

PERMIT TO CONSTRUCT / RECONSTRUCT / MODIFY AN AIR CONTAMINANT SOURCE

 <p style="text-align: center;">Lincoln-Lancaster County Health Department</p> <p style="text-align: center;">Environmental Public Health Division Air Quality Section 3131 O Street Lincoln, Nebraska 68510</p> <p style="text-align: center;">Lincoln-Lancaster County Health Department</p>	<p style="text-align: center;">Lincoln-Lancaster County Health Department</p> <p style="text-align: center;">Environmental Public Health Division Air Quality Section 3131 O Street Lincoln, Nebraska 68510</p> <p style="text-align: center;">Phone: (402) 441-8040 Fax: (402) 441-3890</p>	<p style="text-align: center;">Kerry Kernen, MPA, MSN, RN Health Director</p> <p style="text-align: center;">Brock Hanisch, MS, MPH, REHS Environmental Public Health Division Manager</p> <p style="text-align: center;">Gary R. Bergstrom, Jr. Air Quality Section Supervisor</p>
<p>LLCHD Air Quality Section Facility Identification (FID) Number:</p>		00012
<p>LLCHD Air Quality Section Construction Permit Number:</p>		CP26-###
<p>Effective Date of Permit:</p>		XX - XX - 2026 MM - DD - YYYY

A Permit to Construct / Reconstruct / Modify an Air Contaminant Source is Hereby Issued to:

Permit Holder Name:	Board of Regents of the University of Nebraska-Lincoln (City Campus)
Address:	3630 East Campus Loop
City, State, ZIP:	Lincoln, Lancaster County, Nebraska 68583

This Construction / Reconstruction / Modification Permit is Issued to the Following Source:

Facility Site Name:	Board of Regents of the University of Nebraska-Lincoln (City Campus)
Facility Address:	14th & Avery St
City, County, State, ZIP:	Lincoln, Lancaster County, Nebraska, 68588
Facility NAICS:	611310: Colleges, Universities, and Professional Schools

Environmental Public Health Division / Air Quality Section Recommendation:

Permit Writer:	<input type="checkbox"/> Approve Issuance <input type="checkbox"/> Deny Issuance	PERMIT WRITER APPROVAL
Air Quality Section Supervisor:	<input type="checkbox"/> Approve Issuance <input type="checkbox"/> Deny Issuance	SUPERVISOR APPROVAL
Environmental Public Health Division Manager:	<input type="checkbox"/> Approve Issuance <input type="checkbox"/> Deny Issuance	MANAGER APPROVAL

Health Director / Air Pollution Control Officer Authorization:

<p><u>ACTION TAKEN:</u></p> <p><input type="checkbox"/> Approve Issuance <input type="checkbox"/> Deny Issuance</p>	<p>Date</p>	<p>Kerry Kernen, MPA, MSN, RN Health Director</p>
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Table of Contents

Definitions	2
Description of Permitting Action	4
Description of Source	4
Permitted Emission Units.....	4
Permitted Source	5
Applicable Local Regulations for Construction Permit Issuance.....	5
Facility Regulatory Classification.....	5
Public Participation	5
Permitting Authority	5
Compliance Authorities.....	5
Regulations.....	7
General Conditions.....	8
Specific Conditions	15

Definitions

Unless otherwise defined, or a different meaning is clearly required by context, the words, and phrases, as used in this permit, the LLCAPPRS, and the related appendices shall have the meanings set forth in LLCAPPRS Article 2, Section 1 (Definitions).

Abbreviations, Symbols, and Units of Measure

Abbreviations, symbols, and units of measure used in this permit shall be as follows:

AP-42	Compilation of Air Pollutant Emission Factors, Volume I, Stationary Point and Area Sources	NAAQS	National Ambient Air Quality Standards
BACT	Best Available Control Technology	NESHAP	National Emission Standards for Hazardous Air Pollutants
bhp	Brake horsepower	NO ₂	Nitrogen dioxide
BMP	Best Management Practice	NO _x	Nitrogen oxides
Btu	British thermal unit	NSPS	New Source Performance Standard
bu	Bushel	NSR	New Source Review
CAA	Clean Air Act	PAL	Plant-wide applicability limit
CDT/CST	Central Daylight Time/Central Standard Time	Pb	Lead (chemical abbreviation)
CE	Control equipment	PEMS	Predictive Emissions Monitoring System
CEM	Continuous emissions monitor	PM	Particulate matter
CEMS	Continuous emissions monitoring system	PM ₁₀	Particulate matter with and aerodynamic diameter equal to or less than 10 microns
cf or ft ³	Cubic feet	PM _{2.5}	Particulate matter with and aerodynamic diameter equal to or less than 2.5 microns
CFR	Code of Federal Regulations	ppb	Parts per billion
CO	Carbon monoxide	ppm	Parts per million
CO ₂	Carbon dioxide	ppmv	Parts per million by volume
CO ₂ e	CO ₂ equivalent	ppmv _d	Parts per million by volume, dry basis
C.P.	Construction permit	PSD	Prevention of Significant Deterioration of Air Quality
CPMS	Continuous Parametric Monitoring System	PTE	Potential to emit
dscf	Dry standard cubic feet	RVP	Reid vapor pressure
dscfm	Dry standard cubic feet per minute	RATA	Relative Accuracy Test Audit
EMIS	Emergency Management Information System	RMP	Risk Management Plan
EP	Emission point	RTO	Regenerative thermal oxidizer
ESP	Electrostatic precipitator	§	Section
EU	Emission unit	scf	Standard cubic feet
FID#	Facility Identification Number	SDS	Safety Data Sheet
FDCP	Fugitive dust control plan	SIC	Standard Industrial Classification
FGR	Flue gas recirculation	SIP	State Implementation Plan
FIP	Federal Implementation Plan	SO ₂	Sulfur dioxide
FR	Federal Register	SO _x	Sulfur oxides
ft	Feet	TDS	Total dissolved solids
FTIR	Fourier Transform Infrared	TO	Thermal oxidizer
GHGs	Greenhouse gases	TO/HRSG	Thermal oxidizer with heat recovery steam generator
gpm	gallons per minute	tpy	Tons per year
H ₂ S	Hydrogen sulfide	TRS	Total reduced sulfur
HAP	Hazardous air pollutant	TSP	Total suspended particulate matter
hp	Horsepower	ULNB	Ultra low-NO _x burner
hr	Hour	ULSD	Ultra low-sulfur diesel (maximum sulfur content of 15 ppm)
kW	Kilowatt	UST	Underground storage tank
kWh	Kilowatt-hour	US EPA	United States Environmental Protection Agency
lb	Pound	UTM	Universal Transverse Mercator
LDAR	Leak detection and repair	VHAP	Volatile hazardous air pollutant
LLCAPPRS	Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards	VMT	Vehicle miles traveled
LLCHD	Lincoln-Lancaster County Health Department	VOC	Volatile organic compound
LNB	Low-NO _x burner		
MACT	Maximum Achievable Control Technology		
Mgal	One thousand gallons		
MMBtu	One million British thermal units		
MMscf	One million standard cubic feet		
MW	Megawatt		

