

CITY of OMAHA
AIR QUALITY CONTROL

Notice is given to the public according to Chapter 41 of the Omaha Municipal Code of the application of the West Plains LLC for a renewal to their air emission operating permit for the grain handling facility at 1230 Ohio Street, Omaha. The potential emissions, in tons, for this project will be: TSP 99.8, PM10 38.5, PM2.5 5.8 and Phosphine 2.2.

No significant impact on air quality is expected from the operation of this facility. Douglas County is in attainment with air quality standards for the listed pollutants. Approval is recommended with the condition that any pollution control equipment that may be necessary for compliance with the City of Omaha or Nebraska Air Pollution Control Rules and Regulations will be installed within 180 days after notification by the City of noncompliance.

All information submitted by the applicant and the proposed approval by Air Quality Control are available for inspection by the public at the office of Omaha Air Quality Control from November 28, 2018 to December 28, 2018. Comments received during that period will be considered. During that period the applicant, or any interested person or group of persons, may request or petition the Control Officer for a public hearing, and state the nature of the issues to be raised and all arguments and factual grounds supporting their position. The Control Officer may hold a public hearing if the comments, requests, or petitions raise legal, policy or discretionary questions and significant public interest exists with respect to the application. Comments should be mailed to:

John Finlan Mayne
Public Works
Air Quality Control
5600 S. 10th Street
Omaha, NE 68107
402-444-3915



City of Omaha

Public Works Department

Air Quality Division
5600 South 10th Street
Omaha NE 68107-3501
Phone: (402) 444-6015
Telefax: (402) 444-6016

**CLASS II (SYNTHETIC MINOR)
AIR EMISSION OPERATING PERMIT
FOR**

**WEST PLAINS LLC
1230 Ohio Street
Omaha, NE 68110**

Effective Date: Placeholder Date, 2018

Expiration Date: Placeholder Date, 2023

Renewal Application Due: between Placeholder Date, 2022 and Placeholder Date, 2023

Omaha Air Quality Control
5600 S. 10th Street
Omaha, NE 68107
(402) 444-6015

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SOURCE IDENTIFICATION

OMAHA AIR QUALITY CONTROL OPERATING PERMIT

Class II (SM), Permit No. O18-00142-SM

Issue Date: Placeholder Date, 2018

Effective Date: Placeholder Date, 2018

Expiration Date: Placeholder Date, 2023

In accordance with the provisions of the Omaha Municipal Code, Chapter 41 - Air Quality Control,

West Plains LLC
4800 Main Street Suite 363
Kansas City, MO 68110

is authorized to operate the emission units shown in Table A-1 at

1230 Ohio Street
Omaha, NE 68110

The equipment indicated is subject to the terms and conditions shown in Table A-2 and to the other terms and conditions specified in this permit.

Each condition is followed by the source of the authority for said condition.

PERMIT APPROVAL

The granting of a permit to operate a Class II source shall not affect the responsibility of the owner or operator to comply with applicable portions of the control strategy, including local, state and federal requirements.

Application approved and Class II operating permit granted:

Signed: _____

John Finlan Mayne (OAQC Officer)

Table A-1

Table A-1: Emission Unit Identification and Description				
Emission Unit Number	Emission Unit Description	Make/Model	Size	Control Equipment
001a 001b	Grain Receiving Pit Truck (a) and Railcar (b)	N/A	810 tons/hr	South Baghouse
002	Receiving: Elevating Leg	N/A	810 tons/hr	North Baghouse
003	Bin Top Conveyor	N/A	360 tons/hr	No Control
004	Basement Conveyor	N/A	810 tons/hr	North Baghouse
005	Shipping: Elevating Leg	N/A	810 tons/hr	North Baghouse
006	Grain Cleaner	N/A	810 tons/hr	No Control
007a 007b	Grain Shipping Truck (a) and Railcar (b)	N/A	810 tons/hr	No Control (a) South Baghouse (b)
008	Dust Loadout (Insignificant)	N/A	15 tons/hr	No Control
009	Fumigation	N/A	288 tons/hr grain 320 grams/hr fumigant	North Baghouse

