SECTION 18. NEW SOURCE PERFORMANCE STANDARDS AND EMISSION LIMITS FOR EXISTING SOURCES.

(A) Standards of Performance for New Stationary Sources. Notwithstanding any other provisions of these regulations, the following “Standards of Performance for New Stationary Sources”, also referred to as “New Source Performance Standards” (NSPS), published at 40 CFR Part 60, effective July 1, 2014, unless otherwise indicated are hereby adopted by reference and incorporated herein:

2. Subpart D: NSPS for Fossil-Fueled Steam Generators for Which Construction is Commenced After August 17, 1971
3. Subpart Da: NSPS for Electric Utility Steam Generating Units
4. Subpart Db: NSPS for Industrial-Commercial-Institutional Steam Generating Units
5. Subpart Dc: NSPS for Incinerators (applicable to municipal type waste incinerators)
6. Subpart Ea: NSPS for Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989 and on or Before September 20, 1994
7. Subpart Eb: NSPS for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996
8. Subpart Ec: NSPS for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996
9. Subpart F: NSPS for Portland Cement Plants
10. Subpart G: NSPS for Nitric Acid Plants
11. Subpart Ga: NSPS for Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011
12. Subpart H: NSPS for Sulfuric Acid Plants
13. Subpart I: NSPS for Hot Mix Asphalt Facilities
14. Subpart J: NSPS for Petroleum Refineries
15. Subpart Ja: NSPS for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007
19. Subpart L: NSPS for Secondary Lead Smelters
20. Subpart M: NSPS for Secondary Brass and Bronze Production Plants
23. Subpart O: NSPS for Sewage Treatment Plants
24. Subpart P: NSPS for Primary Copper Smelters
25. Subpart Q: NSPS for Primary Zinc Smelters
26. Subpart R: NSPS for Primary Lead Smelters
27. Subpart S: NSPS for Primary Aluminum Reduction Plants
28. Subpart T: NSPS for the Phosphate Fertilizer Industry – Wet-Process Phosphoric Acid Plants
29. Subpart U: NSPS for the Phosphate Fertilizer Industry – Superphosphoric Acid Plants
30. Subpart V: NSPS for the Phosphate Fertilizer Industry – Diammonium Phosphate Plants
31. Subpart W: NSPS for the Phosphate Fertilizer Industry – Triple Superphosphate Plants
32. Subpart X: NSPS for the Phosphate Fertilizer Industry – Granular Triple Superphosphate Storage Facilities
33. Subpart Y: NSPS for Coal Preparation and Processing Plants
34. Subpart Z: NSPS for Ferroalloy Production Facilities
35. Subpart AA: NSPS for Steel Plants – Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983
Subpart BB: NSPS for Kraft Pulp Mills
Subpart CC: NSPS for Glass Manufacturing Plants
Subpart DD: NSPS for Grain Elevators
Subpart EE: NSPS for Surface Coating of Metal Furniture
Subpart GG: NSPS for Stationary Gas Turbines
Subpart HH: NSPS for Lime Manufacturing Plants
Subpart KK: NSPS for Lead-Acid Battery Manufacturing Plants
Subpart LL: NSPS for Metallic Mineral Processing Plants
Subpart MM: NSPS for Automobile and Light Duty Truck Surface Coating Operations
Subpart NN: NSPS for Phosphate Rock Plants
Subpart PP: NSPS for Ammonium Sulfate Manufacture
Subpart QQ: NSPS for the Graphic Arts Industry: Publication Rotogravure Printing
Subpart RR: NSPS for Pressure Sensitive Tape and Label Surface Coating Operations
Subpart SS: NSPS for Industrial Surface Coating – Large Appliances
Subpart TT: NSPS for Metal Coil Surface Coating
Subpart UU: NSPS for Asphalt Processing and Asphalt Roofing Manufacture
Subpart WW: NSPS for the Beverage Can Surface Coating Industry
Subpart XX: NSPS for Bulk Gasoline Terminals
Subpart AAA: NSPS for New Residential Wood Heaters
Subpart BBB: NSPS for the Rubber Tire Manufacturing Industry
Subpart DDD: NSPS for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry
Subpart FFF: NSPS for Flexible Vinyl and Urethane Coating and Printing
Subpart GGGa: NSPS for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006
Subpart HHH: NSPS for Synthetic Fiber Production Facilities
Subpart III: NSPS for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes
Subpart JJJ: NSPS for Petroleum Dry Cleaners
Subpart KKK: NSPS for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants
Subpart LLL: NSPS for Onshore Natural Gas Processing – SO₂ Emissions
Subpart OOO: NSPS for Nonmetallic Mineral Processing Plants
Subpart PPP: NSPS for Wool Fiberglass Insulation Manufacturing Plants
Subpart QQQ: NSPS for VOC Emissions From Petroleum Refinery Wastewater Systems
Subpart SSS: NSPS for Magnetic Tape Coating Facilities
Subpart TTT: NSPS for Industrial Surface Coating – Surface Coating of Plastic Parts for Business Machines
Subpart UUU: NSPS for Calciners and Dryers in Mineral Industries
Subpart VVV: NSPS for Polymeric Coating of Supporting Substrates Facilities
Subpart WWW: NSPS for Municipal Solid Waste Landfills
Subpart AAAA: NSPS for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001
Subpart CCCC: NSPS for Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced On or After June 1, 2001
(81) Subpart DDDD: Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999