Description of Permitting Action

The University of Nebraska-Lincoln City Campus (hereinafter referred to as ‘UNL City’ or ‘the source’) has submitted a request to modify Construction Permits #085 and #214 which were issued to establish fuel use limits on Boilers #1/#2, and Boiler #8, respectively. Pursuant to the owner/operator’s request, this permit issuance will remove the fuel use limits associated with each boiler and instead set a combined emission limit on all boilers at the facility (Boilers #1, #2, #8, and #7), as well as consolidate both previously issued construction permits. This construction permit issuance will supersede and replace entirely the following construction permits:

- Construction Permit #085 issued June 25, 1996; and
- Construction Permit #214 issued January 17, 2021.

This construction permit will authorize the ‘Boiler Plant’ at UNL City to operate as a ‘nested source’ within the larger UNL City Campus facility. The boiler plant, which consists of four 99.9 MMBtu/hr fossil fuel fired boilers, will be subject to emissions limits not to exceed the Prevention of Significant Deterioration (PSD) major source thresholds. The remainder of the campus consists of several electrical emergency generators, cooling towers, and gasoline storage tanks. The maximum potential to emit of each criteria air pollutant for the entire facility, including the four boilers, is less than 250 tons per year (tpy). As such, with the requirements of this permit, the entire source will not be classified as a major stationary source for the purposes of the Prevention of Significant Deterioration of Air Quality (PSD) Program as established in LLCAPPRS Article 2, Section 2, paragraph (H) and 40 CFR Part 52 §52.21(b)(1)(i).

This Construction Permit will authorize the modification of requirements to Boilers #1, #2, #8, and #7. The “Statement of Basis” for this permit provides additional information on this permitting action.

Description of Source

The primary operation for UNL City Campus is an academic and research institution with a utility plant that is used to provide heating and cooling via fossil-fuel powered boilers and cooling towers. Additional units associated with this source include several emergency electrical generators to provide back-up power, and a gasoline fueling station for use by university-owned vehicles.

Permitted Emission Units

This construction permit allows for the continued operation of the following emission unit(s) under revised permit conditions:

Emission Unit (EU)	Source Classification Code (SCC)	Emission Point Description	Emission Segment Description
1-1	1-03-005-02	99.8 MMBtu/hr Boiler - Boiler #1	No. 2 Oil
1-2	1-03-006-02	99.8 MMBtu/hr Boiler - Boiler #1	Natural Gas
2-1	1-03-005-02	99.8 MMBtu/hr Boiler - Boiler #2	No. 2 Oil
2-2	1-03-006-02	99.8 MMBtu/hr Boiler - Boiler #2	Natural Gas
3-1	1-03-005-03	99.8 MMBtu/hr Boiler - Boiler #8	Distillate Oil ^a /Biodiesel
3-2	1-03-006-02	99.8 MMBtu/hr Boiler - Boiler #8	Natural Gas
4-1	1-03-005-02	99.8 MMBtu/hr Boiler - Boiler #7	No. 2 Oil

Emission Unit (EU)	Source Classification Code (SCC)	Emission Point Description	Emission Segment Description
4-2	1-03-006-02	99.8 MMBtu/hr Boiler - Boiler #7	Natural Gas

^a – ‘Distillate Oil’ includes both No. 1 and No. 2 fuel oil types.

Applicable Local Regulations for Construction Permit Issuance

This Construction Permit is being issued in accordance with the applicable provisions of Article 2, Sections 14 and 17 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards (LLCAPCPRS), as well as all other applicable provisions of the LLCAPCPRS.

Facility Regulatory Classification

- The facility is an area source of hazardous air pollutants (HAP), as it does not emit HAPs in quantities sufficient to be classified as a ‘major source’ of HAPs as defined in LLCAPCPRS Article 2, Section 2, paragraph (A).
- The facility is not a major stationary source for the purposes of the Prevention of Significant Deterioration of Air Quality (PSD) Program as established in LLCAPCPRS Article 2, Section 2, paragraph (H) and 40 CFR Part 52 §52.21(b)(1)(i).
- This permit allows for the operation of emission units that are subject to the following New Source Performance Standards (NSPS) in Title 40, Part 60 of the Code of Federal Regulations (40 CFR 60):
 - Subpart A: NSPS General Provisions
 - Subpart Dc: NSPS for Small Industrial-Commercial-Institutional Steam Generating Units

Public Participation

- Pursuant to Article 2, Section 14 of the (LLCAPCPRS), the public has been notified by prominent advertisement of this permit for operation of an air contaminant source, and the thirty (30) day period allowed for comments has elapsed, and all comments received (if any) have been addressed. In accordance with Article 2, Section 14, paragraph (H), if any comments were received during the public comment period, a record of those comments, along with the LLCHD’s response to those comments has been made a part of the official permit record, and is available, upon request, to the public.