Table A-2

Table A-2: Emission Unit Emission Limits and Work Practice Standards				
Emission Unit Number	Pollutant/Parameter/ Etc	Emission Limit/ Work Practice Standard	Permit Condition	Monitoring Method
001a 001b	Grain Received	<ul style="list-style-type: none"> Shall not exceed 1,000,000 tons in any 12-month rolling period. 	Specific Condition 1.b.	Recordkeeping
006	Grain Cleaned	<ul style="list-style-type: none"> Shall not exceed 102,816 tons in any 12-month rolling period. 	Specific Condition 1.c.	Recordkeeping
007a 007b	Grain Shipped	<ul style="list-style-type: none"> Shall not exceed 1,000,000 tons in any 12-month rolling period. 	Specific Condition 1.d.	Recordkeeping
009	Grain Fumigated	<ul style="list-style-type: none"> Shall not exceed 979,200 tons in any 12-month rolling period. 	Specific Condition 1.e.	Recordkeeping
	Fumigant Applied	<ul style="list-style-type: none"> Shall not exceed 3,400 pounds in any 12-month rolling period. 	Specific Condition 1.f.	Recordkeeping
001a, 001b, 002, 004, 005, 007b, 009	Baghouse	<ul style="list-style-type: none"> Shall always be operating according to manufacturer's instructions to capture and control emissions. 	Specific Condition 1.g.	Recordkeeping
Plant Wide	Odors	<ul style="list-style-type: none"> Shall not cause objectionable odorous emissions into the ambient air. 	Specific Condition 1.h.	None

SPECIFIC CONDITIONS

1. Emission, Production and Operational Limits / Work Practice Standards

- 1.a. [No alternative scenarios are identified in this permit.]
- 1.b. The amount of grain received (001a and 001b combined) shall not exceed 1,000,000 tons in any 12-month rolling period. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 5.001.03A1]
- 1.c. The amount of grain cleaned (006) shall not exceed 102,816 tons in any 12-month rolling period. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 5.001.03A1]
- 1.d. The amount of grain shipped (007a and 007b combined) shall not exceed 1,000,000 tons in any 12-month rolling period. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 5.001.03A1]
- 1.e. The amount of grain fumigated (009) shall not exceed 979,200 tons in any 12-month rolling period. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 5.001.03A1]
- 1.f. The amount of fumigant added (009) shall not exceed 3,400 tons in any 12-month rolling period. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 5.001.03A1]
- 1.g. Emission units 001a, 001b, 002, 004, 005, 007b and 009 shall not operate unless the filterable particulate emissions are being captured and controlled by the baghouses as follow:
 - 1.g.i. the baghouses shall be installed, operated and maintained and shall be operating according to manufacturer's instructions whenever the corresponding emission units are in operation; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 5.001.03A1]
 - 1.g.ii. all baghouse-associated capture and air-handling equipment shall be in good repair and operating according to manufacturer's instructions to allow emissions to be controlled by the baghouses; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 5.001.03A1]
 - 1.g.iii. each baghouse compartment shall have a functioning gauge that measures the pressure drop. Each gauge shall be properly installed, operated, calibrated and maintained. The static pressure drop across the baghouse shall be maintained within the following range: 2.0 to 6.0 inches H₂O; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]
 - 1.g.iv. the baghouses shall be observed at least once a day to determine whether there are any visible emissions related to baghouse operation; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03] and
 - 1.g.v. corrective action shall be initiated as soon as practicable whenever there are any deviations from the above operation of the baghouse. The permittee shall have spare filters and other related equipment located on-site to facilitate rapid repair. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]

Local Regulation – Not federally enforceable:

- 1.h. The source shall not cause emissions of any objectionable odorous matter into the ambient air without applying all reasonable measures as may be required to prevent odors beyond the premises where it originates. [Omaha Municipal Code, Section 41-58]

2. Testing Requirements

- 2.a. Testing requirements are not applicable to any emission units at this source.