(82) Subpart EEEE: NSPS for Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced On or After June 16, 2006

(83) Subpart FFFF: Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004

(84) Subpart IIII: NSPS for Stationary Compression Ignition Internal Combustion Engines

(85) Subpart JJJJ: NSPS for Stationary Spark Ignition Internal Combustion Engines

(86) Subpart KKKK: NSPS for Stationary Combustion Turbines

(87) Subpart LLLL: NSPS for New Sewage Sludge Incineration Units

(88) Subpart OOOO: NSPS for Crude Oil and Natural Gas Production, Transmission, and Distribution

(89) Appendices A, B, C, and F

(B) Except as provided in paragraphs (C) and (D) below, New Source Performance Standards (NSPS) are applicable only to those new, modified, or reconstructed facilities specified or defined as an “affected facility”.

(C) Emission Limits for Existing Municipal Solid Waste (MSW) Landfills. The designated facility to which these limits apply is each existing MSW landfill for which construction, reconstruction, or modification was commenced before May 30, 1991, which has accepted waste at any time since November 8, 1987, or has additional capacity available for future waste deposition:

(1) Each designated facility shall submit an initial design capacity report ninety (90) days after September 8, 1997 on forms provided by the Department. The final determination of design capacity shall be subject to review and approval by the Department. Any changes in the physical boundaries, operation, or waste deposition practices which increase or decrease the design capacity of the landfill shall require the submittal of an amended design capacity report.

(2) Each designated facility having an aggregate design capacity of two and one-half (2.5) million megagrams or two and one-half (2.5) million cubic meters or more shall calculate and report non-methane organic compound (NMOC) emissions as provided for new MSW landfills under paragraph (A)(78) of this section beginning ninety (90) days after September 8, 1997.

(3) Each designated facility having an NMOC emission rate of fifty (50) megagrams per year or more shall design, install, and operate a landfill gas collection and control system (LGCCS) as provided for new MSW landfills under paragraph (A)(78) of this section. An alternate design plan may be approved by the Department provided the source demonstrates that:

(a) Meeting the requirements of paragraph (A)(78) of this section will result in unreasonable costs of control due to plant age, location, or basic process design;

(b) It will be physically impossible to install necessary control equipment needed to meet the requirements of paragraph (A)(78) of this section; or

(c) Other factors specific to the facility will make application of a less stringent standard significantly more reasonable than meeting the requirements of paragraph (A)(78) of this section.