Permitting Authority

- The permitting authority for this project is the Air Quality Section in the Environmental Public Health Division of the Lincoln-Lancaster County Health Department (LLCHD). All documents related to applications for permits to construct/reconstruct/modify or operate any emissions unit or source shall be submitted to the LLCHD at the following address.

Lincoln-Lancaster County Health Department
c/o Air Quality Section
3131 'O' Street
Lincoln, NE 68510

Compliance Authorities

- All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the following:
- If required or requested by the EPA, the owner/operator shall submit reports, tests, and/or notifications to the following:

Lincoln-Lancaster County Health Department
% Air Quality Section
3131 'O' Street
Lincoln, NE 68510

US EPA Region 7
ECAD/AB-Nebraska Air Compliance Coordinator
11201 Renner Blvd.
Lenexa, KS 66219

- If required to submit electronic reports to the US EPA by regulations applicable to the owner/operator, such reports shall be submitted via the 'Compliance and Emissions Data Reporting Interface' (CEDRI) which can be accessed through the US EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/cdx.epa.gov>), or through the appropriate submittal interface/site as specified in the underlying regulation or requirement. The owner/operator shall provide a copy to the LLCHD by mailing a hard copy to the address provided above, or sending a copy via email to air@lincoln.ne.gov.

PERMIT CONDITIONS BEGIN ON FOLLOWING PAGE

Regulations

I. Applicable and Non-Applicable Regulations & Requirements.
(A) The following sections (§) of the LLCAPCPRS are requirements of this permit:

Table 1-A: Applicable Regulations of the LLCAPCPRS

Article 1: Administration and Enforcement	
§1	Intent
§2	Unlawful Acts – Permits Required
§3	Violations – Hearings – Orders
§4	Appeal Procedure
§5	Variance
§6	Annual Fees
§7	Compliance – Actions to Enforce – Penalties for Non-Compliance
§8	Procedure for Abatement
§9	Severability
Article 2: Regulations and Standards	
§1	Definitions
§2	Major Sources – Defined
§4	Ambient Air Quality Standards
§6	Emissions Reporting – When Required
§14	Permits – Public Participation
§15	Permit Modifications – Reopening for Cause
§16	Stack Heights – Good Engineering Practice (GEP)
§17	Construction Permits – When Required
§20	Particulate Limitations and Standards
§32	Duty to Prevent Escape of Visible Airborne Dust
§33	Time Schedule for Compliance
§34	Emission Source Testing and Monitoring
§35	Compliance – Exceptions Due to Startup, Shutdown, or Malfunction
§36	Control Regulation Circumvention – When Excepted
§37	Compliance – Responsibility of Owner/Operator Pending Review by Director
§38	Emergency Episodes – Occurrence, Control and Contingency Plans
Appendices	
I	Emergency Emission Reduction Regulations
II	Hazardous Air Pollutants Sorted by Pollutant Name
III	Hazardous Air Pollutants Sorted by CAS Number

(B) The following Federal Regulations, including those not currently delegated to the LLCHD or not yet included in the LLCAPCPRS, are applicable requirements of this permit:

Table 1-B: Applicable Federal Regulations

40 CFR Part 60: New Source Performance Standards (NSPS)	
<i>Subpart</i>	<i>Subpart Subject</i>
A	General Provisions
Dc	Small Industrial/Commercial/Institutional (ICI) Steam Generating Units

(C) The following sections of the LLCAPCPRS are not requirements of this permit:

Table 1-C: LLCAPCPRS Regulations not Incorporated in Permit

Article 2: Regulations and Standards	
§5	Operating Permits – When Required
§7	Operating Permits – Application

Table 1-C: LLCAPPRS Regulations not Incorporated in Permit

Article 2: Regulations and Standards	
§8	Operating Permits – Content
§9	General Permits
§10	Operating Permits for Temporary Sources
§12	Operating Permit Renewal and Expiration
§13	Class I Operating Permit – EPA Review – Affected States Review
§18	New Source Performance Standards (NSPS)
§19	Prevention of Significant Deterioration (PSD) of Air Quality
§21	Compliance Assurance Monitoring (CAM)
§22	Incinerator Emission Standards
§23	National Emission Standards for Hazardous Air Pollutants (NESHAPs)
§24	Sulfur Compound Emission Standards for Existing Sources
§25	Nitrogen Oxide Emissions Standards for Existing Sources
§26	Acid Rain
§27	Hazardous Air Pollutants – Maximum Achievable Control Technology (MACT)
§28	Hazardous Air Pollutants – Source Category Emission Standards
§29	Operating and Construction Permit Emissions Fees
§3, §11 §30, §31	Reserved

(D) The 'Prevention of Significant Deterioration of Air Quality' regulation(s) set forth under Title 129 of the Nebraska Administrative Code (Nebraska Air Quality Regulations) do not apply to this source.

General Conditions

- II. The following provisions of LLCAPPRS Article 1, Section 2 (Unlawful Acts – Permits Required) are requirements of this permit:
 - (A) It shall be unlawful for any person to cause any air pollution within the City or County or cause to be placed any wastes in a location where they are likely to cause air pollution.
 - (B) It shall be unlawful for any person to construct or use any source for the emission of any regulated air pollutant unless the person holds a current permit therefore.
 - (C) It shall be unlawful to:
 - (1) Construct or operate an air pollution source without first obtaining a permit required under the LLCAPPRS;
 - (2) Violate any term or condition of this permit or any emission limit set in this permit; or
 - (3) Violate any emission limit or standard established in the LLCAPPRS.
- III. Violations, hearings, and orders shall be conducted in accordance with LLCAPPRS Article 1, Section 3 (Violations – Hearings – Orders).
- IV. Appeals shall be conducted in accordance with LLCAPPRS Article 1, Section 4 (Appeal Procedure).
- V. In accordance with LLCAPPRS Article 1, Section 5 (Variance), any person who owns or is in control of any plant, building, structure, process, or equipment may apply to the Director for a variance from rules or regulations. Any person who is applying for, or has obtained a variance must comply with all requirements of Article 1, Section 5 of the LLCAPPRS, as applicable.
- VI. The following provisions of LLCAPPRS Article 1, Section 6 (Fees) are requirements of this permit:

