any person responsible for the operation of a source of air pollutants listed below shall take all required control actions for this Emergency level.

<u>Source of Air Pollution</u>	<u>Control Action</u>
(1) Coal or oil-fired electric power generating facilities	a. Maximum reduction by utilization of fuels having lowest ash and sulfur content. b. Maximum utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing and soot blowing. c. Maximum reduction by diverting electric power generation to facilities outside of Emergency Area.

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| (2) | Coal and oil-fired process steam generating facilities | <ul style="list-style-type: none"> a. Maximum reduction by reducing heat and steam demands to absolute necessities consistent with preventing equipment damage. b. Maximum utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing and soot blowing. c. Taking the action called for in the emergency plan. |
| (3) | Manufacturing industries of the following classifications:
Primary Metals Industries
Petroleum Refining
Chemical Industries
Mineral Processing Industries
Grain Industry
Paper and Allied Products | <ul style="list-style-type: none"> a. Elimination of air pollutants from manufacturing operations by ceasing, curtailing, postponing or deferring production and allied operations to the extent possible without causing injury to persons or damage to equipment. b. Elimination of air pollutants from trade waste disposal processes which emit solid particles, gases, vapors, or malodorous substances. c. Maximum reduction of heat load demands for processing. d. Maximum utilization of mid-day (12:00 noon to 4:00 p.m.) atmospheric turbulence for boiler lancing or soot blowing. |

1.4 MAJOR POINT SOURCES EMERGENCY REDUCTION PLAN

Any source of air pollution shall submit within thirty days of request by the Department, or delegated local air agencies, a plan designed to reduce or eliminate the emission of air pollutants in accordance with the objectives specified in Sections 1.1, 1.2, and 1.3. Each such plan shall be subject to review and approval by the Department. If, in the opinion of the Department or delegated agency, a submitted plan does not effectively carry out the objectives specified, the Department or agency may disapprove it, state reasons for

disapproval and require preparation of an amended/revised plan within a specified time period.

(a) Plan Description

Each plan shall be submitted in writing, shall identify the emitted pollutants, shall state the approximate amount (percentage) of expected reduction of pollutants and shall briefly describe the manner, method or technology employed to achieve the reduction during each severity level of an episode. Each plan, when approved by the Department, is (becomes) legally enforceable. During declared episodic conditions, a copy of the plan for a given source shall be made available on source premises to any person(s) authorized to enforce the provisions of the plan.

- (b) Emergency Reduction Plans will be obtained from point sources within one (1) year after submission of this Plan. These will be submitted in semi-annual progress reports until such legally enforceable schedules are obtained from all point sources.

2.0 COMMUNICATION AND CONTROL PROCEDURES

The following paragraphs are designed to "stand alone" as a "Manual of Operation". It should be distributed as required to individuals as designated by the Director.

2.1 COMMUNICATIONS

The Nebraska Emergency Management Agency (NEMA) was created and charged by Nebraska State Statute Section 81-829.31, Sections 81-829.36 to 81.829.75 to respond to emergencies within Nebraska. Amongst other duties, NEMA is responsible for providing an emergency management system and coordination of emergency response and recovery activities by agencies and officers of this state. NEMA is the primary agency for maintaining and coordinating the communications between and among the various public, state, and federal agencies; the National Weather Service; hospital and medical facilities; the emitting sources, the air quality monitoring station; and news media. Control of the system is focused in the State Emergency Operations Center (SEOC) located at NEMA headquarters in Lincoln, Nebraska.

2.1.1 REQUIREMENTS

Communication facilities of the EAS are provided by the Northwestern Bell Telephone Company and the Teletype Network established by the Weather Bureau. Unlisted number telephone lines will be made available in the EAC to allow access to the center only by authorized members of the System. This will preclude tying up the center phones with non-essential traffic.

(a) Meteorological Information

NEMA will coordinate with the National Weather Service for any necessary meteorological information, and information input at the SEOC, and provide that to agencies under an electronic reporting system (e.g. Knowledge Center or the electronic reporting system in use at time of emergency).

(b) Air Quality Information

The normal reporting frequency of the various stations in the Nebraska Ambient Air Monitoring Network is accelerated when first indications of a possible episode occurrence are recognized.

(c) Directives

Instructions to emitting sources, public agencies, police, and medical facilities will be coordinated through and issued by NEMA in coordination with the Governor and the NDEE as the situation dictates per existing NEMA procedures and protocols under and through the State Emergency Operations Plan in coordination with the various Emergency Support Function agencies.

(d) Public Information

The requirement to inform the populace of the situation in case of an episode occurrence, and to direct their appropriate/mandatory responses is met through existing NEMA procedures and protocols as directed by the Governor with the assistance of NDEE under the State Emergency Operations Plan.

(e) Effectiveness Reporting

The need for the SEOC to monitor the effectiveness of abatement actions and to access the adherence to planned strategies of sources is coordinated through the Department (under Emergency Support Function 10 and 12 of the State Emergency Operations Plan), supplemented by NEMA as necessary. Reporting of apparent violators or obvious ineffective results will be relayed to the SEOC (by Local Officials, State Officials, Emergency Managers, etc.). Dependent on the circumstances and what is reported, NEMA, will work in coordination with NDEE in acquiring resources to issue instructions to correct the reported deficiency or violation. (NEMA's role is in the collection of resources and directing requests to state and locals to address problems; it has no law enforcement capability as that rests with State Patrol (ESF13 and National Guard ESF15) and the local Emergency Manager(s)).

