Notwithstanding any other provisions of the LLCAPCPRS, the following “National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories” published at 40 CFR Part 63, as effective on July 1, 2013 are hereby adopted and incorporated herein:

2. Subpart F: NESHAP for Organic HAPs from the Synthetic Organic Chemical Manufacturing Industry
4. Subpart H: NESHAP for Organic HAPs from Equipment Leaks
5. Subpart I: NESHAP for Organic HAPs from Certain Processes Subject to the Negotiated Regulation for Equipment Leaks
6. Subpart J: NESHAP for Polyvinyl Chloride and Copolymers Production
7. Subpart L: NESHAP for Coke Oven Batteries
8. Subpart M: National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities
9. Subpart N: NESHAP for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks
10. Subpart O: NESHAP for Ethylene Oxide from Sterilization Operations
11. Subpart Q: NESHAP for Industrial Process Cooling Towers
12. Subpart R: Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)
13. Subpart S: NESHAP for the Pulp and Paper Industry
14. Subpart T: NESHAP for Halogenated Solvent Cleaning
15. Subpart U: NESHAP for Group I Polymers and Resins
16. Subpart W: NESHAP for Epoxy Resins Production and Non-Nylon Polyamides Production
17. Subpart X: NESHAP for Secondary Lead Smelting
18. Subpart AA: NESHAP for Phosphoric Acid Manufacturing Plants
19. Subpart BB: NESHAP for Phosphate Fertilizers Production Plants
20. Subpart CC: NESHAP for Petroleum Refineries
22. Subpart EE: NESHAP for Magnetic Tape Manufacturing Operations
23. Subpart GG: NESHAP for Aerospace Manufacturing and Rework Facilities
24. Subpart HH: NESHAP for Oil and Natural Gas Production Facilities
26. Subpart KK: NESHAP for the Printing and Publishing Industry
27. Subpart LL: NESHAP for Primary Aluminum Reduction Plants
29. Subpart NN: NESHAP for Wool Fiberglass Manufacturing Area Sources, as published at 40 CFR Part 63, effective July 1, 2016
30. Subpart OO: NESHAP for Tanks – Level 1
31. Subpart PP: NESHAP for Containers
32. Subpart QQ: NESHAP for Surface Impoundments
33. Subpart RR: NESHAP for Individual Drain Systems
34. Subpart SS: NESHAP for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process
35. Subpart TT: NESHAP for Equipment Leaks – Control Level 1 Standards
36. Subpart UU: NESHAP for Equipment Leaks – Control Level 2 Standards
37. Subpart VV: NESHAP for Oil-Water Separators and Organic-Water Separators
38. Subpart WW: NESHAP for Storage Vessels (Tanks) – Control Level 2
40. Subpart YY: NESHAP for Source Categories – Generic MACT Standards
41. Subpart CCC: NESHAP for Steel Pickling – HCI Process and Hydrochloric Acid Regeneration Plants
42. Subpart DDD: NESHAP for Mineral Wool Production
43. Subpart EEE: NESHAP for Hazardous Waste Combustors
44. Subpart GGG: NESHAP for Pharmaceutical Production
45. Subpart HHH: NESHAP for Natural Gas Transmission and Storage Facilities
46. Subpart III: NESHAP for Flexible Polyurethane Foam Production
47. Subpart JJJ: NESHAP for Group IV Polymers and Resins
(48) Subpart LLLL: NESHAP for the Portland Cement Manufacturing Industry
(49) Subpart MMMM: NESHAP for Pesticide Active Ingredient Production
(50) Subpart NNNN: NESHAP for Wool Fiberglass Manufacturing
(51) Subpart OOOO: NESHAP for Manufacture of Amino/Phenolic Resins
(52) Subpart PPPP: NESHAP for Polyether Polyols Production
(53) Subpart QQQQ: NESHAP for Primary Copper Smelting
(54) Subpart RRRR: NESHAP for Secondary Aluminum Production
(55) Subpart TTTT: NESHAP for Primary Lead Smelting
