

40 C.F.R. § 52.1420

Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable SIP for Nebraska under section 110 of the CAA, 42 U.S.C. 7401 *et seq.*, and 40 CFR Part 51 to meet NAAQS.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to December 31, 2014, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the Federal Register. Entries in paragraphs (c) and (d) of this section with EPA approval dates after December 31, 2014, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 7 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated state rules/regulations which have been approved as part of the SIP as of December 31, 2014.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region 7, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; at the EPA, Air and Radiation Docket and Information Center, and the National Archives and Records Administration (NARA). If you wish to obtain material from the EPA Regional Office, please call (913) 551-7089. For information on the availability of this material at NARA, call (202) 741-6030, or go to: www.archives.gov/federal-register/cfr/ibr-locations.html.

(c) *EPA-approved regulations.*

EPA-Approved Nebraska Regulations

Nebraska citation	Title	State effective date	EPA approval date	Explanation
STATE OF NEBRASKA				
Department of Environmental Quality				
Title 129—Nebraska Air Quality Regulations				
129-1	Definitions	7/15/2018	4/12/2019, 84 FR 14878	The definition of “solid waste” is not approved into the SIP. The second sentence beginning at “Solid waste” and ending at “discarded material”, is not approved into the SIP.

129-2	Definition of Major Source	2/6/2008	4/17/2020, 85 FR 21329	
129-3	Region and Subregions: How Classified	6/26/1994	1/4/1995, 60 FR 372	
129-4	Ambient Air Quality Standards	7/15/2018	4/12/2019, 84 FR 14878	
129-5	Operating Permits—When Required	2/16/2008	10/7/2016, 81 FR 69695	
129-6	Emissions Reporting; When Required	11/20/2002	9/5/2003, 68 FR 52691	
129-7	Operating Permits—Application	8/22/2000	5/29/2002, 67 FR 37325	
129-8	Operating Permit Content	6/24/2019	5/15/2020, 85 FR 29329	
129-9	General Operating Permits for Class I and II Sources	11/20/2002	10/7/2016, 81 FR 69695	
129-10	Operating Permits for Temporary Sources	9/7/1997	1/20/2000, 65 FR 3130	
129-11	Operating Permits—Emergency; Defense	6/26/1994	1/4/1995, 60 FR 372	
129-12	Operating Permit Renewal and Expiration	5/29/1995	2/9/1996, 61 FR 4899	
129-13	Class I Operating Permit—EPA Review; Affected States Review; Class II Permit	6/26/1994	1/4/1995, 60 FR 372	
129-14	Permits—Public Participation	2/6/2008	3/22/2011, 76 FR 15852	
129-15	Operating Permit Modifications; Reopening for Cause	5/13/2014	4/6/2018, 83 FR 14762	

129-16	Stack Heights; Good Engineering Practice (GEP)	12/15/1998	5/29/2002, 67 FR 37325	
129-17	Construction Permits—When Required	4/1/2012	8/4/2014, 79 FR 45108	Approval does not include Nebraska's revisions to sections 001.02T and 013.04T pertaining to ethanol production facilities, which were not submitted by the State.
129-19	Prevention of Significant Deterioration of Air Quality	12/9/2013	10/11/2016, 81 FR 70023.	
129-20	Particulate Emissions: Limitations and Standards	7/15/2018	4/12/2019, 84 FR 14878	
129-21	Controls for Transferring, Conveying, Railcar and Truck Loading at Rock Processing Operations in Cass County	7/10/2002	7/8/2003, 68 FR 40528	
129-22	Incinerators; Emission Standards	12/9/2013	10/11/2016, 81 FR 70023.	
129-24	Sulfur Compound Emissions; Existing Sources Emission Standards	6/26/1994	1/4/1995, 60 FR 372	
129-25	Nitrogen Oxides (Calculated as Nitrogen Dioxide); Emissions Standards for Existing Stationary Sources	9/7/1997	1/20/2000, 65 FR 3130	
129-30	Open Fires	7/3/2010	10/7/2016, 81 FR 69695	
129-32	Dust; Duty to Prevent Escape of	6/26/1994	1/4/1995, 60 FR 372	
129-33	Compliance; Time Schedule for	6/26/1994	1/4/1995, 60 FR 372	
129-34	Emission Sources; Testing; Monitoring	7/15/2018	4/12/2019, 84 FR 14878	
129-35	Compliance; Exceptions Due to Startup, Shutdown, or Malfunction	9/7/1997	1/20/2000, 65 FR 3130	
129-36	Control Regulations; Circumvention, When Excepted	6/26/1994	1/4/1995, 60 FR 372	