2.1.2 PROCEDURES

For each of the episode levels – 1.1 Alert Level, 1.2 Warning Level, and 1.3 Emergency Level – the Department will coordinate its required actions, as stated in 1.0 EMERGENCY EMISSION REDUCTION ACTION PLAN above, with NEMA and the State Emergency Operations Center; following existing SOEC procedures and protocols.

- (a) When Emergency Support Function #10 (ESF10), Oil and Hazardous Materials Response, is activated, the following operational requests may be made of other NDEE personnel. The extent of the response will vary depending on the scope of the event and the resources that are available with which to respond.
 - 1) Respond to the scene, inform the incident commander (IC) of arrival, and work within the Incident Command System (ICS). Tasks performed will not exceed the scope of Operations Level as described in 29 CFR 1910.120 (OSHA HAZWOPER).
 - 2) After assessing the incident scene, provide technical guidance to the IC concerning immediate response actions in order to minimize threat and impact to public health and safety and the environment.
 - 3) Determine the need for technical assistance from other agencies.
 - 4) Consult with NDEE, DHHS, and/or Agriculture about activation of ESF #10 and coordinate the response by the ESF state agencies.
 - 5) Request activation of the federal Regional Response Team as per the EPA Region 7 Response Plan when necessary.

- 6) Share with other agencies any available environmental and/or facility information critical to response actions.
- 7) Following consultation with local and state agencies, determine if environmental variances or waivers are necessary due to the scope of the event.
- 8) Establish a joint information center and coordinate the flow of information to the public.
- 9) Coordinate with state PIOs the release of information regarding the incident to the media and public.
- 10) Provide, either directly or in concert with DHHS and/or NEMA, press releases to the media and public concerning environmental and public health recovery actions, public safety.
- 11) Provide overall coordination, leadership, assessment, and technical assistance for public health needs for potential or actual events.
- 12) Supplement local law enforcement and/or Nebraska National Guard efforts to protect public safety and property during an event.

Forecast

Determination of specific actions to be taken during the period of an Episode Forecast involves many factors which will vary with each Forecast situation. Therefore, they cannot be considered in this planned set of procedures. However, some general guides are included below:

- 1) Although it should not be necessary to put all members of the Emergency Action team on duty during a Forecast situation each member should be notified of the possibility/probability of spending extra duty time should the situation worsen.
- 2) Selection of emitting sources to be notified should take into consideration the length of lead time each may need to implement their emergency reduction plans.
- 3) Any press release(s) supporting the declaration statement should emphasize that only a "conservative" response by the public is called for.

Termination

Except for episodes caused by unusually high emissions from one or more specific sources, termination of any level of episode severity will occur

only with an improvement in meteorological conditions. The Department will follow NEMA communications and procedures and protocols for declaring a termination.

Episode Reporting

Following termination of an episode of any level of severity, a report must be prepared for the Department Director's signature including:

- 1) Summary of significant events, including dates and times, identification of difficulties, effectiveness of reduction actions, etc.
- 2) Summary of estimated costs to:
 - a) NEMA and SEOC (using electronic reporting, e.g. Knowledge Center system)
 - b) Other public agencies involved
 - c) Sources
 - d) Public response
 - e) Detrimental health results - casualties, etc.

This report must be submitted to the Environmental Protection Agency Region VII Administrator within ten (10) days of the termination date.

Appendix II

EPA Rulemakings

CFR:	40 C.F.R. 52.1420(c)
FRM:	89 FR 66609 (8/16/2024)
PRM:	89 FR 47504 (06/03/2024)
State Submission:	12/02/2022
State Final:	Title 129, Chapter 7 (9/28/2022)
APDB File:	NE-106; EPA-R07-OAR-2024-0025 effective 9/16/2024
Description:	This revision approves the state of Nebraska's request to revise and renumber Appendix I, Emergency Emission Reductions, to Appendix II

Difference Between the State and EPA-Approved Regulation

None.

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)(41)
FRM:	60 FR 372 (01/04/95)
PRM:	60 FR 418 (01/04/95)
State Submission:	2/16/94
State Proposal:	9/16/93
State Final:	6/26/94
APDB File:	NE-31
Description:	This rulemaking separates Appendix I into two sections: the Emergency Emission Reduction Regulation and the Communication's Contact list.

CFR:	40 C.F.R. 52.1420(c)(37)
FRM:	54 FR 21059 (5/16/89)
PRM:	None
State Submission:	6/15/88
State Proposal:	2/5/88
State Final:	6/5/88
APDB File:	NE-21
Description:	EPA reapproved this as Appendix I to the Nebraska rules as part of an action to update the entire set of regulations in the Nebraska SIP.

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:	Unknown
APDB File:	NE-00
Description:	EPA approved provisions pertaining to implementation of emergency episode plans as Section VI in the original SIP.