(56) Subpart UUUU: NESHAP for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units
(57) Subpart VVVV: NESHAP for Publicly Owned Treatment Works
(58) Subpart XXXX: NESHAP for Ferroalloys Production – Ferromanganese and Silicomanganese
(59) Subpart AAAAA: NESHAP for Municipal Solid Waste Landfills
(60) Subpart CCCC: NESHAP for Manufacturing of Nutritional Yeast
(61) Subpart EEEE: NESHAP for Organic Liquids Distribution (Non-Gasoline)
(62) Subpart DDDD: NESHAP for Plywood and Composite Wood Products
(63) Subpart FFFF: NESHAP for Miscellaneous Organic Chemical Manufacturing
(64) Subpart GGGG: NESHAP for Solvent Extraction for Vegetable Oil Production
(65) Subpart HHHH: NESHAP for Wet-Formed Fiberglass Mat Production
(66) Subpart IIII: NESHAP for Surface Coating of Automobiles and Light-Duty Trucks
(67) Subpart JJJJ: NESHAP for Paper and Other Web Coating
(68) Subpart KKKK: NESHAP for Surface Coating of Metal Cans
(69) Subpart MMMM: NESHAP for Surface Coating of Miscellaneous Metal Parts and Products
(70) Subpart NNNN: NESHAP for Surface Coating of Large Appliances
(71) Subpart OOOO: NESHAP for Printing, Coating, and Dyeing of Fabrics and Other Textiles
(72) Subpart PPPP: NESHAP for Surface Coating of Plastic Part and Products
(73) Subpart QQQQ: NESHAP for Surface Coating of Wood Building Products
(74) Subpart RRRR: NESHAP for Surface Coating of Metal Furniture
(75) Subpart SSSS: NESHAP for Surface Coating of Metal Coil
(76) Subpart TTTT: NESHAP for Leather Finishing Operations
(77) Subpart UUUU: NESHAP for Cellulose Products Manufacturing
(78) Subpart VVVV: NESHAP for Boat Manufacturing
(79) Subpart WWWW: NESHAP for Reinforced Plastic Composites Production
(80) Subpart XXXX: NESHAP for Rubber Tire Manufacturing
(81) Subpart YYYY: NESHAP for Stationary Combustion Turbines
(82) Subpart ZZZZ: NESHAP for Stationary Reciprocating Internal Combustion Engines
(83) Subpart AAAAA: NESHAP for Lime Manufacturing Plants
(84) Subpart BBBBB: NESHAP for Semiconductor Manufacturing
(85) Subpart CCCCC: NESHAP for Coke Ovens: Pushing, Quenching, and Battery Stacks
(86) Subpart DDDDD: NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters at Major Sources
(87) Subpart EEEEEE: NESHAP for Iron and Steel Foundries
(88) Subpart FFFFF: NESHAP for Integrated Iron and Steel Manufacturing Facilities
(89) Subpart GGGGG: NESHAP for Site Remediation
(90) Subpart HHHHH: NESHAP for Miscellaneous Coating Manufacturing
(91) Subpart IIIII: NESHAP for Mercury Emissions From Mercury Cell Chlor-Alkali Plants
(92) Subpart JJJJJ: NESHAP for Brick and Structural Clay Products Manufacturing
(93) Subpart KKKKK: NESHAP for Clay Ceramics Manufacturing
(94) Subpart LLLLL: NESHAP for Asphalt Processing and Asphalt Roofing Manufacturing
(95) Subpart MMMMMM: NESHAP for Flexible Polyurethane Foam Fabrication Operations
(96) Subpart NNNNN: NESHAP for Hydrochloric Acid Production
(97) Subpart PPPPPP: NESHAP for Engine Test Cells/Stands
(98) Subpart QQQQQ: NESHAP for Friction Materials Manufacturing Facilities
(99) Subpart RRRRRR: NESHAP for Taconite Iron Ore Processing
(100) Subpart SSSSSS: NESHAP for Refractory Products Manufacturing
(101) Subpart TTTTTT: NESHAP for Primary Magnesium Refining
(102) Subpart UUUUUU: NESHAP for Coal- and Oil-Fired Electric Utility Steam Generating Units
(103) Subpart WWWW: NESHAP for Hospital Ethylene Oxide Sterilizers at Area Sources
(104) Subpart YYYY: NESHAP for Area Sources – Electric Arc Furnace Steelmaking Facilities
Subpart ZZZZZ: NESHAP for Iron & Steel Foundries Area Sources

