

# NEBRASKA ADMINISTRATIVE CODE

## Title 129 – Air Quality Regulations

### Chapter 11 EMISSIONS REPORTING, WHEN REQUIRED

001 Annual emissions inventory. Every source subject to a permit requirement under Chapters 3 or 6 will complete and submit to the Department an annual emissions inventory, if requested, on forms furnished by or acceptable to the Department by March 31, and will include emission information for the previous calendar year. This requirement applies whether or not a permit application has been filed or a permit issued. The inventory form will be certified in accordance with the requirements found at 40 CFR § 70.5(d).

002 The annual emissions inventory form will include the following information:

002.01 The source's name, description, mailing address, e-mail address, contact person and contact person's phone number, and physical address and location, if different than the mailing address.

002.02 A description of the existing (or proposed) facilities, modifications or operations including all processes employed; normal hours of operation; the nature and amounts of fuel and other materials involved; the probable nature, rate of discharge, and time duration of contaminant emissions; any other information relevant to air pollution control and available or capable of being assembled in the normal course of operation; and, if requested by the Director, ambient air quality and meteorological data.

002.03 The actual quantity of emissions, including documentation of the method of measurement, calculation or estimation, of:

002.03A Any single regulated air pollutant, not including any hazardous air pollutants as defined in Chapter 1, in a quantity greater than one ton.

002.03B Any single regulated hazardous air pollutant in a quantity greater than the reporting level listed in Appendix I of this Title.

002.03C Any combination of hazardous air pollutants in a quantity greater than 2.5 tons.

003 Actual emissions as defined in Chapter 1 will be calculated using one of the following methods, as appropriate, and subject to Department approval:

003.01 Source-specific emissions.

003.01A Any test method or procedure identified in Chapter 15.

003.01B Continuous emission monitor (CEM) data, provided that:

003.01B1 The CEM operation is, and has been for the reporting period, in compliance with all applicable requirements and applicable requirements under the Act;

003.01B2 The total operating time of the applicable emission unit and the CEM are included in the inventory report; and

003.01B3 The report includes an explanation of how the emissions were calculated using CEM data.

003.02 Where source-specific emission data are not available, the following may be used:

003.02A Any applicable method identified in the Compilation of Air Pollutant Emission Factors, Volume I, Stationary Point and Area Sources, Fifth Edition;

003.02B Any applicable method identified in Factor Information Retrieval System Version 5.0 Source Classification Codes and Emission Factor Listing for Criteria Air Pollutants, EPA-454/R-95-012, August 1995; or

003.02C A material mass balance equation.

004 Except as otherwise provided in 003 above, any other test methods and procedures used in determining actual emissions for the annual emissions inventory require approval by the Director.

005 The Director may require the submittal of supplemental information to verify or otherwise assure the quality of emissions reported.

Enabling Legislation: Neb. Rev. Stat. §81-1504(1)(2); 81-1505(12)(16)

## Chapter 11

### 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 11 (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 Chapter 06  
Emissions Reporting; When Required to Chapter 11.

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#### 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) and Part 70, Appendix A, Nebraska; City of Omaha; Lincoln  
Lancaster County Health Department, (g)  
FRM: 68 FR 52694 (09/05/2003)  
PRM: 68 FR 52724 (09/05/2003)  
State Submission: 05/01/2003  
State Final: 11/20/2002  
APDB File: NE-59  
Description: This revision clarifies emissions reporting requirements to distinguish between nonhazardous and hazardous pollutants, and a reference to Appendix III was added.

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CFR: 40 C.F.R. 52.1420(c) and Part 70, Appendix A, Nebraska; City of Omaha; Lincoln  
Lancaster County Health Department, (f)  
FRM: 68 FR 40528 (07/08/2003)  
PRM: 68 FR 40617 (07/08/2003)  
State Submission: 05/10/2002 and 11/05/2002  
State Final: 04/01/2002 and 07/10/2002  
APDB File: NE-54 and NE-57  
Description: The annual deadline for submitting the emissions inventory reporting form was changed to March 31 and sources are now allowed to submit their own form if acceptable to the Department and the appropriate method to be used in calculating actual emissions was clarified.

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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: 9/7/97  
APDB File: NE-41  
Description: In this revision, subsection 002.03B was clarified by changing the term "regulated air pollution" to "hazardous air pollution." Subsections 003.03 and 003.04 were revised to update reference to EPA emission factor documents.

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CFR: 40 C.F.R. 70, Appendix A, State of Nebraska (a)  
FRM: 60 FR 53872 (10/18/95)  
PRM: 60 FR 12521 (3/7/95)  
State Submission: 11/15/93  
State Proposal: 12/2/94  
State Final: 5/29/95

APDB File: NE-32

Description: The EPA fully approved the operating permits program submitted by the state of Nebraska for the purpose of complying with Federal requirements for an approvable state program to issue operating permits to all major stationary sources and certain other sources. The EPA also approved, under section 112(l), the state's program for accepting delegation of section 112 standards to enforce air toxics regulations.

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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: 2/16/95

State Proposal: 12/17/93

State Final: 6/26/94

APDB File: NE-31

Description: As part of the overall recodification of the Nebraska rules, the EPA approved a new rule which requires sources subject to the requirement to obtain an operating permit to submit an annual emission inventory.

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