Nebraska Department of Environmental Quality

July 2008

Air Waves

A bulletin produced by Nebraska Department of Environmental Quality's Air Quality Division

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EPA Finalizes Rules for Gasoline Industries

The Environmental Protection Agency (EPA) promulgated national emission standards for hazardous air pollutants (NESHAP) for gasoline dispensing facilities and gasoline distribution bulk terminals on January 10, 2008 (*73 Federal Register 1916*) located in 40 Code of Regulations (CFR) Part 63 Subparts CCCCCC (gasoline dispensing facilities) and Subpart BBBBBB (gasoline distribution bulk terminals). These rules will require all sources meeting the applicability requirements within this category to meet hazardous air pollutant emission standards reflecting the application of the generally available control technology (GACT).

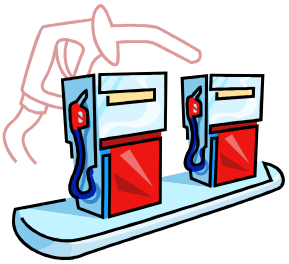
Subpart CCCCCC applies to gasoline dispensing facilities that are area sources of hazardous air pollutants (HAP). An area source of HAP has the potential to emit less than10 tons per year (tpy) of a single HAP or less than 25 tpy of a combination of HAP. A gasoline dispensing facility is defined as any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle. The affected source subject to this rule includes each gasoline cargo tank during the delivery of product to a gasoline dispensing facility and also includes each storage tank.

If your facility is subject to this rule and your monthly gasoline throughput is less than 10,000 gallons per month, you are not required to submit an initial notification. You must still comply with the requirements in the rule for facilities with less than 10,000 gallons throughput per month.

Following is a brief summary of the compliance requirements. The final rule provides a more detailed explanation regarding applicability and exemptions and should be reviewed prior to making an applicability determination.

<u>Compliance Requirements</u>:

- All facilities, must check for leaks and use good housekeeping procedures to prevent evaporation of gasoline, and
- Facilities with monthly gasoline throughputs of 10,000 gallons or more, must use submerged fill pipes for loading storage tanks, and
- Facilities with monthly gasoline throughputs of 100,000 gallons or more, must use vapor balancing between the storage tank and the tank truck.



The compliance date for existing affected sources (facilities which started up before January 10, 2008) is January 10, 2011. Facilities which started up after January 10, 2008 must comply upon startup.

If you are subject to 40 CFR 63 Subpart CCCCCC, you were required to complete and submit an initial notification form to

EPA Finalizes Rules for Gasoline Industries cont.

the Nebraska Department of Environmental Quality (NDEQ) and EPA by May 9, 2008.

Subpart BBBBBB affects bulk gasoline terminals, pipeline breakout stations, pipeline pumping stations, and bulk gasoline plants that are area sources of hazardous air pollutants (HAP). An area source of HAP has the potential to emit less than10 tons per year (tpy) of a single HAP or less than 25 tpy of a combination of HAP.
Bulk gasoline terminals or pipeline breakout stations subject to the control requirements of 40 CFR Part 63 Subpart R – NESHAP for Gasoline Distribution (Stage I) are not subject to this rule.

Following is a brief summary of the compliance requirements. The final rule provides a more detailed explanation regarding applicability and exemptions and should be reviewed prior to making an applicability determination.

Compliance Requirements:

- Best seals on most storage tanks at terminals and pipeline facilities;
- Use of submerged fill pipes when loading storage tanks at bulk plants;
- Vapor processors to control tank truck loadings at most bulk terminals;
- Use of submerged fill pipes to control tank truck loading emissions at bulk plants and small bulk terminals;
- Leak testing of tank trucks and railcars; and
- Checking for leaks and using good housekeeping procedures to prevent evaporation of gasoline.

The compliance date for existing affected sources (facilities which started up before January 10, 2008) is January 10, 2011. Facilities which started up after January 10, 2008 must comply upon startup.

If you are subject to 40 CFR 63 Subpart BBBBBB, you were required to complete and submit an initial notification form to the Nebraska Department of Environmental Quality (NDEQ) and EPA by May 9, 2008.

More Information
Please refer to the Federal Register notice containing the final rules at http://www.epa.gov/ttn/atw/area/fr10ja08.pdf for more detail and http://www.epa.gov/ttn/atw/area/fr07mr08.pdf for the March 7, 2008 correction to the final rule. EPA has also developed brochures describing the rule requirements and can be viewed on their website at http://www.epa.gov/ttn/atw/area/bulkgasb.pdf and http://www.epa.gov/ttn/atw/area/gdfb.pdf. and http://www.epa.gov/ttn/atw/area/bulkgasb.pdf.

The initial notification forms are located on the NDEQ website at www.deq.state.ne.us under Publications & Forms, Air Toxics Program, Applications and Forms. If you are located in Lancaster County or the city limits of Omaha, your notification must be sent to the Lincoln-Lancaster County Health Department or Omaha Air Quality Control, respectively.

If you have any questions, contact Allison Zach, NDEQ Air Toxics Coordinator at 402-471-4103 or Allison.zach@ndeq.state.ne.us.

Air Toxics Information on the Web

The NDEQ website now has forms and guidance information on the new area source MACT standards. The forms can be found at the NDEQ website www.deq.state.ne.us under Publications & Forms, Air Toxics Program, Applications and Forms.
The NDEQ Website contains initial notification forms for the following Area Source Standards:

- Gasoline Dispensing Facilities
- Gas Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities
- Hospital Ethylene Oxide Sterilizer
- Iron and Steel Foundry
- Secondary Nonferrous Metals Processing
- Wood Preserving

Guidance documents can be found at the at the EPA Area Source Website: http://www.epa.gov/ttn/atw/area/arearules.html. News releases on these standards can be found on the NDEQ website www.deq.state.ne.us under NDEQ News.

Final Area Source Rules refer to the Federal Register notice containing the final rule at http://www.epa.gov/ttn/atw/area/arearules.html. EPA has also developed brochures and example forms for the area source rules found at the Area Source Website address above.

EPA Vacates Clean Air Mercury Rule

On February 8, 2008, the District of Columbia Circuit Court of Appeals, in a unanimous decision, vacated the EPA's mercury cap-and-trade rule, known as the Clean Air Mercury Rule (CAMR), and the associated New Source Performance Standard (NSPS).

In the decision, the DC Circuit Court found that EPA's action to remove oil- and coal-fired electric generating units (EGUs) from the list of source categories to be regulated under the Clean Air Act (CAA) Section 112 did not comply with the requirements of the statute. CAMR was vacated because the court determined that EGUs must be regulated under CAA Section 112 standards, rather than the Section 111-based standards (NSPS).

The vacatur was mandated by the Court on March 14, 2008 and the associated mercury rules are no longer effective. The court decision can be reviewed on EPA's CAMR webpage at http://www.epa.gov/ttn/atw/utility/utiltoxpg.html. On May 20, 2008, the U.S. Court of Appeals for the DC Circuit denied requests by EPA and the Utility Air Regulatory Group for a rehearing on the court's February 8, 2008 decision to vacate CAMR. This denial means the order to vacate CAMR remains in effect.

EPA is now required to develop a maximum achievable control technology (MACT) standard for coal- and oil-fired EGUs. Prior to promulgation of a new standard, state and local permitting authorities will have to issue case-by-case MACT standards for new and reconstructed EGUs. Newly constructed facilities or reconstructed units at existing facilities would be subject to the case-by-case MACT requirements if they have the potential to emit 10 tons or more of an individual hazardous air pollutant (HAP) or 25 tons or more of a combination of HAPs. Reconstruction" is defined as a modification that costs 50 percent of the cost of constructing a new unit or source similar to the rebuilt unit.