- (A) Paragraph (A) – Annual Emission Fees: In accordance with paragraph (A)(1) of LLCAPPRS Article 1, Section 6 (Fees), any person who owns or operates a source as defined in Article 2, Section 1 of the LLCAPPRS and is required to obtain a Class I or Class II operating permit in accordance with Article 2, Section 5 of the LLCAPPRS, or is required to obtain a construction permit in accordance with Article 2, Section 17 of the LLCAPPRS, must pay annual emission fees in accordance with all applicable provisions set forth under Article 1, Section 6, paragraph (A) of the LLCAPPRS.
- (B) Paragraph (D) – In accordance with paragraph (D)(1) of Section 6, any person or source required to obtain a construction permit under Article 2, Section 17 (with the exception of a construction permit obtained in accordance with Article 2, Section 17, paragraph (O)) shall pay a permit fee for activities included under paragraphs (D)(1)(a) through (D)(1)(f) of Section 6. The permit fee shall be charged at the rate specified in paragraph (D)(1) of Section 6. Any person required to submit fees pursuant to Section 6 shall submit the fees to the Director of the Department by check or other authorized transfer payable to the Lincoln-Lancaster County Health Department. The fees shall be due and payable within thirty (30) days after issuance of the permit.
- (C) Paragraph (H) – All fees provided for herein must be payable to the Lincoln-Lancaster County Health Department. All money collected shall be deposited with the City Treasurer's Office and credited to Fund 145 Title V Clean Air Fund.

VII. The following provisions of LLCAPPRS Article 1, Section 7 (Compliance – Actions to Enforce – Penalties for Non-Compliance) are requirements of this permit:

- (A) Paragraph (A) – The County Attorney or Attorney General may institute enforcement proceedings pursuant to Neb. Rev. Stat., §81-1504(23), Neb. Rev. Stat. §81-1508(4), or Nebr. Rev. Stat. §81-1528(2) against any person who fails to comply with the requirements of the LLCAPPRS. Nothing in the LLCAPPRS shall preclude the control of air pollution by resolution, ordinance, or rule, regulation, or standard not in actual conflict with the state air pollution control regulations. (Ref: Neb. Rev. Stat. §71-1631(15))
- (B) Paragraph (B) – Any person who fails to comply with the requirements of the LLCAPPRS or who fails to perform any duty imposed by the LLCAPPRS shall be subject to a civil penalty of not more than ten thousand dollars (\$10,000) per day per violation.
- (C) Paragraph (C) – Any person who knowingly and willfully fails to comply with the requirements of the LLCAPPRS or who knowingly and willfully fails to perform any duty imposed by the LLCAPPRS shall be subject to felony prosecution under Neb. Rev. Stat. §81-1508(f) including a fine of not more than ten thousand dollars (\$10,000) per day per violation, and up to a maximum six (6) month term of imprisonment.
- (D) Paragraph (D) – Enforcement proceedings may include injunctive relief in court to restrain any violation that creates an imminent and substantial endangerment to the public health or to the environment.

VIII. In accordance with LLCAPPRS Article 1, Section 8 (Procedure for Abatement), if the Director has determined a violation of the Air Pollution Control Program after any hearing required hereunder or if the Director has probable cause to believe a violation has occurred, the Director shall refer the matter to the County Attorney.

IX. In accordance with LLCAPPRS Article 1, Section 9 (Severability), if any clause, paragraph, or section of the LLCAPPRS shall be held invalid, it shall be conclusively presumed that the City and County would have enacted the remainder of the LLCAPPRS not directly related to such clause, paragraph, or section.

X. The owner/operator shall maintain compliance with the requirements set forth in LLCAPCPRS Article 2, Section 4 (Ambient Air Quality Standards).

XI. The following provisions of LLCAPCPRS Article 2, Section 6 (Emissions Reporting – When Required) are requirements of this permit:

- (A) Paragraph (A) – The owner/operator must complete and submit to the Department an annual emissions inventory on forms furnished by or acceptable to the Department by March 31 of each year. The inventory must include all emissions associated with the ‘Permitted Emission Units’. The inventory form must be certified in accordance with LLCAPCPRS Article 2, Section 7, paragraph (H).
- (B) Paragraph (B) – The annual emissions inventory must include the information set forth under paragraphs (B)(1-3) of Section 6.
- (C) Paragraph (C) – Actual emissions shall be calculated using the methods and procedures set forth under paragraphs (C)(1-9) of Section 6.
- (D) Paragraph (D) – Except as otherwise provided in (C) above, any other test methods and procedures for use in determining actual emissions must be approved by the Director.
- (E) The Director may require the submittal of supplemental information to verify or otherwise assure the quality of emissions reported.

XII. The following provisions of LLCAPCPRS Article 2, Section 15 (Permit Modifications – Reopening For Cause) are requirements of this permit:

- (A) Paragraph (A) – The owner/operator may request the Director to make an administrative permit amendment in writing by specifying the section of the permit that is to be changed and the reason for the change. The source may implement the changes addressed in the request immediately upon submittal of the request, subject to the Department’s final action on the request. Administrative permit amendments include any permit revision that meet the criteria established in paragraphs (A)(1)(a)-(d) of Section 15.
- (B) Paragraph (C)(2) – The owner/operator may request a minor permit modification consistent with the procedures set forth under paragraph (C)(2) of Section 15, provided that the modification meets the criteria established in paragraphs (C)(2)(a)-(e) of Section 15.
- (C) Paragraph (E) – Any modification not meeting the administrative permit amendment criteria in paragraph (A) of Section 15, and/or the minor permit modification criteria in paragraph (C)(2) of Section 15 shall be processed in accordance with the provisions for a significant permit modification established in paragraphs (E)(1)-(3) and (E)(5) of Section 15.
- (D) Paragraph (F)(2) – A permit may be revoked during its term for cause, including, but not limited to:
 - (1) The existence at the facility of unresolved noncompliance with applicable requirements or a term or condition of the permit, and refusal of the owner/operator to agree to an enforceable schedule of compliance to resolve the noncompliance;
 - (2) The owner/operator has falsely certified or submitted false, incomplete, or misleading information to the Department or EPA;
 - (3) The Director determines that the permitted facility or activity endangers human health or the environment and that the danger cannot be removed by a modification of the permit; or
 - (4) The owner/operator has failed to pay a penalty owed pursuant to court order, stipulation and agreement, or order issued by the Administrator.