(4) Each designated facility subject to the control provisions of paragraph (C)(3) above shall submit the LGCCS design for Department review within one (1) year of the first report in which NMOC emissions equal or exceed fifty (50) megagrams per year, and shall install the approved LGCCS within thirty (30) months of that report, except as provided under paragraph (A)(78) of this section.

(5) Each designated facility subject to the control provisions of paragraph (C)(3) above shall conduct testing, monitoring, record keeping, and reporting for the LGCCS as provided for new landfills under paragraph (A)(78) of this section.

(6) If a source received approval for an alternate design plan under paragraph (C)(3) above, the Department may also approve alternative testing and monitoring procedures for the source provided the source demonstrates that the testing and monitoring requirements in paragraph (A)(78) of this section are not practical for the alternate design and that the alternate procedures are adequate to determine compliance with the approved alternate design plan.
Emission Limits for Existing Hospital/Medical/Infectious Waste Incinerators. The designated facility to which these limits apply is each individual hospital/medical/infectious waste incinerator for which construction, reconstruction, or modification was commenced on or before June 20, 1996. The emission limits under this section apply at all times except during startup, shutdown, or malfunction, provided that no hospital waste or medical/infectious waste is charged to the designated facility during startup, shutdown, or malfunction. For purposes of this section, the definitions in 40 CFR Part 60, Subpart Ce §60.31e, and the exceptions and exemptions from the definition of designated facility in 40 CFR Part 60, Subpart Ce §60.32e (b) through (h), are adopted by reference and incorporated herein.

1. Beginning September 15, 2000, each designated facility subject to paragraph (D) above shall be operated pursuant to a Class I operating permit.

2. For purposes of paragraph (D) above, the size classifications and emission limits provided in Tables 1 and 2 of 40 CFR Part 60, Subpart Ce are adopted by reference and incorporated herein. On or after the date on which the initial compliance test is required, no designated facility shall cause to be discharged into the atmosphere any gases that contain stack emissions in excess of the limits for its size, as provided in either Table 1 or 2 of 40 CFR Part 60, Subpart Ce, as applicable, or exhibit greater than ten (10) percent opacity, as evaluated by Method 9 in Appendix A of 40 CFR Part 60.

3. Each designated facility subject to the provisions of this section shall comply with the requirements for operator training and qualification, waste management plans, and record keeping and reporting, except for requirements relating to siting and fugitive emissions, as provided for new sources under paragraph (A)(9) of this section.

4. Each designated facility subject to the provisions of Table 1 of 40 CFR Part 60, Subpart Ce shall comply with the requirements for compliance and performance testing and monitoring, except for fugitive emissions testing, as provided for new sources under paragraph (A)(9) of this section.

5. Each designated facility subject to the provisions of Table 2 of 40 CFR Part 60, Subpart Ce shall undergo an initial equipment inspection within one (1) year of the effective date of December 15, 1998, and subsequent equipment inspections no more than twelve (12) months following each previous equipment inspection. For purposes of this paragraph, the inspection requirements in 40 CFR Part 60, Subpart Ce §60.36e (a)(1) and (2) are adopted by reference.

6. Each designated facility subject to the provisions of Table 2 of 40 CFR Part 60, Subpart Ce shall comply with the following:
   (a) Requirements for compliance and performance testing as provided in 40 CFR Part 60, Subpart Ce §60.37e (b)(1) through (5);
   (b) Requirements for monitoring as provided in 40 CFR Part 60, Subpart Ce §60.37e (d)(1) through (3); and
   (c) Requirements for record keeping and reporting as provided in 40 CFR Part 60, Subpart Ce §60.38e (b)(1) and (2).

7. Each designated facility subject to the provisions of paragraph (D) above shall comply with all provisions set forth in paragraphs (D) of this section no later than one (1) year after the EPA approval of the state plan for existing hospital/medical/infectious waste incinerators.

Ref: Title 129, Chapter 18, Nebraska Department of Environmental Quality