Subpart BBBBBB: NESHAP for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities at Area Sources

Subpart CCCCCC: NESHAP for Gasoline Dispensing Facilities at Area Sources

Subpart DDDDDD: NESHAP for Polyvinyl Chloride and Copolymers Production Area Sources

Subpart EEEEEE: NESHAP for Primary Copper Smelting Area Sources

Subpart FFFFFF: NESHAP for Secondary Copper Smelting Area Sources

Subpart GGGGGG: NESHAP for Primary Nonferrous Metals Area Sources—Zinc, Cadmium, and Beryllium

Subpart HHHHHH: NESHAP for Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources

Subpart JJJJJJ: NESHAP for Industrial, Commercial, and Institutional Boilers at Area Sources

Subpart LLLLLL: NESHAP for Acrylic and Modacrylic Fibers Production Area Sources

Subpart MMMMMM: NESHAP for Carbon Black Production Area Sources

Subpart NNNNNN: NESHAP for Chemical Manufacturing Area Sources: Chromium Compounds

Subpart OOOOOO: NESHAP for Flexible Polyurethane Foam Production and Fabrication Area Sources

Subpart PPPPPP: NESHAP for Lead Acid Battery Manufacturing Area Sources

Subpart QQQQQQ: NESHAP for Wood Preserving Area Sources

Subpart RRRRRR: NESHAP for Clay Ceramics Manufacturing at Area Sources

Subpart SSSSSS: NESHAP for Glass Manufacturing Area Sources

Subpart TTTTTT: NESHAP for Secondary Nonferrous Metals Processing Area Sources

Subpart VVVVVV: NESHAP for Polyvinyl Chloride and Copolymers Production at Major Sources

Subpart AAAAAA: NESHAP – Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries

Subpart BBBBBB: NESHAP for Chemical Preparation Industry at Area Sources

Subpart CCCCCC: NESHAP for Paints and Allied Products Manufacturing at Area Sources

Subpart DDDDDD: NESHAP for Prepared Feeds Manufacturing at Area Sources

Subpart EEEEEE: NESHAP – Gold Mine Ore Processing and Production Area Source Category

Subpart HHHHHHH: NESHAP for Polyvinyl Chloride and Copolymers Production at Major Sources

Operational Limits for Area Sources. Area sources subject to a standard adopted by reference in paragraph (A) of this section and specifically referenced in this paragraph may accept operational limits to avoid the requirements associated with operating at the source’s maximum design capacity.

(1) General Provisions. An owner or operator of a source may apply for coverage under this provision if the following criteria are met:

(a) The Director has established operational limitations for the industry category in paragraph (B)(6) below.

(b) The responsible official for the source certifies that it will comply with the applicable paragraph(s) of this section.

(c) Records are collected and maintained as described for each applicable paragraph and retained for a period of not less than five (5) years and made available to the Department for review upon request.

(d) A source may change its status under paragraph (B)(6) below without violating this rule by meeting the following requirements:

(1) The owner or operator of the source must provide written notification to the Department of the intent to change status. The notification must be certified by the responsible official for the source;

(2) The source must comply with the requirements for its industry category;

(3) Once a source changes status, it is no longer eligible for coverage under paragraph (B).
(2) Approval Procedures.
   (a) Notice of Intent. The owner or operator of a source intending to be covered under this
       provision shall submit a complete Notice of Intent Form provided by the Department.
   (b) Department Approval. Department approval of the Notice of Intent Form request shall be in
       writing. Upon approval, the source must comply with the applicable limitations specified in
       paragraph (B) of this section.

(3) Duty to Comply. Each source approved for coverage under this provision must comply with all
   paragraphs of this section applicable to the source. Any non-compliance shall constitute a violation of
   the LLCAPCPRS and the Act, and is grounds for enforcement action and/or for disapproval of the
   Notice of Intent to operate under this provision.

(4) Compliance with Other Applicable Requirements. Compliance with the provisions of this section does
   not shield the owner or operator from the duty to comply with any other applicable requirement under
   the LLCAPCPRS or the Act not specifically addressed in this section.

(5) Duty to Provide Requested Information. Additional information, such as an annual emissions
   inventory as required by Article 2, Section 6, or information necessary to determine applicability or to
   determine that emissions from the source in conjunction with all other sources will not prevent
   attainment or maintenance of the ambient air quality standards specified in Article 2, Section 4, must
   be provided upon Department request.

(6) Industry Categories Eligible to Accept Operational Limits.
   (a) A bulk gasoline terminal subject to 40 CFR Part 63, Subpart BBBBBB (NESHAP for
       Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities at Area Sources),
       with a maximum calculated design throughput capacity greater than or equal to twenty
       thousand (20,000) gallons per day, may be approved to operate pursuant to the provisions of
       paragraph (B) of this section if the owner or operator certifies that the source will comply
       with paragraphs (B)(1) through (B)(5) above and each of the following:

       (1) Limit actual gasoline throughput to less than twenty thousand (20,000) gallons per
           day; and

       (2) Maintain a daily record of actual gasoline throughput, in accordance with the
           provisions of paragraph (B)(1)(c); and

       (3) Comply with the requirements specified in 40 CFR Part 63, Subpart BBBBBB for
           bulk gasoline plants with a maximum design throughput capacity of less than twenty
           thousand (20,000) gallons per day.

Ref: Title 129, Chapter 28, Nebraska Department of Environmental Quality