3. Monitoring Requirements

- 3.a. The Permittee shall track the amount of grain received on a daily and monthly basis as required by Specific Condition 4.a. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]
- 3.b. The Permittee shall track the amount of grain cleaned on a daily and monthly basis as required by Specific Condition 4.b. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]
- 3.c. The Permittee shall track the amount of grain shipped on a daily and monthly basis as required by Specific Condition 4.c. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]
- 3.d. The Permittee shall track the amount of grain fumigated on a daily and monthly basis as required by Specific Condition 4.d. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]
- 3.e. The Permittee shall track the amount of fumigant used out on a daily and monthly basis as required by Specific Condition 4.d. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]
- 3.f. The Permittee shall monitor the baghouse operations on a daily basis as required by Specific Condition 4.e. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.013]

4. Recordkeeping Requirements

- 4.a. A log of grain receiving operations shall be maintained and shall be updated in order to demonstrate compliance with Specific Condition 1.b. The daily recordkeeping shall be completed by the end of each day and the monthly recordkeeping shall be completed by the 15th of the following month. The log shall include the following information:
 - 4.a.i. a daily recording of the amount of grain, in tons, received in the previous day;
 - 4.a.ii. a monthly recording of the amount of grain, in tons, received in the previous month; and
 - 4.a.iii. a monthly recording of the amount of grain, in tons, received in the previous 12-month rolling period. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]
- 4.b. A log of grain cleaning operations shall be maintained and shall be updated in order to demonstrate compliance with Specific Condition 1.c. The daily recordkeeping shall be completed by the end of each day and the monthly recordkeeping shall be completed by the 15th of the following month. The log shall include the following information:

- 4.b.i.** a daily recording of the amount of grain, in tons, cleaned in the previous day;
 - 4.b.ii.** a monthly recording of the amount of grain, in tons, cleaned in the previous month; and
 - 4.b.iii.** a monthly recording of the amount of grain, in tons, cleaned in the previous 12-month rolling period. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]
- 4.c.** A log of grain shipping operations shall be maintained and shall be updated in order to demonstrate compliance with Specific Condition 1.d. The daily recordkeeping shall be completed by the end of each day and the monthly recordkeeping shall be completed by the 15th of the following month. The log shall include the following information:
 - 4.c.i.** a daily recording of the amount of grain, in tons, shipped in the previous day;
 - 4.c.ii.** a monthly recording of the amount of grain, in tons, shipped in the previous month; and
 - 4.c.iii.** a monthly recording of the amount of grain, in tons, shipped in the previous 12-month rolling period. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]
- 4.d.** A log of grain fumigation operations shall be maintained and shall be updated in order to demonstrate compliance with Specific Conditions 1.e. and 1.f. The daily recordkeeping shall be completed by the end of each day and the monthly recordkeeping shall be completed by the 15th of the following month. The log shall include the following information:
 - 4.d.i.** a daily recording of the amount of grain, in tons, fumigated in the previous day;
 - 4.d.ii.** a daily recording of the amount of fumigant, in pounds, applied in the previous day;
 - 4.d.iii.** a monthly recording of the amount of grain, in tons, imported in the previous month;
 - 4.d.iv.** a monthly recording of the amount of fumigant, in pounds, applied in the previous month;
 - 4.d.v.** a monthly recording of the amount of grain, in tons, fumigated in the previous 12-month rolling period; and
 - 4.d.vi.** a monthly recording of the amount of fumigant, in tons, applied in the previous 12-month rolling period. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]
- 4.e.** A log of baghouse operations shall be maintained and shall be updated daily for each baghouse in accordance with Specific Condition 1.g. The logs shall include the following information:
 - 4.e.i.** baghouse compartment identification;
 - 4.e.ii.** operational condition and effectiveness of the baghouse-associated capture and air-handling equipment;
 - 4.e.iii.** the daily pressure drop reading;
 - 4.e.iv.** the results of the daily visual emissions check;