EPA has determined that existing EGU's will not be subject to the case-by-case MACT standards under 112(j) of the CAA. 112(j) case-by-case MACT determinations are required if EPA fails to promulgate a standard for a listed source category by the deadline established in the CAA. Those listed source categories are found in 112(c) of the CAA. Their determination that the provisions of 112(j) do not apply is based on the fact that EGUs were not listed under 112(c), but were listed to be regulated under 112(n) of the CAA.

If you have questions related to the mercury regulations, contact Melissa Ellis at (402) 471-6624.

NDEQ to Host Air Update Workshops

The NDEQ Air Quality Division will be hosting the 2008 Air Update Workshops in August. The workshops will be held from 9:00 am – 3:30 pm in Norfolk, Lincoln, and Kearney and 8:30 am – 3:00 pm in Scottsbluff.

August 12th – Norfolk – Lifelong Learning Center, Northeast Community College
August 14th – Lincoln – Holiday Inn Downtown
August 19th – Kearney – Holiday Inn – I-80 exit
August 20th – Scottsbluff – Western Nebraska Community College – Harms Advanced Technology Center

The Air Update Workshops will provide the attendee updates on current air quality regulations and issues. We encourage anyone working with the air quality regulations to attend. The workshop will be free of charge. Thanks to our great sponsors, attendees will be provided lunch and have the opportunity to win door prizes.

If you would like to register for the 2008 Air Update Workshops, view the brochure and registration information on the NDEQ website under the Calendar of Events. You can also contact Melissa Ellis at (402) 471-6624 or melissa.ellis@ndeq.state.ne.us for information.

2008 Air 101 Workshops Successful

The NDEQ Air Quality Division hosted two Air Quality 101 Workshops held in Kearney and Norfolk on May 7th and May 14th. The workshops provided a general overview of the air quality regulations, permitting, and compliance programs. The workshops lasted approximately seven hours, which included an hour for lunch.

We were able to provide morning and afternoon snacks to the workshop attendees through the donations from sponsors. The companies who sponsored the events were Terracon, NPPD, NE Air Quality Specialties, HDR, Spinakker Process Instruments, KAAPA, Frito-Lay, and Geotechnical Services.

Following is a summary of the workshops:

Location	Attendance	Pretest Score	Post Test Score
Kearney	66	52.4%	67.14%
Norfolk	59	54.26%	78.04%
Total	**198**	**53.33%**	**72.59%**

On a scale of 1-5, 5 being the best:

Location	Workshop	Facilities	Presenters
Kearney	3.92	4.27	3.97
Norfolk	4.20	4.63	4.20
Total	**4.06**	**4.45**	**4.09**

Length of time attendee has worked with air regulations:

Location	1 year or less	>1 and <5 years	>5 and <10 years	>10 years
Kearney	33%	31%	11%	25%
Norfolk	43%	23%	15%	19%
Total	**38%**	**27%**	**13%**	**22%**

- **96%** of all participants left with a better understanding of the Air Quality Program.
- **98%** would attend another Air Workshop in the future.

If you would like to receive future Air Division Workshop announcements, contact Melissa Ellis at (402) 471-6624 or melissa.ellis@ndeq.state.ne.us.

"Moving On Up" Needs A New Air Quality Construction Permit

Dear Air Quality Lady:

Our lease has expired where our company, Coating To You, is currently located. We have found a new building about a mile away perfect for us. We currently have a construction permit for our coating lines. We aren't planning on changing any of the processes, only the address in which they are located. Will our current construction permit still be valid?

Signed – Moving on Up

Dear Moving on Up:

I'm so glad you asked! As a matter of fact, you will need to obtain a new construction permit, because the current permit is only valid for the location stated on the permit. If you read the General Conditions of your permit, you will find that it explicitly states that the "permit is not transferable to another source or location." It doesn't make any difference if you move one block or 100 miles away, the permit is not valid for the new location.

When NDEQ receives a permit application, the application is evaluated based on its location, as well as, the status of air quality, topography, and other emission sources surrounding that particular location. Once you move, this must be evaluated based on the new location to determine what permit conditions would apply to the new facility. Additionally, NDEQ assigns a unique facility identification number to each company in Nebraska based on its physical address.

You will need to submit a new construction permit application for the new location, along with the appropriate application fee. The NDEQ will evaluate the new application and location, issue a new permit, and assign a new facility identification number. You will have to have the new permit before you can begin construction. If you have any questions, don't hesitate to call the Air Quality Permit Hotline at (877) 834-0474 or the Air Quality Division at (402) 471-2189.

Signed- The Air Quality Lady

Have a burning question? Send it to the Air Quality Lady at Melissa.ellis@ndeq.state.ne.us.

FAQs about Attainment & Nonattainment

The purpose of this article is to explain what attainment and nonattainment means, how we know if an area is in attainment or nonattainment, and what the implications of each designation are to the citizens and industry in Nebraska.

What is ambient air?

Ambient air is the atmosphere, external to buildings, to which the general public has access. Areas within the fenced or restricted access boundaries of industrial facilities are generally not considered ambient air for the purposes of the air quality program. Workplace (indoor) air pollution exposure is regulated by the Federal Occupational Health and Safety Administration (OSHA).

What are the ambient air quality standards?

Air quality regulations in the United States are based on a set of air quality standards known as the **National Ambient Air Quality Standards,** or **NAAQS**. The primary NAAQS are set at the levels to protect the public health with "an adequate margin of safety." Additionally, secondary NAAQS were created to protect the environment and public welfare. These standards are based on scientific studies conducted over many years. The standards are expressed as either micrograms per cubic meter or parts per million, over a specified period of time.

There are standards for six categories of pollutants, known as "criteria pollutants": particulate matter less than ten and two and a half microns in diameter (PM_{10} and $PM_{2.5}$), sulfur dioxide, nitrogen dioxide, ozone, carbon monoxide and lead. These pollutants can harm your health and the environment, and cause property damage. Of the six pollutants, particulate matter and ground-level ozone are the most widespread health threats. For more information related to these pollutants, view the "Air Pollutant Fact Sheet" on the Nebraska Department of Environmental Quality (NDEQ) website. The NAAQS can be found in Chapter 4 of Title 129 – Nebraska's Air Quality Regulations.

What do the terms attainment and nonattainment mean?

If the concentration of one or more criteria pollutants in a geographic area is found to exceed the regulated or 'threshold' level for one or more of the NAAQS, the area may be classified as a **nonattainment** area. Areas with concentrations of criteria pollutants that are below the levels established by the NAAQS are considered either **attainment** or unclassifiable areas.

How do we know if an area is in attainment or not?

NDEQ has several ambient air monitors located throughout the state to measure the concentrations of pollutants in the ambient air. A summary of Nebraska ambient monitoring data is published annually in the "Nebraska Air Quality Report," which can be found on NDEQ's website.

Has Nebraska ever had a nonattainment area designation?

Yes, the most recent nonattainment area in Nebraska, was one for the pollutant lead. That nonattainment area was located in Omaha. Due to efforts from NDEQ, EPA, Omaha Air Quality Control, and the local industries, the area came back into attainment in 2001.

The Cass County/Weeping Water area came very close to the nonattainment designation for particulate matter less than 10 microns in diameter (PM_{10}). Exceedences or near exceedences of the NAAQS were measured between 1998-2000. The NDEQ and the Cass County Air Conservation Commission (CCACA), an industry organization, began working on an emissions reduction action plan in 1999. The CCACA, as well as local, state and federal government agencies began a project that was based on the voluntary reduction of emissions from the local rock production companies located in that area.