- (E) Paragraph (G) – The owner/operator may make changes to a permitted facility without a permit revision if the change is not a modification under LLCAPPRS Article 2, Sections 18, 23, 27, or 28, the change does not require a construction permit under LLCAPPRS Article 2, Sections 17 or 19, and the change is allowed under the applicable provisions of paragraphs (G)(1) or (G)(2) of Section 15.
- (F) Paragraph (H) – No permit revisions shall be required under any State-approved programs providing for economic incentives, marketable permits, emissions trading or other similar programs or processes for changes that are provided for in the permit.

XIII. In accordance with paragraph (A) of LLCAPPRS Article 2, Section 16 (Stack Heights – Good Engineering Practice), the degree of emissions limitation required of any source for control of any air pollutant shall not be affected by so much of any source's stack height that exceeds good engineering practice or by any other dispersion technique, except as provided in paragraph (B) of Section 16.

XIV. The following provisions of LLCAPPRS Article 2, Section 17 (Construction Permits – When Required) are requirements of this permit:

- (A) Paragraph (A) – No person shall cause the construction, reconstruction, or modification of any of the items specified in Article 2, Section 17 of the LLCAPPRS without first having obtained a construction permit from the Department in the manner prescribed by the LLCAPPRS.
- (B) Paragraph (K) – Approval, by issuance of a permit for any construction, reconstruction, or modification, does not relieve the owner/operator from his or her responsibility to comply with the applicable portions of the Implementation Plan control strategy. The permittee must comply with all conditions of the construction permit. Any permit noncompliance shall constitute a violation of the LLCAPPRS and the Act and is grounds for enforcement action or permit revocation.
- (C) If construction, reconstruction, or modification of the source is not commenced within eighteen (18) months, the construction permit shall lapse except upon showing by the permittee that the complexity of the construction, reconstruction, or modification requires additional time.
- (D) Paragraph (N) – The owner/operator may request modification of a construction permit pursuant to the applicable provisions set forth in paragraph (N) of Section 17.
- (E) Paragraph (R) – For each permit issued pursuant to the provisions of Section 17, the owner/operator must place a copy of the permit and of the letter of transmittal on file at the location of the source no later than fourteen (14) calendar days after the date of the letter of transmittal or upon the actual start-up of the constructed/reconstructed/modified source, whichever occurs first. A copy of the permit must also be placed on file at the owner's or operator's main or corporate office no later than thirty (30) calendar days after the date of the letter of transmittal.

XV. The following provisions of LLCAPPRS Article 2, Section 20 (Particulate Limitations and Standards) are requirements of this permit:

- (A) Paragraph (A) – The owner/operator must limit the emissions of particulates from any processing machine, equipment, device or other articles, or any combination thereof to no greater than the amounts set forth in Table 20-2 of Section 20 during any one (1) hour.
- (B) Paragraph (B) – The owner/operator must limit the emissions of particulate matter caused by the combustion of fuel in accordance with the limits set forth in Table 20-1 of Section 20, as they apply based on heat input rating.
- (C) Paragraph (E) – The owner/operator must not cause or allow emissions from any emission point that are of opacity equal to or greater than twenty percent (20%), as evaluated by Method 9 in

Appendix A of 40 CFR 60, or recorded by a continuous opacity monitoring system operated and maintained pursuant to 40 CFR Part 60 Appendix B, except as provided for in paragraph (D) of this condition.

(D) Paragraph (F) – Emission sources subject to monitoring requirements of Article 2, Section 34, paragraph (E) of LLCAPPRS are allowed to have one six-minute period per hour of not more than twenty-seven percent (27%) opacity. For the purpose of this permit, this exception applies to any unit equipped with a continuous opacity monitoring system (COMS) installed, calibrated, and operated in accordance with the procedures specified in 40 CFR Part 60 Appendix B.

XVI. The following provisions of LLCAPPRS Article 2, Section 32 (Duty to Prevent Escape of Visible Airborne Dust) are requirements of this permit:

(A) Paragraph (A) – The source must not cause or permit fugitive particulate matter to become airborne in such quantities and concentrations that it remains visible in the ambient air beyond the premise where it originates.

(B) Paragraph (B) – The source must not cause or permit a road, driveway, or open area to be used without applying all such reasonable measures to prevent particulate matter from becoming airborne so that it remains visible beyond the premises where it originates. Such reasonable measures include but are not limited to: paving or frequent cleaning of roads, driveways, and parking lots; application of water or chemical dust suppressants; and the planting and maintenance of vegetative ground cover.

XVII. The following provisions of LLCAPPRS Article 2, Section 33 (Time Schedule for Compliance) are requirements of this permit:

(A) Paragraph (A) – Except as otherwise noted in specific emission control regulations, compliance with the LLCAPPRS shall be according to the schedule provided under paragraphs (A)(1)-(3) of Section 33.

(B) Paragraph (B) – Compliance schedules requiring more than twelve (12) months to conform with applicable rules and regulations to meet National Primary and Secondary Ambient Air Quality Standards will be accomplished in progressive steps. A report will be made in writing to the Director within five (5) days after each step is completed.

(C) Paragraph (C) – Failure to meet time schedules approved in accordance with paragraphs (A)(1)-(2) of Section 33 shall constitute a violation of the LLCAPPRS unless a request to amend the time schedule is received at least thirty (30) days before the end of any specified period approved for a particular activity. Such a request to amend the schedule shall contain the same type of information as required for the initial request for variance as described in paragraph (A)(3) of Section 33.