129-37	Compliance; Responsibility	6/26/1994	1/4/1995, 60 FR 372	
129-38	Emergency Episodes; Occurrence and Control, Contingency Plans	6/26/1994	1/4/1995, 60 FR 372	
129-41	General Provisions	12/15/1998	5/29/2002, 67 FR 37325	
129-42	Permits -By-Rule	11/20/2002 4/8/2003 5/7/2005	7/10/2006, 71 FR 38776	
129-43	Visibility Protection	2/6/2008	6/28/2018, 83 FR 30352	
129-44	Consolidated with Chapter 41	5/29/1995	2/9/1996, 61 FR 4899	
Appendix I	Emergency Emission Reductions	6/26/1994	1/4/1995, 60 FR 372	
Appendix II	Hazardous Air Pollutants (HAPS)	5/7/2005	7/10/2006, 71 FR 38776	
Title 115—Rules of Practice and Procedure				
115-1	Adoption of Model Rules	6/24/2019	5/18/2021, 86 FR 26843	
115-2	Confidentiality for Trade Secrets	6/24/2019	5/18/2021, 86 FR 26843	
115-3	Public Hearings	6/24/2019	5/18/2021, 86 FR 26843	
Lincoln-Lancaster County Air Pollution Control Program				
Article 1—Administration and Enforcement				
Section 1	Intent	5/16/1995	2/14/1996, 61 FR 56991	

Section 2	Unlawful Acts—Permits Required	5/16/1995	2/14/1996, 61 FR 5699	
Section 3	Violations—Hearings—Orders	5/16/1995	2/14/1996, 61 FR 5699	
Section 4	Appeal Procedure	5/16/1995	2/14/1996, 61 FR 5699	
Section 5	Variance	5/16/1995	2/14/1996, 61 FR 5699	
Section 7	Compliance—Actions to Enforce— Penalties for Non-Compliance	5/16/1995	2/14/1996, 61 FR 5699	
Section 8	Procedure for Abatement	5/16/1995	2/14/1996, 61 FR 5699	
Section 9	Severability	5/16/1995	2/14/1996, 61 FR 5699	
Article 2—Regulations and Standards				
Section 1	Definitions	8/11/1998	1/20/2000, 65 FR 3130	
Section 2	Major Sources—Defined	8/11/1998	1/20/2000, 65 FR 3130	
Section 4	Ambient Air Quality Standards	5/16/1995	2/14/1996, 61 FR 5699	
Section 5	Operating Permits—When Required	8/11/1998	1/20/2000, 65 FR 3130	
Section 6	Emissions Reporting—When Required	8/11/1998	1/20/2000, 65 FR 3130	
Section 7	Operating Permit—Application	8/11/1998	1/20/2000, 65 FR 3130	
Section 8	Operating Permit—Content	8/11/1998	1/20/2000, 65 FR 3130	
Section 9	General Operating Permits for Class I and II Sources	5/16/1995	2/14/1996, 61 FR 5699	
Section 10	Operating Permits for Temporary Services	5/16/1995	2/14/1996, 61 FR 5699	
Section 11	Emergency Operating Permits—Defense	5/16/1995	2/14/1996, 61 FR 5699	