Emissions reductions plans were developed and implemented. Because of the positive response and involvement of multiple levels of government, EPA allowed Nebraska to continue with the voluntary process instead of requiring the Governor to issue a declaration of nonattainment in the Weeping Water area for the exceedences of the NAAQS. The voluntary measures continue and the area has not measured the high readings as it had in previous years.

Currently, all areas in Nebraska are either in attainment or are unclassifiable. However, as EPA continues to revise and tighten ambient standards, Nebraska's attainment status could change in the future. See the related article in this edition of AirWaves "EPA Tightens Ozone Standards - Implications for Nebraska."

What will be required if an area is designated nonattainment?

A state implementation plan (SIP) must be submitted to EPA for the nonattainment area. Through this plan, a state will design its approach to reducing the pollutant levels in the air and, if appropriate, any emissions of precursor pollutants. Precursors are those pollutants which can form another pollutant in the atmosphere. For example, VOCs and NOx are precursor pollutants for ozone. The approach to reducing criteria air pollutants taken by the Clean Air

Attainment cont.

Act covers many different sources and a variety of clean-up methods.

These air pollution control programs could include the nonattainment New Source Review permit program and Federal General Conformity and Transportation Conformity programs. State plans will make sure power plants, factories and other pollution sources meet clean-up goals by working through the air pollution permitting process that applies to industrial facilities. Working with the EPA, a state or local authority will also implement programs to further reduce emissions of pollutant precursors from sources such as cars, fuels, and consumer/commercial products and activities.

After the area is designated as nonattainment, the area must meet the federally mandated deadlines established by the 1990 Amendment to the Clean Air Act for compliance with the national ambient air quality standards. In the interim, it must be demonstrated to the EPA that reasonable further progress toward improving the air quality is being made in the nonattainment area.

Is economic development impacted in a nonattainment area?

Economic development would not be impacted directly by a nonattainment designation, but there could be indirect, costly consequences due to the designation. Industrial facilities could be required to install pollution control equipment, take limits on their production, or otherwise find reductions in emissions by "offsetting" in order to expand. New facilities wanting to locate in a nonattainment area will most likely be required to install pollution controls or take stringent operational limits.

Voluntary measures to reduce emissions may also be implmented in the nonattainment area. Mobile vehicle emissions contribute to the formation of ozone and PM2.5. A nonattainment area strategy may include improvement to its mass transit systems and provide incentives or encouragement to reduce emissions from motor vehicles such as introducing carpool lanes and a centralized carpool list; providing incentives to utilize mass transit; encouraging refueling at different times of the day; encouraging biking and walking; reducing idling emissions especially from diesel buses and trucks; providing incentives to utilize renewable fuels; and many other measures to encourage behaviors from the general public that may impact the local air quality.

Are surrounding communities impacted from a nonattainment designation?

Air pollution knows no boundaries. Many factors contribute to the fate and transport of pollutants including local or regional topography, wind direction and speed, weather patterns, type of pollutant, and sources of the pollutant. Due to these factors, it is possible for communities surrrounding a nonattainment area to be impacted by pollution in the nonattainment area.

The state or local permitting authority or EPA may conduct a computer modeling analysis to help determine how the pollution in the region is being transported and what areas or sources are contributing to the regional pollution. Based on this analysis, the state or local air quality authority may need to work with the surrounding communities that potentially impact the nonattainment area to reduce their emissions. The degree to which surrounding communities or businesses must reduce their emissions will depend on their level of contribution, the type of pollutant, sources of the pollutant, and other factors specific to that region.

If you have questions related to nonattainment areas, contact the NDEQ Air Quality Division at (402) 471-2189.

EPA Tightens Ozone Standards

On March 12, 2008, EPA strengthened its national ambient air quality standards (NAAQS) for ground-level ozone, the primary component of smog. These changes, once implemented, will provide for improved public health protection and the protection of sensitive trees and plants.

EPA revised the 8-hour "primary" ozone standard, designed to protect public health, to a level of 0.075 parts per million (ppm). The previous standard, set in 1997, was 0.08 ppm. Because ozone is measured out to three decimal places, the standard effectively became 0.084 ppm as a result of rounding.

EPA also set the secondary 8-hour ozone standard to the level of 0.075 ppm making it identical to the revised primary standard. EPA decided to strengthen the secondary ozone standard after concluding that the 1997 secondary standard is not adequate to protect public welfare.

The Clean Air Act requires EPA to designate areas as attainment (meeting the standards), nonattainment (not meeting the standards), or unclassifiable (insufficient data to classify) after the Agency sets a new standard, or revises an existing standard. See the article in this AirWaves edition FAQ's about Attainment & Nonattainment" for more information.

The following schedule will apply to the revised ozone standards:

- States must make recommendations to EPA no later than March 2009 for areas to be designated attainment, nonattainment or unclassifiable.
- EPA will issue final designations of attainment, nonattainment or unclassifiable no later than March 2010, unless there is insufficient information to make these designation decisions. In that case, EPA will issue designations no later than March 2011.
- States must submit State Implementation Plans outlining how they will reduce pollution to meet the standards by a date that EPA will establish in a separate rule. That date will be no later than three years after EPA's final designations. If EPA issues designations in 2010, then these plans would be due no later than 2013.
- States are required to meet the standards by deadlines that may vary based on the severity of the problem in the area.
- EPA will issue a separate rule to address monitoring requirements necessary to implement the new standards. EPA intends to propose a monitoring rule in June 2008 and issue a final rule by March 2009.

How will the revised standard affect Nebraska?
Currently, there are two areas in Nebraska where ozone monitoring occurs: Omaha and Lincoln. The Lincoln Metropolitan Statistical area (MSA) measures attainment with the revised standards with an ample margin of compliance. The Omaha-Council Bluffs Metropolitan Statistical Area (MSA) also currently measures attainment with the revised standard.

However, the Omaha-Council Bluffs MSA has been maintaining a design value of 0.074 to 0.075 ppm since 2002. A design value is the statistical value used to compare against the standard for attainment purposes. Table 1 shows the design values for the Omaha-Council Bluffs MSA and the Lincoln MSA. If ozone levels continue to trend upward as they appear to have in recent years, the Omaha-Council Bluffs MSA could become non-attainment in the future.

If a non-attainment status was determined, a State Implementation Plan (SIP) would need to be developed. The SIP would set forth the additional pollution control measures needed to achieve attainment with the standard. Pollution transport would be evaluated in the development of the SIP. Thus, the SIP may require the implementation of controls in areas both inside and outside the Omaha-Council Bluffs MSA.

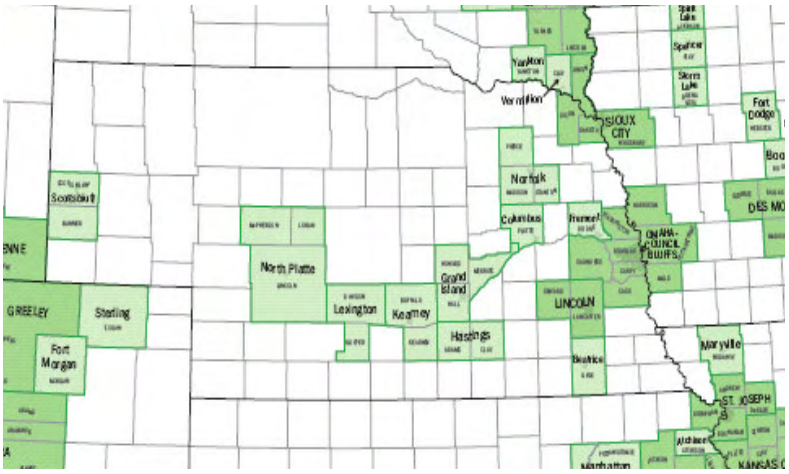
Figure 1 below shows the Metropolitan and Micropolitan areas in Nebraska (Areas defined by the US Census Bureau) and how they relate geographically to the Omaha-Council Bluffs MSA. See the article in this edition of AirWaves "FAQ's about Attainment & Nonattainment" for more information.