XVIII. The following provisions of LLCAPPRS Article 2, Section 34 (Emission Source Testing and Monitoring) are requirements of this permit:

(A) Paragraph (A) – The Department may require any person responsible for the operation of an emission source to make or have tests made to determine the rate of contaminant emissions from the source whenever it has reason to believe, on the basis of estimates of potential contaminant emissions rates from the source and due consideration of probable efficiency of any existing control device, or visible emission determinations made by an official observer, that existing emissions exceed the limitations required in the LLCAPPRS. Such tests may also be required pursuant to verifying that any newly installed control device meets performance specifications. Should the Department determine that the test did not represent normal

operating conditions or emissions, additional tests may be required. Such a requirement shall be considered as an order and subject to all administrative and legal requirements specified.

(B) Paragraph (B) – Required tests must be conducted in accordance the test methods and procedures established in paragraphs (B)(1)-(7) of Section 34.

(C) Paragraph (C) – The owner or operator of a source must provide notice to the Department at least thirty (30) days prior to testing to afford the Department an opportunity to have an observer present. The Department may, in writing, approve a notice of less than thirty (30) days. If the testing is pursuant to an underlying requirement contained in a federal rule, the notice provisions of the underlying requirement shall apply.

(D) Paragraph (F) – The Director may require the owner or operator of any other emission source which is subject to the provisions of these regulations to install, use and maintain such stationary monitoring equipment as is required to demonstrate continuing compliance with any applicable emissions limitations, and to maintain records and make reports regarding such measured emissions to the Department in a manner and on a schedule to be determined by the Director.

(E) Paragraph (H) – Notwithstanding any other provisions of LLCAPPRS, the following methods may be used to determine compliance with applicable requirements:

- (1) A monitoring method approved for the source and incorporated in an operating permit pursuant to LLCAPPRS Article 2, Section 8;
- (2) Any compliance test method specified in the State Implementation Plan (SIP);
- (3) Any test or monitoring method approved for the source in a permit issued pursuant to LLCAPPRS Article 2, Sections 17, 19, or 27;
- (4) Any test or monitoring method provided for in the LLCAPPRS; or
- (5) Any other test, monitoring, or information gathering method that produces information comparable to that produced by any method described in paragraphs (1) through (4) of this condition.

XIX. The following provisions of LLCAPPRS Article 2, Section 35 (Compliance – Exceptions Due to Startup, Shutdown, or Malfunction) are requirements of this permit:

(A) Paragraph (A) – Upon receipt of a notice of excess emissions issued by the Department, the owner/operator may provide information showing that the excess emissions were the result of a malfunction, start-up, or shutdown.

(B) Paragraph (B) – The information provided by the source operator under paragraph (A) of this condition must include, at a minimum, the information specified in paragraphs (B)(1)-(9) of Section 35.

(C) Paragraph (C) – The owner/operator must submit the information specified in paragraph (B) of this condition no later than fifteen (15) days after receipt of the notice of excess emissions.

(D) Paragraph (D) – The owner/operator must notify the Director, in writing, whenever a planned start-up or shut down may result in excess emissions. This notice must be mailed, no later than ten (10) days prior to such action and must include, but not be limited to, the information specified in paragraphs (D)(1)-(10) of Section 35.

(E) Paragraph (E) – The owner/operator must notify the Director, in writing, whenever emissions due to malfunctions, unplanned shutdowns or ensuing start-ups are, or may be, in excess of applicable emission control regulations for one hour or more. Such notification must be mailed within forty-eight (48) hours of the beginning of each period of excess emissions and must include, but not be limited to, the information required in paragraph (D) of Section 35.

XX. In accordance with LLCAPCPRS Article 2, Section 37 (Compliance – Responsibility of Owner/Operator Pending Review by Director), application for review of plans or advice furnished by the Director will not relieve the owner or operator of a new or modified stationary source of legal compliance with any provision of the LLCAPCPRS, or prevent the Director from enforcing or implementing any provision of the LLCAPCPRS.

XXI. In accordance with LLCAPCPRS Article 2, Section 38 (Emergency Episodes – Occurrence and Control: Contingency Plans), if and when the Director declares an air pollution emergency episode as defined in Section 38, the source must perform all applicable Air Pollution Emergency Actions as required by LLCAPCPRS Appendix I, paragraphs 1.3 (a)(1) and 1.3 (b)(1)-(2) until the Director declares the air pollution episode terminated.

XXII. Requirements Established Pursuant to Department Authority. Pursuant to the authorities granted in Section 8.06.030 of the Lincoln Municipal Code (LMC 8.06.030 – Air Pollution, Director Powers and Duties), Section 4 of the Lancaster County Air Pollution Control Resolution (R-13-0073), and Neb. Rev. Stat. §81-1504, the following conditions are requirements of this permit:

- (A) Permits. This permit is not transferable to another location, unless otherwise specified in this permit. The LLCHD shall have the authority to issue, continue in effect, revoke, modify, or deny permits, under such conditions as the LLCHD may prescribe and consistent with the Clean Air Act and the LLCAPCPRS.
- (B) Testing and Sampling. The owner/operator shall allow the LLCHD, US EPA, or an authorized representative to conduct tests and take samples of air contaminants, fuel, process materials, or any other substance which affects or may affect discharges or emissions of air contaminants from any source. The owner/operator shall submit air contaminant emission information in connection with such inspections, tests, and studies.
- (C) Orders, Abatement, and Pollution Control. The LLCHD, US EPA, or an authorized representative shall have the authority to issue, modify, or revoke orders prohibiting or abating discharges of air pollutants, or requiring the construction of control systems or any parts thereof or the modification, extension, or adoption of other remedial measures to prevent, control, or abate air pollution.
- (D) Inspection. The owner/operator shall allow the LLCHD, US EPA, or an authorized representative to enter and inspect or cause to be inspected, during reasonable hours, any building, facility, or place (except a building designed for and used exclusively for a private residence) as the LLCHD deems necessary to determine compliance with the provisions of the LLCAPCPRS.
- (E) Record Keeping and Retention. The owner/operator shall allow the LLCHD, US EPA, or an authorized representative access to existing and available records relating to emissions or discharges, which cause or contribute to air pollution or the monitoring of such emissions or discharges. These records shall be readily accessible and made available for inspection upon request by the LLCHD, US EPA, or an authorized representative. For the purposes of this permit, the owner/operator shall retain records of all required monitoring data, reports, and support information required by this permit for a period of at least sixty (60) months from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. All records of required monitoring information shall include the following:
 - (1) The date and place as defined in the permit, and time of sampling or measurements;
 - (2) The date(s) analyses were performed;

- (3) The company or entity that performed the analyses;
- (4) The analytical techniques or methods used;
- (5) The results of such analyses; and
- (6) The operating conditions existing at the time of sampling or measurement.