- 4.e.v.** the date and time of all maintenance, including preventive maintenance, and each fabric filter replacement and the initials of the person conducting the inspections, maintenance, and filter replacement;
 - 4.e.vi.** any occurrence of the pressure gauge readings falling outside of the general operating range indicated in Specific Condition 1.g.iii. shall be noted in the log as a deviation;
 - 4.e.vii.** any occurrence of visible emissions related to the baghouse and the baghouse-associated capture and air-handling equipment shall be noted in the log as a deviation; and
 - 4.e.viii.** for any deviation recorded in 4.e.i. through 4.e.vii; a recording of the date and time corrective action was initiated, the probable cause of the deviation, any corrective actions taken and any preventative measures taken (if any) to prevent the deviation from occurring in the future per Specific Condition 1.g.v. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]
- 4.f.** All records required herein and support information shall be maintained on site for inspection and shall be retained for a period of at least five years. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]

5. Reporting Requirements

- 5.a.** The source shall complete and submit to OAQC an annual emissions inventory on forms furnished by OAQC by March 31, and shall include emission information for the previous calendar year. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 6.001] The permittee shall be able to supply all supplemental information to verify or otherwise assure the quality of emissions reported. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 6.005]
- 5.b.** The permittee shall complete and submit to OAQC an annual deviation report. The report shall list all instances of deviations from permit requirements. The report shall list the probable cause for the deviation and corrective actions or preventive measures taken. If there were no deviations to report, the permittee shall submit a statement to that effect as their report. The due date for the annual report shall be January 30th of each year. The report shall cover the preceding calendar year. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]
- 5.c.** The permittee shall report all deviations from permit requirements, the probable cause of such deviations, and any corrective action or preventative measures taken. The deviations shall be reported within the following time frames:
 - 5.c.i.** Any deviation resulting from emergency or upset conditions shall be reported within 2 working days of the date on which the permittee first becomes aware of the deviation if the permittee wishes to assert the affirmative defense authorized under Chapter 11 of Nebraska Title 129;
 - 5.c.ii.** Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported as soon as it is practicable; and
 - 5.c.iii.** All deviations shall be reported in the permittee's annual compliance report. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]

- 5.d.** All reports submitted to OAQC shall be submitted with a certification by the responsible official that meets the requirements of Omaha Municipal Code, Section 41-2, Chapter 7.008. Reports submitted under Specific Conditions 5.c.i and 5.c.ii may be submitted initially without a certification by a responsible official if an appropriate certification is provided within ten days thereafter, together with any corrected or supplemental information required concerning the deviation. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.015.03]

GENERAL CONDITIONS

1. Permit Renewal and Expiration

- 1.a. This permit is issued for a fixed period of 5 years. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.003.01] The permittee's right to operate this source is subject to termination with the expiration of this permit unless a timely and complete renewal application is submitted at least 6 months before the expiration date. In no event shall this time be greater than 18 months. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 7.002.06] Upon receipt of a complete application for renewal, this source may continue to operate subject to final action by OAQC on the renewal application. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 7.003.04] The application for renewal shall include the current permit's number, description of any permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 7.003.01] The application shall be sent to OAQC.

2. Transfer of Ownership or Operation

- 2.a. This permit is not transferable. An administrative permit amendment allows for a change in ownership or operational control of a source where the permitting authority determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the permitting authority. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 15.001.01D]

3. Property Rights

- 3.a. This permit does not convey any property rights of any sort, or any exclusive privilege. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.007.04]

4. Priority of Permit Provisions

- 4.a. The provisions of a permit issued under this title supersede the provisions of any previously issued operating or construction permit, except provisions contained in any general or source specific permit covering emissions activities or units not addressed by this permit. Such conditions shall be identified in the approved permit application. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.007.06 and Chapter 9.011]

**It should be noted that the provisions of a permit issued under this title do not actually supersede the provisions of any previously issued construction permit. This language is still included in the permit because of regulatory requirements.