Table 1: Design Values [(a) (b)]

Monitoring Site	2002-04	2003-05	2004-06
Omaha – Council Bluffs MSA			
2411 O St., Omaha, NE	0.068	0.067	0.070
11414 N 72nd St., Omaha, NE	0.068	0.067	0.065
30th & Fort Sts., Omaha, NE	0.060	0.066	0.068
Pisgah (Harrison County), IA	0.074	**0.075**	**0.075**
Lincoln MSA			
Davey, NE	0.057	0.057	0.056

Footnotes:
(a) The 3 –year averages shown above are used to evaluated compliance with the 8-hour ozone standard.
(b) All concentrations expressed in units of parts per million (ppm).
Yellow background designates levels at or exceeding 0.075 ppm.

Figure 1: The Location of MSAs and MiSAs in and near Nebraska



Light green designates Micropolitan Statistical Areas
Dark green designates Metropolitan Statistical Areas

NDEQ Receives Environmental Trust Grant to Support Mercury Monitoring

In May 2008, the NDEQ Air Quality Division received a two year grant for $41,000 from the Nebraska Environmental Trust to establish a wet deposition mercury monitoring site near Lake Maloney in North Platte. NDEQ has partnered with the University of Nebraska (UNL) to collect mercury samples from a site established near mead NE since July of 2007. UNL will also operate the site at Lake Maloney.

Both mercury monitoring projects are part of a national network called the mercury deposition network (MDN). The objective of the MDN is to develop a national database of weekly concentrations of total mercury in precipitation and the seasonal and annual flux of total mercury in wet deposition. The MDN will use the data to develop information on spatial and seasonal trends in mercury deposition to surface waters, forested watersheds, and other sensitive receptors.

Weekly precipitation samples are collected by UNL and results of the sampling can be viewed on the MDN website at http://nadp.sws.uiuc.edu/mdn. There is six month delay from the time the sample is collected to when the data is posted on the site.

Facts about Mercury

Mercury is a naturally occurring substance, but can enter the environment from human activities. These activities include air emissions and improper disposal of mercury-containing products.

Mercury is emitted into the atmosphere from fossil fuel combustion. After being emitted, airborne mercury can travel hundreds or thousands of miles before falling back to Earth through rain, snow and dry depositions. It can end up in our rivers and lakes, and can accumulate in the fish that we consume.

Mercury can also enter the environment from mercury-containing products that are discarded or broken. Although traveling a different pathway, the main concern regarding this form of mercury waste pollution is the same as with mercury air pollution – eventually, the mercury can find its way into our rivers and lakes, and into the fish we eat.

When mercury from human activity gets into our rivers and lakes, it can transform into methyl mercury, and can accumulate in fish tissue. Consumption of fish that contains mercury is considered the primary path of human exposure. Methylmercury is highly toxic to mammals, including people, and causes a number of adverse effects. Health studies and information showing neurotoxicity, particularly in developing organisms, are most abundant. The brain is the most sensitive organ for which suitable data are available to quantify a dose-response relationship.

Mercury in Nebraska

Fish consumption is the primary source of exposure to mercury in Nebraska. Due to this, NDEQ has been regularly collecting fish for tissue analysis since 1986. As of July 2007, Nebraska had fish tissue advisories at 19 lakes and three streams.

There are 514 publicly-owned lakes and reservoirs, and over 1500 stream segments in Nebraska. For the current listing of waters with tissue advisors go mercury, go to the NDEQ's website at http://www.deq.state.ne.us/AirDivis.nsf/Pages/A-4.

Within Nebraska, there has been limited data on the concentrations of mercury in the air or soil. NDEQ hopes data and information collected from the monitoring sites can be used to evaluate the impacts of mercury reduction actions, both regulatory and non-regulatory.

New Source Performance Standards (40 CFR 60; Title 129, Chapter 18)

Subpart DD – Grain Elevators

In the last issue of AirWaves, there was a discussion of "temporary grain storage" at grain elevators that are considered permanent storage for the determination of permanent storage capacity for NSPS Subpart DD applicability determination.

A further clarification is that storage bins have permanent asphalt or concrete foundations and rigid sidewalls, but a long-lasting tarp or other cover is not required. Storage bins for grain are included in the permanent storage capacity of the facility to determine the applicability of NSPS Subpart DD. A facility is subject to NSPS Subpart DD if the permanent storage capacity is greater than 2.5 million bushels for grain terminal elevators or greater than 1 million bushels for grain storage elevators.

NSPS Standards cont.

Subparts D, Da, Db, Dc – Steam Generating Units

EPA proposed changes to Subparts D, Da, Db, Dc on June 12, 2008 (Federal Register 73FR33641-33659). The proposed changes for these subparts included minor typographical or grammatical corrections, as well as minor corrections for clarification. The following are the significant changes to the subparts:

1. Low sulfur content fuel oil is to be exempted from COMS (Continuous Opacity Monitoring System) and SOx CEMS (Continuous Emission Monitoring System) monitoring, but owner/operator must have fuel receipts or fuel sampling/analysis. Low sulfur content fuel oil is described in the proposed language. (Subpart Dc already had this exemption.)
2. Units with opacity limitations but that don't use a COMS are required to conduct annual testing using EPA Method 9, Method 22 or digital opacity compliance system. If the results from the Method 22 or use a digital opacity compliance system testing are in excess of 5% of opacity limit, then a Method 9 test must be conducted within 24 hrs.

Subparts Y, OOO, and UUU – Coal Preparation Plants, Non-Metallic Mineral Processing Plants, and Calciners/Dryers in Mineral Industries

EPA proposed changes to Subparts Y, OOO, and UUU in April 2008. The proposed changes for Subparts Y and OOO included a reduction in allowable PM emission rate and opacity percentages for units constructed, reconstructed, or modified after the date the proposed changes were published in the Federal Register (April 28, 2008 for Subpart Y and April 22, 2008 for Subpart OOO). Additional requirements (testing, monitoring, recordkeeping, reporting) were added to Subparts Y and OOO for the units constructed, reconstructed, or modified after April 2008. The requirements for existing units subject to Subparts Y or OOO, which haven't been reconstructed or modified after April 2008, weren't changed. Subpart UUU proposed an exemption from the subpart for processes for thermal reclamation of industrial sand at metal foundries.