Specific Conditions

XXIII. **Source-Wide Requirements.** As authorized by LLCAPPRS Article 2, Section 17, this permit authorizes the owner/operator operate the Permitted Emission Units in accordance with the following requirements:

(A) Operating Requirements, Throughput Limits, and/or Work Practice Standards.

- (1) In accordance with the approved application, the owner/operator shall either combust distillate oil (includes No. 1 and No. 2 fuel oil), biodiesel, or natural gas in EUs 1-1/1-2 (Boiler #1), EUs 2-1/2-2 (Boiler #2), EUs 3-1/3-2 (Boiler #8), and EUs 4-1/4-2 (Boiler #7).
- (2) In accordance with the approved application, the owner/operator shall not combust any distillate oil or biodiesel that contains more than 0.05% sulfur by weight (500 parts per million by weight) during operation of EU 1-1 (Boiler #1), EU 2-1 (Boiler #2), or EU 4-1 (Boiler #7).
- (3) In accordance with the approved application, the owner/operator shall not combust any distillate oil or biodiesel that contains more than 0.005% sulfur by weight (50 parts per million by weight) during operation of EU 3-1 (Boiler #8).
- (4) The owner/operator shall operate the Permitted Emission Units in accordance with the manufacturer's specifications. At all times, including periods of startup, shutdown, and malfunction, the owner/operator shall, to the extent practicable, maintain and operate the Permitted Emission Units in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
- (5) The owner/operator is subject to all elections specified in the approved application, and any emissions controls used shall be at a minimum those elected in Section 6 of the approved application. The owner/operator may contact the Department to request or submit modifications to the approved application.

(B) Emission Limits and Emission Control Requirements.

- (1) In accordance with the approved application, for the purposes of the requirements set for in the specific conditions of this permit, the 'Boiler Plant' at UNL City is comprised of the emission units listed in Table 23-B2 of this permit. The owner/operator shall limit each of the following combined criteria pollutant emissions from the 'Boiler Plant' to the levels listed in Table 23-B1 below during any consecutive twelve (12) month period.

Table 23-B1: Criteria Air Pollutant Emission Limits for UNL City Campus Boiler Plant

Pollutant Name	Emission Limit in Tons Per Year (tpy)
Particulate matter less than 10 micrometers in diameter (PM ₁₀)	≤ 99.99 tpy
Nitrogen oxides (NOx) (calculated as nitrogen dioxide, or NO ₂)	≤ 99.99 tpy
Sulfur oxides including sulfur dioxide (SO ₂), sulfur trioxide (SO ₃), or any combination of the two	≤ 99.99 tpy

Table 23-B1: Criteria Air Pollutant Emission Limits for UNL City Campus Boiler Plant

Pollutant Name	Emission Limit in Tons Per Year (tpy)
Volatile organic compounds (VOC)	≤ 99.99 tpy
Carbon Monoxide (CO)	≤ 99.99 tpy
Lead (Pb)	≤ 4.99 tpy

(2) In accordance with the requirements set forth in Article 2, Section 20, paragraph (B) of the LLCAPCPRS, the owner operator must limit particulate matter (PM) emissions as required in Table 23-B2 below.

Table 23-B2: Heat Input Rate PM Emission Limit for UNL City Campus Boiler Plant

EU #	EU Description – Heat Input Rate	Pollutant	Pollutant Limit (lbs/MMBtu)
1-1 & 1-2	Boiler #1 – 99.8 MMBtu/hr	PM	0.351
2-1 & 2-2	Boiler #2 – 99.8 MMBtu/hr	PM	0.351
3-1 & 3-2	Boiler #8 – 99.8 MMBtu/hr	PM	0.351
4-1 & 4-2	Boiler #7 – 99.8 MMBtu/hr	PM	0.351

(3) In accordance with Article 2, Section 20, paragraph (E) of the LLCAPCPRS, particulate matter emissions from the Permitted Emission Units shall not equal or exceed twenty percent (20%) opacity, as evaluated by using EPA Test Method 9.

(4) In accordance with the approved application, the owner/operator shall operate the Permitted Emission Units in compliance with all applicable emission limits and emission control requirements (if any) established pursuant to the Federal Regulation(s) incorporated in paragraph (F) of this condition.

(C) Monitoring and Record Keeping Requirements.

(1) Within fifteen (15) days of the end of each month, the owner/operator shall calculate and record the following for the previous month. Records of these calculations shall be maintained in accordance with Condition XXII(E) of this permit.

- (a) The combined emissions (measured in tons) of each criteria air pollutant listed in Table 23-B1 above from the 'Boiler Plant' for the previous month; and
- (b) The rolling twelve (12) month total emissions of each criteria air pollutant from the 'Boiler Plant' by summing each calculated criteria air pollutant emission total for the previous month with the respective emission totals for the preceding eleven (11) months.

(2) In order to ensure ongoing compliance with the opacity limit set forth in paragraph (B)(3) of this condition, the owner/operator shall:

- (a) Perform visible emission monitoring in accordance with all applicable procedures established in a valid operating permit; and
- (b) Maintain records of visible emission surveys performed in accordance with all applicable procedures established in a valid operating permit.