5. Recordkeeping Requirements

- 5.a. Records of required monitoring information will include, if necessary, the following information:

- 5.a.i.** The date and place as defined in the permit and time of sampling or measurement; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.004.02A1]
- 5.a.ii.** The date(s) analyses were performed; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.004.02A2]
- 5.a.iii.** The company or entity that performed the analyses; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.004.02A3]
- 5.a.iv.** The analytical techniques or methods used; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.004.02A4]
- 5.a.v.** The results of the analyses; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.004.02A5]
- 5.a.vi.** The operating conditions existing at the time of sampling or measurement. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.004.02A6]

6. Submissions

- 6.a.** Reports, test data, monitoring data, notifications, and requests for renewal shall be submitted to:

Omaha Air Quality Control
5600 S. 10th Street
Omaha, NE 68107
(402) 444-6015

7. Inspection and Entry

- 7.a.** Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized representatives of OAQC, DEQ and the EPA to perform the following during normal business hours or at any time an emergency condition exists: [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.012.02]
 - 7.a.i.** Enter upon the permittee's premises where a source or activity is located or conducted, or where records must be kept under the conditions of this permit; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.012.02A]
 - 7.a.ii.** Have access to and copy at reasonable times any records that must be kept under the conditions of this permit; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.012.02B]
 - 7.a.iii.** Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.012.02C]
 - 7.a.iv.** Sample or monitor any substances or parameters relevant to the permit at any location during operating hours. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.012.02D]

- 7.b. No person shall obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties. [Omaha Municipal Code, Section 41-10]

8. Compliance

- 8.a. The permittee must comply with all conditions of this permit. Any noncompliance with a federally enforceable permit condition constitutes a violation of the Clean Air Act and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. Noncompliance may also be grounds for assessment of civil penalties. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.007.01]
- 8.b. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.007.02]
- 8.c. The permittee shall continue to comply with the applicable requirements for which compliance has already been certified in the permit application. [Omaha Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.012.03]
- 8.d. The permittee shall comply in a timely manner with applicable requirements that become effective during the term of this permit. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.012.03]
- 8.e. Notwithstanding any other provisions of this Title, the following methods may be used to determine compliance with applicable requirements:
 - 8.e.i. A monitoring method approved for the source and incorporated in an operating permit pursuant to Chapter 8;
 - 8.e.ii. Any compliance test method specified in the State Implementation Plan;
 - 8.e.iii. Any test or monitoring method approved for the source in a permit issued pursuant to Chapters 17, 19, or 27;
 - 8.e.iv. Any test or monitoring method provided for in this Title; or
 - 8.e.v. Any other test, monitoring, or information-gathering method that produces information comparable to that produced by any method described in 8.e.i. through 8.e.iv. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 34.008.]

9. Excess Emissions Due to an Emergency

- 9.a. The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that: [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 11.003]
 - 9.a.i. An emergency occurred and that the permittee can identify the cause(s) of the emergency; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 11.003.01]

- 9.a.ii. The permitted facility was at the time being properly operated; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 11.003.02]
- 9.a.iii. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 11.003.03] and
- 9.a.iv. The permittee submitted notice of the emergency to OAQC within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 11.003.04]

10. Duty to Provide Information

- 10.a. The permittee shall furnish to OAQC, within a reasonable time, any information that OAQC may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to OAQC copies of records that the permittee is required to keep by this permit, or for information claimed to be confidential, the permittee may furnish such records directly to OAQC along with a claim of confidentiality. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.007.05]
- 10.b. Any other test, monitoring, or information-gathering method that produces information comparable to that produced by any method described in this permit may also be used to determine compliance with applicable requirements. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 34.008.05]