Subpart JJJJ – Spark Ignition Reciprocating Internal Combustion Engines

On January 18, 2008, EPA promulgated the NSPS Subpart JJJJ and modifications to NESHAP Subpart ZZZZ for spark ignition reciprocating internal combustion engines (SI ICE). These engines use a spark plug or other sparking device for ignition. They typically will use gasoline, ethanol, natural gas, LPG, landfill gas, and/or digester gas for fuel. All sizes of SI ICE are covered by the subpart. SI ICE that commences modification or reconstruction after June 12, 2006 are subject to NSPS Subpart JJJJ. A new SI ICE that was ordered from the manufacturer (commences construction) after June 12, 2006, is subject to Subpart JJJJ if the engine was manufactured after the following dates (based on horsepower and engine type). All SI ICE installed after the following installation dates are subject to Subpart JJJJ:

HP	Engine type	Manufactured date	Installation date
≥500 hp	All units ex-	July1, 2007	January 1,
≥1350 hp	Lean-burn	July 1, 2007	January 1, 2010
≥500 hp and < 1350 hp	Lean-burn	January 1, 2008	January 1, 2010
<500 hp	Non-emergency	July 1, 2008	July 1, 2010
≤ 25 hp	Emergency	July 1, 2008	July 1, 2010
> 25 hp	Emergency	January 1,	January 1,

NSPS Applicability due to Changes Required by a NESHAP Subpart or Other Regulation

If an emission unit has to be changed due to requirements by a NESHAP subpart or other regulation, NSPS applicability will be determined if the change is a reconstruction or modification per NSPS Subpart A for an emission unit previously not subject to a NSPS subpart. Reconstruction and modification are defined as follows:

Reconstruction – Replacement of components of an existing facility to such an extent that the fixed capital cost of the new components exceed 50% of the fixed capital cost to construct a comparable new affected facility. (Some NSPS subparts exclude some components from the fixed capital cost because they are frequently replaced. See specific subpart for the exclusion.) and it is technologically and economically feasible to meet the applicable standard. Add-on control equipment, unless it is required as part of the process, is excluded from the fixed capital cost determination.

Modification – physical change or change of operation of existing facility which causes an increase in applicable pollutant emissions.

If you would like more information on New Source Performance Standards, contact Stephenie Moyer at (402)-471-0019 or Stephenie.moyer@ndeq.state.ne.us.

New Reporting Software for Emissions Trading Programs

EPA's Clean Air Markets Division (CAMD) has undertaken a project to re-engineer the process and data systems associated with emissions, monitoring plan, and certification data requirements for the Acid Rain, Nitrogen Oxide Budget, and Clean Air Interstate Rule (CAIR) emissions trading programs. On April 1, 2008, CAMD launched the Emissions Collection and Monitoring Plan System (ECMPS), which replaces the Emissions Tracking System (ETS), the Monitoring Data Checker (MDC) software, and a host of other related systems that are used to quality assure emissions data. ETS and some of the other systems have been in use since the Acid Rain Program began in the early 1990's.

Beginning with the first quarter of 2009, all industry sources **must** use the ECMPS to submit monitoring plan, QA/cert test and emissions data to the EPA for the Acid Rain and CAIR programs. **Sources will no longer be able to use MDC or ETS-FTP/SecuRemote to submit data after fourth quarter 2008**

The new software improvements include:

- ◊ Creating a single client tool for all users to check and submit data.
- ◊ Providing users with the ability to quality assure data prior to submission.
- ◊ Providing users with one set of feedback.
- ◊ Allowing for seamless updates to the client tool.
- ◊ Providing direct access to EPA's database through the client tool.
- ◊ Maintaining select data outside of the electronic data report.
- ◊ Creating new XML file format.
- ◊ Developing new security requirements.

Adding flexibility to the process is one of the main reasons for changing how monitoring and emissions data are quality assured and submitted. There are several changes to the process that will involve adding flexibility:

- ◊ Monitoring plans will no longer be required as part of the quarterly file.
- ◊ On-going quality assurance test data may be submitted after the tests are performed—users will not have to wait to submit the data as part of a quarterly report.
- ◊ The new XML file format allows the data to be organized based on dates and hours instead of pollutant type.

CAMD is strongly encouraging sources to visit the EPA's ECMPS web page at http://www.epa.gov/airmarkets/business/ecmps/index.html. CAMD is also encouraging sources to contact and coordinate with their emission monitoring system vendor. The vendors have been testing ECMPS and commenting on the Reporting Instructions and XML schema documents and are intimately familiar with the upgrade.

Contact Information

If you have questions about the ECMPS project, want to participate in future meetings, or want to help test the new process, please contact Matthew Boze at (202) 343-9211 or boze.matthew@epa.gov, or Laurel DeSantis at (202) 343-9191 or desantis.laurel@epa.gov.

Truck Stop Electrification Benefits Drivers & Environment

What is Truck Stop Electrification?

There are an estimated 4.2 million large diesel trucks in American and 1.3 million that are long-haul trucks with sleeper cabs. Long-haul drivers typically idle their trucks for approximately eight hours per day, or as much as 1,800 hours annually, to comply with federal safety regulations. They may also idle for up to 24 hours while waiting on loads. Idling engines provide power for air conditioning, heating, and other cab appliances.

Truck Stop Electrification (TSE) can reduce the need for idling with its individual electrical service for each parking space. A heating and cooling ventilation unit sits above each parking space. The unit is connected to the Service Delivery Module by means of a flexible, reinforced, concentric hose which also houses the delivery mechanisms for the communications and entertainment packages. A simple window adapter is the only retrofit required for virtually any long-haul truck.

Truck Stop with IdleAire TSE

Truck Stop Electrification cont.

IdleAire Corporation is the developer and operator of many of the TSE systems in the nation. IdleAire's TSE system features include:

- ◊ 40 amps of 120-volt electric power;
  - ∗ Four inside and two outside GFCI-protected outlets for shore power wiring, engine block/fuel heaters, or in-cab appliances such as TVs, refrigerators, microwave ovens, etc.
- ◊ Filtered heat and air conditioning;
  - ∗ Two-stage 5,000 watt electric heater
  - ∗ 15,000 BTU air conditioner
  - ∗ Electronic thermostat with a temperature range from 65 to 85 degrees
- ◊ Telephone line;
  - ∗ Digital, voice over IP system
- ◊ Touchscreen games;
- ◊ Television service;
- ◊ Built-in touchscreen computer with internet access; and
  - ∗ Pentium-class computer with 10.4 inch color touch screen
  - ∗ Ethernet connection provides 10 mega bits per second
  - ∗ Wireless internet – available at many locations and available within the travel center area.
- ◊ Hit movies on demand, new releases, and more.

What are the benefits to the truck driver and fleet owners?

- ◊ Drivers will sleep better without the idling truck's noise, vibration, and fumes, resulting in fewer accidents due to driver's sleep deprivation.
- ◊ Drivers will have access to television, telephone, internet, and appliances.
- ◊ Amount of fuel used will be reduced due to decreased idling.
- ◊ Cost of TSE services are usually significantly less than the cost of fuel.
- ◊ Engine "wear and tear" caused by extended idling will be reduced.

What are the environmental benefits?

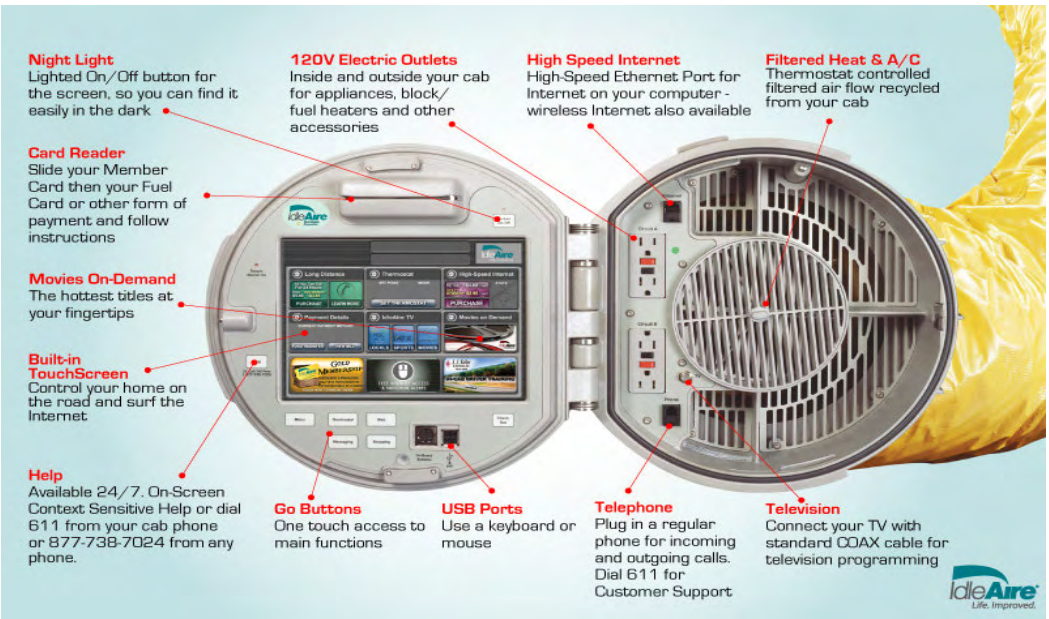
TSE systems can significantly reduce air emissions. Considering that a truck may use 1,800 gallons of diesel fuel per year idling, this equates to approximately five tons of nitrogen oxide emissions and 21 tons of carbon dioxide emissions. In areas where air pollution levels are high, TSE systems could be used to help state and local air pollution authorities achieve emissions reductions.