(3) In accordance with LLCAPCPRS, Article 2, Section 8, paragraph (L)(5), compliance with the particulate matter emission limits indicated in paragraphs (B)(2) of this condition shall be determined by use of technically valid engineering calculations including, but not limited to, the emissions factors for fuel combustion equipment presented in the 5th edition of

AP-42 or in the approved application. For the purposes of demonstrating compliance with this requirement, the owner/operator has submitted emission rate calculations with the approved application, all of which demonstrate compliance with the emission limits indicated in paragraph (B)(2) of this condition.

- (4) The owner/operator shall demonstrate compliance with paragraph (A)(2)-(3) of this condition by maintaining records of fuel sulfur content, obtained through the fuel supplier or through testing the sulfur content of the fuel(s) used.
- (5) The owner/operator shall demonstrate compliance with paragraph (A)(4) of this condition by maintaining records of operation and maintenance of the Permitted Emission Units, to include the following:
 - (a) Records documenting when routine maintenance and preventive actions were performed, with a description of the maintenance and/or preventive action performed; and
 - (b) Records documenting equipment failures, malfunctions, or excess visible emissions. Records shall include the time of each occurrence, corrective action(s) taken, and when corrections were made.
- (6) In accordance with the approved application, the owner/operator shall perform all required monitoring applicable to the Permitted Emission Units (if any) established pursuant to the Federal Regulation(s) incorporated in paragraph (F) of this condition.
- (7) In accordance with the approved application, the owner/operator shall perform all required record keeping applicable to the Permitted Emission Units (if any) established pursuant to the Federal Regulation(s) incorporated in paragraph (F) of this condition. Required records shall be maintained in the form(s) required, and for the duration(s) established pursuant to the applicable Federal Regulation(s).

(D) Notification and Reporting Requirements.

- (1) In accordance with the requirements set forth under Condition XI of this permit, the owner/operator shall report all emissions associated with the Permitted Emission Units on an annual basis. This report shall be submitted no later than March 31st of each year.
- (2) In accordance with the approved application, the owner/operator shall report the occurrence of any exceedance of the limit set forth in paragraphs (B)(1)-(3) of this condition. These reports shall be submitted to the Department, in writing, no more than ten (10) days after the date of discovery of the exceedance.
- (3) In accordance with the approved application, the owner/operator shall submit all required notifications and reports applicable to the Permitted Emission Units (if any) established pursuant to the Federal Regulation(s) incorporated in paragraph (F) of this condition.

(E) Other Requirements.

- (1) Any modification of the construction permit application documents must have prior approval from the Department. The source shall provide all necessary information to validate the modification, including, but not limited to, additional engineering, modeling, and ambient air quality studies.
- (2) The conditions set forth in this permit shall remain applicable requirements until such time that all permitted emission units are removed from the source, or until the owner/operator requests that the permit be nullified, and all permitted emission units are rendered inoperable.

- (3) The owner/operator shall not make any modifications to any of the Permitted Emission Units and/or associated equipment that may increase emissions or change dispersion characteristics without receiving written approval from the Department.
- (4) Any control or monitoring equipment that may be necessary for compliance with the LLCAPCPRS or any similar requirements of the Federal EPA shall be installed within the time period or by the date specified in the applicable rule or regulation.
- (F) Requirements of the New Source Performance Standard (NSPS) set forth in Title 40, Part 60 of the Code of Federal Regulations (40 CFR Part 60).
 - (1) The owner/operator shall operate the Permitted Emission Units in accordance with the applicable requirements set forth in 40 CFR Part 60, Subpart Dc (NSPS for Small Industrial/Commercial/Institutional Steam Generating Units). The provisions of Subpart Dc cited by section number, section description, and paragraph in Table 23-F1 below are requirements of this permit.

**Table 23-F1: Requirements of 40 CFR Part 60, Subpart Dc for
UNL City Campus Boiler Plant**

Section (§)	Section Description	Applicable Paragraph(s)
§60.40c	Applicability and Delegation of Authority	(a)-(d)
§60.41c	Definitions	Entire Section
§60.42c	Standard for Sulfur Dioxide (SO ₂)	(d); (g); (h)(1); (i)
§60.43c	Standard for Particulate Matter (PM)	(c); (d); (e)(4)
§60.44c	Compliance and Performance Test Methods and Procedures for SO ₂	(h)
§60.45c	Compliance and Performance Test Methods and Procedures for PM	(a), (a)(8); (d)
§60.46c	Emission Monitoring for SO ₂	(e)
§60.47c	Emission Monitoring for PM	(f), (f)(3)
§60.48c	Reporting and Record Keeping Requirements	(a)-(d); (e)(1), (e)(11); (f), (f)(1); (g)(1)-(3); (i); (j)

Note: Unless otherwise specified, all sub-paragraphs of the 'Applicable Paragraphs' set forth above are incorporated as requirements of this permit.

- (2) The owner/operator must comply with all applicable requirements of 40 CFR Part 60, Subpart A (General Provisions), as they relate to applicable requirements for the Permitted Emission Units pursuant to 40 CFR Part 60, Subpart Dc. The owner/operator shall be responsible for identifying and maintaining compliance with all applicable provisions of Subpart A.
- (G) Requirements of the National Emissions Standards for Hazardous Air Pollutants for Source Categories (Source Category NESHAPs) set forth in Title 40, Part 63 of the Code of Federal Regulations (40 CFR Part 63).
 - (1) In the event that the owner/operator elects to operate Boilers #1, #2, #8, & #7 (EUs 1-1/1-2, 2-1/2-2, 3-1/3-2, & 4-1/4-2) in a manner that does not meet the definition of a 'gas-fired boiler', as defined in 40 CFR Part 63, Subpart JJJJJ §63.11237, the owner/operator shall submit notification of such change to the Department within thirty (30) days of changing operation as required by 40 CFR Part 63 §63.11225(g). The owner/operator shall comply with all other applicable requirements of Subpart JJJJJ according to the compliance dates set forth in §63.11196.

END OF PERMIT CONDITIONS