Section 12	Operating Permit Renewal and Expiration	5/16/1995	2/14/1996, 61 FR 5699	
Section 14	Permits—Public Participation	5/16/1995	2/14/1996, 61 FR 5699	
Section 15	Operating Permit Modifications— Reopening for Cause	8/11/1998	1/20/2000, 65 FR 3130	
Section 16	Stack—Heights—Good Engineering Practice (GEP)	5/16/1995	2/14/1996, 61 FR 5699	
Section 17	Construction Permits—When Required	8/11/1998	1/20/2000, 65 FR 3130	
Section 20	Particulate Emissions—Limitations and Standards	3/31/1997	1/20/2000, 65 FR 3130	
Section 22	Incinerator Emissions	5/16/1995	2/14/1996, 61 FR 5699	
Section 24	Sulfur Compound Emissions—Existing Sources—Emission Standards	5/16/1995	2/14/1996, 61 FR 5699	
Section 25	Nitrogen Oxides (Calculated as Nitrogen Dioxide)—Emissions Standards for Existing Stationary Sources	5/16/1995	2/14/1996, 61 FR 5699	
Section 32	Dust—Duty to Prevent Escape of	3/31/1997	1/20/2000, 65 FR 3130	
Section 33	Compliance—Time Schedule for	5/16/1995	2/14/1996, 61 FR 5699	
Section 34	Emission Sources—Testing—Monitoring	5/16/1995	2/14/1996, 61 FR 5699	
Section 35	Compliance—Exceptions Due to Startup Shutdown or Malfunction	5/16/1995	2/14/1996, 61 FR 5699	
Section 36	Control Regulations—Circumvention— When Expected	5/16/1995	2/14/1996, 61 FR 5699	
Section 37	Compliance—Responsibility of Owner/Operator Pending Review by Director	5/16/1995	2/14/1996, 61 FR 5699	
Section 38	Emergency Episodes—Occurrence and Control—Contingency Plans	5/16/1995	2/14/1996, 61 FR 5699	
Appendix I	Emergency Emission Reduction Regulations	5/16/1995	2/14/1996, 61 FR 5699	

City of Omaha				
Chapter 41—Air Quality Control				
Article I—In General				
41-2	Adoption of State Regulations with Exceptions	4/1/1998	1/20/2000, 65 FR 3130	
41-4	Enforcement—Generally	5/29/1995	2/14/1996, 61 FR 5699	
41-5	Same Health Department	5/29/1995	2/14/1996, 61 FR 5699	
41-6	Residential Exemptions	5/29/1995	2/14/1996, 61 FR 5699	
41-9	Penalties	5/29/1995	2/14/1996, 61 FR 5699	
41-10	Civil Enforcement	5/29/1995	2/14/1996, 61 FR 5699	
Article II—Permitting of Air Contaminant Sources				
41-23	Prerequisite to Approval	5/29/1995	2/14/1996, 61 FR 5699	
41-27	Signature Required; Guarantee	5/29/1995	2/14/1996, 61 FR 5699	
41-38	Funds	5/29/1995	2/14/1996, 61 FR 5699	
41-40	Fees—When Delinquent	5/29/1995	2/14/1996, 61 FR 5699	
Article IV—Waste Incinerators—Division 1. Generally				
41-60	Definitions	5/29/1995	2/14/1996, 61 FR 5699	
41-61	Violations	5/29/1995	2/14/1996, 61 FR 5699	
Article IV—Waste Incinerators—Division 2. Emissions				
41-70	New or Modified Facilities	5/29/1995	2/14/1996, 61 FR 5699	
41-71	Existing Facilities	5/29/1995	2/14/1996, 61 FR 5699	

41-72	Emission Testing	5/29/1995	2/14/1996, 61 FR 5699	
Article IV—Waste Incinerators—Division 3. Design				
41-80	New or Modified Waste Incinerators	5/29/1995	2/14/1996, 61 FR 5699	
41-81	Existing Incinerators	5/29/1995	2/14/1996, 61 FR 5699	

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