Where are TSE facilities available in Nebraska?

Currently, there is one TSE facility in Nebraska located at I-80 exit 353 near York, at the Petro Stopping Center. Eighty TSE stalls are available for drivers which also provide wireless internet. The US Department of Energy has a TSE locator which allows drivers to search for truck stops that offer idle reduction electrification options, such as Idle Aire and Shore-power systems at http://afdcmap2.nrel.gov/tse/.

For a current listing of IdleAire locations across the U.S., visit their website at http://www.idleaire.com/cms/ATE+Service+Locations/90.html.

IdleAire TSE System Window Mount Hardware



Mark Your Calendars!

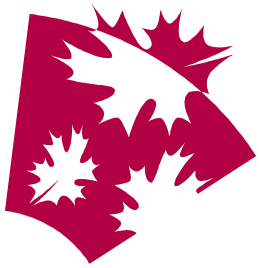
JULY 2008

1st	Environmental Quality Council Meeting	South Sioux City, NE
1st	2006 Emissions Inventory Fees due (Class I Sources)	
4th	NDEQ Office Closed	

AUGUST 2008

12th	Air Update Workshop	9:30 am – 3:00 pm	Life Long Learning Center, Norfolk
14th	Air Update Workshop	9:00 am – 3:00 pm	Holiday Inn Downtown, Lincoln
19th	Air Update Workshop	9:30 am – 3:00 pm	Holiday Inn I-80 exit, Kearney
20th	Air Update Workshop	9:30 am – 2:30 pm	Harms Technology Center, Scottsbluff

SEPTEMBER 2008



1st	NDEQ office closed
14th-20th	National Pollution Prevention Week
30th	Class I Semi-Annual Deviation Reports due

OCTOBER 2008

13th	NDEQ office closed	
28th-30th	Method 9 Opacity Certification Training (Smoke School). For registration information, go to www.eta-is-opacity.com/schedule.htm.	Lincoln

NOVEMBER 2008

11th	NDEQ office closed	
13th	Environmental Quality Council Meeting (tentative)	Lincoln
27th-28th	NDEQ office closed	

DECEMBER 2008

25th	NDEQ office closed

JANUARY 2009

1st	NDEQ office closed
19th	NDEQ office closed

FEBRUARY 2009

16th	NDEQ office closed

Regulatory Roundup

All air quality rules adopted by the Nebraska Environmental Quality Council (EQC) in 2007 were signed by Governor Heineman and became effective in February 2008. The February 16, 2008 version of Title 129 of the Nebraska Administrative Code (Air Quality Rules) incorporates these changes. Title 129 is available on the NDEQ website by clicking on the "Laws and Regulations" link. The changes are described in detail the past two editions of Air Waves, also available on the NDEQ website, by clicking on "NDEQ News," then go to the current edition of AirWaves. At the bottom of the AirWaves page are all of the past AirWaves editions.

During the past year, the U.S. Court of Appeals for the District of Columbia Circuit has vacated several federal air quality rules. Actions on federal regulations taken by this court are applicable to the entire country. Many of the state air quality rules in Title 129 simply incorporate federal rules, so when a federal rule is changed, the EQC must take action to repeal the state rule. During the time that such a state rule remains in Title 129, it is generally neither implemented nor enforced. All regulatory actions taken by the EQC are subject to review by the Attorney General and signature by the Governor before they become effective.

On June 8, 2007, the D.C. Circuit Court vacated the "Boiler MACT" (see January 2008 Air Waves for details). At the same time, the "CISWI Definitions Rule" portion of the New Source Performance Standard (NSPS) for Commercial and Industrial Solid Waste Incinerators was also vacated. At its meeting on July 1, 2008, the EQC repealed the Boiler MACT (Chapter 28, section 001.90) and reinstated the December 1, 2000 version of the CISWI standard (Chapter 18, sections 001.69 and 001.73).

Earlier in 2007, on March 13, three other MACT standards were vacated and the EQC voted on July 1, 2008 to repeal these from Chapter 28 as well. They include standards for Brick and Structural Clay Products; Clay Ceramic Products; and Plywood and Composite Wood Products Surface Coating (Chapter 28, sections 001.70, 001.71, and 001.89, respectively).

Another rule vacated by the D.C. Circuit Court was the federal Clean Air Mercury Rule. The rule would have required electric utilities in Nebraska to participate in a cap-and-trade program designed to reduce the national level of mercury emissions. It was vacated on February 8, 2008, three days after the Governor approved its incorporation into Title 129. July 1 action by the EQC removed all references to the Clean Air Mercury rule in Title 129, chapters 5, 7, 8, and 18.

At its July 1, 2008 meeting, in addition to repealing rules vacated by court action, the EQC also repealed the annual National Ambient Air Quality Standard (NAAQS) for PM_{10} which the EPA revoked in December 2006. It adopted a revised and more stringent federal 24-hour average standard for $PM_{2.5}$ which the EPA issued at the same time that it revoked the annual PM10 standard. The new 24 hour average standard for $PM_{2.5}$ is 35 micrograms per cubic meter, reduced from the prior standard of 65 micrograms per cubic meter.

The EQC also adopted updated NSPS standards for subparts A, D, Da, Db, and Dc that were issued by EPA on June 13, 2007. These changes generally relate to the use of Continuous Emissions Monitoring Systems (CEMS).

Finally, the EQC updated the reference to the Code of Federal Regulations (CFR) for incorporated MACT standards to reflect the standards as published in July 1, 2007 version of Title 40 of the CFR and also adopted ten recently issued area MACT standards. At the present time, only one of these standards has subject sources in Nebraska – the standard for wood preserving area sources.

NDEQ Awarded Grant to Reduce Diesel Emissions

The EPA's National Clean Diesel Campaign has awarded NDEQ's Air Quality Division a grant to help reduce diesel emissions in Nebraska. According to the EPA, reducing emissions from diesel engines is one of the most important air quality challenges facing the country.

Even with EPA's more stringent heavy-duty highway and nonroad engine standards set to take effect over the next decade and clean up new engines, millions of diesel engines already in use will continue to emit large amounts of nitrogen oxides, particulate matter and air toxics, which contribute to serious public health problems. These emissions are linked to thousands of premature deaths, hundreds of thousands of asthma attacks, millions of lost work days, and numerous other health impacts every year.

To address this national problem, Congress appropriated funds for the first time under the Energy Policy Act (2005) to help reduce harmful emissions from heavy duty diesel engines. Through the National Clean Diesel Campaign, the EPA will award grants to assist its eligible partners in building diesel emission reduction programs across the country that improve air quality and protect public health. For fiscal year 2008, the amount of funding available is $49.2 million. This year, Clean Diesel funding is split into two basic components: National Clean Diesel program (70 percent of funding) and State Clean Diesel Grant program (30 percent of funding).

Diesel Grant cont.

The National component has three parts:

National Clean Diesel Funding Assistance Program contains the majority of the funding dedicated to deployment of EPA-verified and certified technologies. This component will be administered by EPA's regional offices ($27.6 million for FY08).

National Clean Diesel Emerging Technologies Program fosters the deployment of innovative technologies through a national grant competition. To qualify as an emerging technology, a manufacturer must submit an approvable application and test plan for verification to EPA (approximately $3.4 million for FY08).

SmartWay Clean Diesel Financing Program allows EPA for the first time to issue competitive grants to establish low-cost revolving loans or other financing programs that will provide funding to fleets to reduce diesel emissions (approximately $3.4 million for FY08).

The grant to Nebraska is through the State Clean Diesel Grant Program, and is available directly to states like Nebraska interested in establishing state diesel emissions reduction programs. The $400,000, two year grant will provide funds for the retrofitting of diesel engines and utilization of idle reduction technologies within the more densely populated areas of Nebraska and areas that receive a disproportionate quantity of air pollution from diesel fleets.

Project goals are to retrofit a total of 228 diesel powered vehicles within the Omaha and Lincoln areas, including 135 school buses. The EPA and CARB (California Air Resources Board) verified retrofit technology selected for the project involves a configuration of a diesel oxidation catalyst muffler with a crankcase filtration system. Manufacturers' and EPA's specifications indicate a 44 percent total emissions reduction after installation of the retrofit unit on most diesel engines.

A previous grant provided for the retrofitting of school buses in Omaha and Lincoln Public Schools. As part of the grant activities, Lincoln Lancaster County Health Department monitored randomly selected Lincoln Public Schools' buses prior to and following the installation of retrofit technologies. Monitoring test results showed significant reductions in diesel emissions after the installation of diesel oxidation catalysts, especially in the interior of the buses where the children and drivers spend several hours each week during the school year.

As part of the grant, the NDEQ will conduct outreach activities to inform and educate fleet operators about the importance and value of idling technologies and practical approaches to reducing fuel consumption. The program will stress the importance of using ultra low sulfur diesel fuel. The grant runs through August 2010.

Contact Gerry Allen, (402) 471-4272, gerry.allen@ndeq.state.ne.us for additional information.

Federal Air Quality Regulatory Actions January 2008 – June 2008

The following tables list the actions the U.S. Environmental Protection Agency (EPA) has taken on air quality regulations from January 2008 – June 2008. The tables are sorted according to 40 Code of Federal Regulations Part. Each table is then sorted by date. You can find more detailed information related to these actions on EPA's website at http://www.epa.gov/fedrgstr/EPA-AIR/.

40 CFR Part 50 – National Ambient Air Quality Standards

Subpart Letter & Name	Date	Type & Summary of Action
NAAQS for Ozone	3/27/08	Final rule - Revising 8-hour primary and secondary standards to 0.075 parts per million (ppm). Making conforming changes to the Air Quality Index (AQI) for ozone Proposed 7/11/07.
NAAQS for Lead	5/20/08	Proposed rule to revise the Lead (Pb) NAAQS to within the range of 0.10 to 0.30 µg/m3 in conjunction with retaining the current indicator of Pb in total suspended particles but with allowance for the use of Pb-PM10 data, and alternative levels up to 0.50 µg/m3 and down below 0.10 µg/m3.

40 CFR Part 51 - Preparation, Adoption, & Submittal of State

Subpart Letter & Name	Date	Type & Summary of Action
I - Non-attainment New Source Review	5/16/08	Final regulations to implement the New Source Review (NSR) program for particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers.
Appendix M – Recommended Test Methods for State Implementation Plans	5/29/08	Proposal and direct final rule to add Method 207 - Pre-survey Procedure for Corn Wet Milling Facilities to the test methods in Appendix M of 40 CFR Part 51.

40 CFR Part 52 - Approval & Promulgation of Implementation Plans

Subpart Letter & Name	Date	Type & Summary of Action
A - Prevention of Significant Deterioration	5/16/08	Final regulations to implement the New Source Review (NSR) program for particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers.

Federal Rules cont.

40 CFR Part 59 – National Volatile Organic Compound Emission Standards

Subpart Letter & Name	Date	Type & Summary of Action
E - Standards for Aerosol Coatings	3/24/08	Direct Final Rule – to amend and clarify how compounds are added to the list in Tables 2A, 2B, or 2C of subpart E and when distributors and retailers are regulated entities.

40 CFR Part 60 – New Source Performance Standards

Subpart Name	Date	Summary of Action
JJJJ – Spark Ignition Internal Combustion Engines	1/18/08	Final rule - New, reconstructed, or modified engines of any size burning any fuel. Proposed 6/12/06.
OOO – Nonmetallic Mineral Processing Plants	4/22/08	Proposed amendment - to include revisions to the emission limits for affected facilities which commence construction, modification, or reconstruction 4/22/08. Includes additional testing and monitoring requirements for future affected facilities; exemption of affected facilities that process wet material from this proposed rule; changes to simplify the notification requirements for all affected facilities; and changes to definitions and various clarifications.
UUU – Calciners and Dryers in Mineral Industries	4/22/08	Proposed amendment - to address applicability of this proposed rule to thermal sand reclamation processes at metal foundries.
Y – Coal Preparation Plants	4/28/08	Proposed amendment - to tighten and add additional particulate matter emissions limits for sources constructed after 4/28/08. Also, proposing to clarify the procedures used to measure emissions from coal preparation plants and add new monitoring requirements for sources constructed after 4/28/08.
Appendix A – Test Methods	5/22/08	Final rule - Continuous instrumental test method amendments to correct errors, clarify certain provisions, and response to comment received on the direct final rule published 9/7/07,
VV – Synthetic Organic Chemical Mfg. (SOCMI) Leak Detection VVa – SOCMI Leak Detection (after 11/7/06) GGG – Petroleum Refineries Leak Detection GGGa – Petroleum Refineries Leak Detection (after 11/7/06)	6/2/08	Proposed rule and direct final – to extend stay of certain requirements of the rule for 60 days, beginning on 6/2/08, to prevent facilities from being out of compliance. (1) clarification of the definition of process unit in subparts VV, VVa, GGG, and GGGa; (2) assigning of shared storage tanks to specific process units in subparts VV, VVa, GGG, and GGGa; (3) connecter monitoring requirements in subpart VVa; and (4) the definition of capital expenditure in subpart VVa.

40 CFR Part 60 – New Source Performance Standards

Subpart Name	Date	Summary of Action
D, Da, Db, Dc – Fossil Fuel-Fired and Industrial, Commercial, & Institutional Steam Generators	6/12/08	Proposed rule - Amendments to correct errors and changes to ultra low sulfur oil exemption from SOx CEMS & continuous opacity monitor (COM) and Compliance determination for opacity requirements without COM.
F – Portland Cement Plants	6/16/08	Proposed rule – to emission limits for facilities which commence construction, modification, or reconstruction after 6/16/08. The proposed amendments also include additional testing and monitoring requirements for affected sources.
J – Petroleum Refineries	6/24/08	Final amendments - to several provisions, technical corrections, and clarifications. Proposed 5/14/07.
Ja – Petroleum Refineries constructed after 5/14/07	6/24/08	Final rule - New emission standards for refineries that construct, reconstruct, or modify after 5/14/07. Proposed 5/14/07.

40 CFR Part 63 – National Emission Standards for Hazardous Air Pollutants

Subpart Name	Date	Type & Summary of Action
ZZZZZ – Iron & Steel Foundries	1/2/08	Final rule - Area source rule for iron and steel foundries. Proposed 9/17/07.
HHHHHH – Paint Stripping and Misc. Surface Coating	1/9/08	Final Rule - Area source rules for paint stripping operations using methylene chloride and/or perform surface coating operations (auto body refinishing). Proposed 9/17/07.
BBBBBB - Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities	1/10/08	Final Rule - Area source rules for gasoline distribution, bulk terminals, bulk plants and pipelines. Effective 3/18/08. Proposed 11/9/06.
CCCCCC – Gasoline Dispensing Facilities	1/10/08	Final rule - Area source rules for gasoline dispensing facilities. Effective 3/18/08. Proposed 11/9/06.
ZZZZ – Reciprocating Internal Combustion Engines	1/18/08	Amendments to include new area sources and engines less than 500 horsepower. Proposed 6/12/06
Diesel Engines	1/24/08	Advanced notice of proposed rulemaking - is intended to explore options to achieve further emissions reductions, particularly from existing stationary diesel engines.
EEEEE – Iron & Steel Foundries	2/7/08	Final amendments – to add alternative compliance options for cupolas at existing foundries and clarify several provisions to increase operational flexibility and improve understanding of the final rule requirements.

Federal Rules cont.

40 CFR Part 63 – National Emission Standards for Hazardous Air Pollutants

Subpart Name	Date	Type & Summary of Action
HHHHHH – Paint Stripping & Misc. Surface Coating	2/13/08	Final Amendments- to final rule published 1/9/08. 1. On page 1761, in the second column, in Sec. 63.11173(b), in the seventh line from the bottom, ``more'' should read ``less''. 2. On the same page, in the same column, in the same section, in the same paragraph, in the fifth line from the bottom, ``management practices'' should read ``requirements''.
BBBBBB - Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities	3/7/08	Final amendments - Corrections to 1/10/08 final rule. Several incorrect references and 63.11092 of subpart BBBBBB, paragraph (a)(3) included a reference to conduct an initial performance test within 180 days of the ``rule promulgation'' date instead of the ``compliance'' date.
CCCCCC – Gasoline Dispensing Facilities	3/7/08	Final amendments - Corrections to 1/10/08 final rule. Several incorrect references amended.
WWWWWW – Plating & Polishing	3/14/08	Proposed Rule - for area source standards for sources electroplating (except chromium) and polishing and has emissions of cadmium, chromium, lead, manganese, or nickel.
LLLLLL - Acrylic and Modacrylic Fibers Production	3/26/08	Direct Final Amendments - correcting a regulatory citation in the second sentence of paragraph (a) in 40 CFR 63.11399.
MMMMMM – Carbon Black Production	3/26/08	Direct final amendments - correcting 40 CFR 63.11402. Made an editorial correction to the second sentence in paragraph (a) of 40 CFR 63.11406.
NNNNNN – Chemical Mfg. – Chromium Compounds	3/26/08	Direct final amendments - Revised paragraph (c)(3)(iii) of 40 CFR 63.11410. Made an editorial correction to the second sentence of paragraph (a) in 40 CFR 63.11413.
OOOOOO - Flexible Polyurethane Foam Production and Fabrication	3/26/08	Direct final amendments - Correcting a publication error in paragraph (b)(1) of 40 CFR 63.11416. Revising the introductory statement for Table 1 because provision apply only to those affected sources subject to 40 CFR 63.11416(b)(1). Making an editorial correction to the second sentence in paragraph (a) of 40 CFR 63.11420.
PPPPPP - Lead Acid Battery Manufacturing	3/26/08	Direct final amendments - Clarifying paragraph (c)(1) of 40 CFR 63.11423. Amending a cross-referencing error in paragraph (c)(2) of 40 CFR 63.11423. Correcting the date specified in 40 CFR 63.11425(c). Making an editorial correction to paragraph (a) of 40 CFR 63.11427. Correcting publication error in Table 1.

40 CFR Part 63 – National Emission Standards for Hazardous Air Pollutants

Subpart Name	Date	Type & Summary of Action
QQQQQQ - Wood Preserving	3/26/08	Direct final amendments - Correcting a regulatory citation in 40 CFR 63.11432. Making an editorial correction to the second sentence in paragraph (a) of 40 CFR 63.11434. Correcting Table 1 entry.
M – Perchloroethylene Dry Cleaners	4/1/08	Direct Final Amendments - to correct applicability cross references and to clarify that condenser performance monitoring may be done by either of two prescribed methods (pressure or temperature), regardless of whether an installed pressure gauge is present.
BBBB – Semiconductor Manufacturing	4/2/08	Proposed Amendments - to clarify the emission requirements for process vents by establishing a new MACT floor for existing combined HAP process vent streams and adding requirements for new and reconstructed combined HAP process vents. For existing combined HAP process vents, EPA had proposed that the floor was no control.
XXXXXX – Metal Fabrication & Finishing	4/3/08	Proposed rule - Proposal for area source standards for metal fabrication and finishing operations.
EEE – Hazardous Waste Combustors	4/8/08	Final Amendments - to clarify several compliance and monitoring provisions, and correcting several omissions and typographical errors.
EEEE – Organic Liquids Distribution (non-gasoline)	4/23/08	Direct Final Amendments - clarifying combustion control device compliance requirements, certain storage tank control compliance dates, and vapor balance system monitoring requirements. And correcting errors found in the 7/28/06 amendments.
IIIII- Mercury Emissions from Mercury Cell Chlor-Alkali Plants	6/11/08	Proposed Rule - to require work practice standards for the cell rooms and to require instrumental monitoring of cell room fugitive mercury emissions.
CCCCCC – Gasoline Dispensing Facilities	6/25/08	Proposed rule & Direct Final Rule - Only affects area source gasoline dispensing facilities with a monthly throughput of 100,000 gallons of gasoline or more. Proposal to amend the pressure and vacuum vent valve cracking pressure and leak rate requirements for vapor balance systems used to control emissions from gasoline storage tanks at new gasoline dispensing facilities.

Nebraska Department of Environmental Quality

Air Waves

A bulletin produced by Nebraska Department of Environmental Quality's Air Quality Division

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The objectives of the Air Quality Division are to achieve and maintain the ambient air quality standards, to protect the quality of the air in areas of the state that have air cleaner than the standards, and to implement air quality rules and regulations. By fulfilling these objectives, the Department is confident that public health and the environment will be adequately protected.

The major air quality programs are: the construction permit program, the operating permit program, the emission inventory program, the ambient air quality monitoring program, the inspection and compliance program, the planning and development program, and the asbestos program.

Three local agencies -- the Lincoln/Lancaster County Health Department, the Omaha Air Quality Control, and the Douglas County Health Department -- have accepted through contract with the NDEQ, responsibility for various facets of the program. These responsibilities include air quality monitoring, planning, permitting and enforcement within their areas of jurisdiction.

Federal Rules cont.

40 CFR Parts 72, 75, & 78 – Acid Rain Program & Continuous Emission Monitors

Subpart Name	Date	Type & Summary of Action
Part 72 - A – General Provisions Part 75 – A, & Appendices A, B, F, G, & K – Continuous Emissions Monitors & Quality Assurance	1/24/08	Final rule – Allows option of reporting emissions data in the new XML data reporting format in 2008, one year before the use of XML becomes mandatory. Provides the necessary record keeping and reporting requirements to support the XML format.

If you would like receive periodic air regulation updates, workshop announcements, and the electronic AirWaves Bulletin, contact Melissa Ellis at (402) 471-6624.