11. Particulate Emissions

- 11.a. The facility may not cause or allow particulate matter caused by the combustion of fuel to be emitted from any stack or chimney into the outdoor atmosphere in excess of the rate as determined by Table 20-1 of NDEQ regulation, Title 129, Chapter 20. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 20.002]
- 11.b. No person shall cause or allow emissions, from any existing source, which are of an opacity equal to or greater than 20 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 § 60 Appendix B. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 20.004]

12. Dust, Duty to Prevent Escape of

- 12.a. No person may cause or permit the handling, transporting, or storage of any material in a manner that may allow particulate matter to become airborne in such quantities and concentrations that it remains visible in the ambient air beyond the premises where it originates. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 32.001]
- 12.b. No person may cause or permit a building or its appurtenances or a road, or a driveway, or an open area to be constructed, used repaired or demolished without applying all such reasonable measures to prevent particulate matter from becoming airborne so that it remains visible beyond the premises where it originates. The Director may require such reasonable

measures as may be necessary to prevent particulate matter from becoming airborne, including but not limited to paving or frequent cleaning of roads, driveways and parking lots; application of dust-free surfaces; application of water; and the planting and maintenance of vegetative ground cover. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 32.002]

13. Reopening for Cause; revocation and reissuance; and termination

- 13.a.** OAQC shall reopen, revoke and reissue, or terminate this permit, during its term for cause, including but not limited to:
- 13.a.i.** Additional requirements under the CAA become applicable to the source 3 or more years prior to the expiration date of this permit. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 15.006.01A]
 - 13.a.ii.** Additional requirements, including excess emissions requirements, become applicable to an affected source under the acid rain program under Chapter 26. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 15.006.01B]
 - 13.a.iii.** OAQC determines that the permit must be revoked and reissued to assure compliance with the applicable requirements. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 15.006.01C]
 - 13.a.iv.** OAQC determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 15.006.01D]
 - 13.a.v.** OAQC determines that an applicable requirement or applicable requirement under the Act applies which was not identified by the permittee in its application. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 15.006.01E]
- 13.b.** OAQC may revoke this permit, during its term for cause, including but not limited to:
- 13.b.i.** The existence at the facility of unresolved noncompliance with applicable requirements or a term or condition of the permit, and refusal of the permittee to agree to an enforceable schedule of compliance to resolve the noncompliance. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 15.006.02A]
 - 13.b.ii.** The permittee has falsely certified or submitted false, incomplete, or misleading information to OAQC or EPA. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 15.006.02B]
 - 13.b.iii.** 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. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 15.006.02C]

- 13.b.iv.** The permittee has failed to pay a penalty owed pursuant to court order, stipulation and agreement, or order issued by the Administrator of EPA. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 15.006.02D]
- 13.c.** Reopening shall not be initiated before a notice of intent to reopen is provided to the permittee by OAQC at least 30 days in advance of the date that this permit is to be reopened, except that OAQC may provide a shorter time period in the case of an emergency. Proceedings to reopen and issue this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 15.006.03]
- 13.d.** The filing of a request by the permittee for a permit modification, revocation and reissuance, termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.007.03]

14. Severability Clause

- 14.a.** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 8.006]

15. Fees

- 15.a.** The permittee shall pay any applicable annual fee to the City of Omaha's Finance Department. The fee will be due and payable upon receipt of the invoice from the Finance Department, but not prior to July 1 of each year. The fee will be based on that year's existing rate structure as reviewed and/or adopted by the City Council by resolution. [Omaha Municipal Code, Section 41-2, Chapter 29.007]

16. Compliance; Exceptions Due to Startup, Shutdown or Malfunction

- 16.a.** Upon receipt of a notice of excess emissions issued by OAQC, the source to which the notice is issued may provide information showing that the excess emissions were the result of a malfunction, start-up, or shutdown. Based upon any information submitted by the source operator, and any other pertinent information available, the Director shall make a determination whether the excess emissions constitute a malfunction, start-up, or shutdown; and whether the nature, extent, and duration of the excess emissions warrant enforcement action. In determining whether enforcement action is warranted, the Director shall consider the following: [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 35.001]
- 16.a.i.** Whether the excess emissions during start-up, shutdown, or malfunction, occurred as a result of safety, technological, or operating constraints of the control equipment, process equipment, or process. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 35.001.01]
- 16.a.ii.** Whether the air pollution control equipment, process equipment, or processes were maintained and operated to the maximum extent practical for minimizing emissions.

[Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 35.001.02]

- 16.a.iii.** Whether repairs were made as expeditiously as practicable when the operator knew, or should have known, when excess emissions were occurring. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 35.001.03]
- 16.a.iv.** Whether the amount and duration of the excess emissions were limited to the maximum extent practical during periods of such emissions. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 35.001.04]
- 16.a.v.** Whether all practical steps were taken to limit the impact of the excess emissions on the ambient air quality. [Omaha Municipal Code, Section 41-2, incorporating NDEQ regulation, Title 129, Chapter 35.001.05]

17. Protection of Stratospheric Ozone

- 17.a.** The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR § 82, Subpart E:
 - 17.a.i.** All containers containing a class I or class II substance that is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance, must bear the required warning statement if it is being introduced into interstate commerce pursuant to 82.106.
 - 17.a.ii.** The placement of the required warning statement must comply with the requirements pursuant to 82.108.
 - 17.a.iii.** The form of the label bearing the required warning statement must comply with the requirements pursuant to 82.110.
 - 17.a.iv.** No person may modify, remove, or interfere with the required warning statement except as described in 82.112.
- 17.b.** The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVACs in Subpart B:
 - 17.b.i.** Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156.
 - 17.b.ii.** Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
 - 17.b.iii.** A technician, certified by an approved technician certification program pursuant to §82.161, must perform maintenance, service, repair, or disposal of appliances.
 - 17.b.iv.** Persons disposing of small appliances, MVAC's, and MVAC-like appliances must comply with record keeping requirements pursuant to 82.166 and with work practice requirements pursuant to 82.156 (f). ("MVAC-like appliance" as defined at 82.152)
 - 17.b.v.** Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 82.156.
 - 17.b.vi.** Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 82.166.

17.c. If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR § 82, Subpart A, Production and Consumption Controls.

17.d. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR § 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

The term “motor vehicle” as used in Subpart B does not include a vehicle in which final assemble of the vehicle has not been completed. The term “MVAC” as used in Subpart B does not include the airtight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.

17.e. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR § 82, Subpart G, Significant New Alternatives Policy Program.

18. Risk Management Plan

18.a. The permittee, if subject to the provisions of Section 112(r) of the Clean Air Act, shall develop and register with the appropriate agency, a risk management plan in accordance with 40 CFR Part 68.

19. Regulations

19.a. All citations (unless otherwise stated) are to the regulations in effect as of the date this permit is issued.

Glossary

Attainment area	Any area that meets the primary and secondary national ambient air quality standard (NAAQS) for the pollutant.
Btu	British thermal units
CAA	Clean Air Act, first passed in 1970, amended in 1977, with major modifications made in the 1990 Clean Air Act Amendments (CAAA)
CFR	Code of Federal Regulations
CO	Carbon Monoxide
Emission Inventory	A catalog or listing of emissions from a source, usually based on measurements, calculations, or other information regarding pollutant information.
Emission Unit	Each piece of equipment within a source that is capable of producing air pollutants.
EPA	Environmental Protection Agency
HAP	Hazardous Air Pollutant(s), identified in § 112 of the 1990 CAAA. There are currently 187 pollutants listed.
M	Thousand
MACT	Maximum Achievable Control Technology – A subset of NESHAP regulations.
Major Source	For the Title V program, a major source has the potential to emit; 1) 10 TPY or more of any one HAP or 25 TPY or more of any combination of HAPs, OR 2) 100 TPY or more of any air pollutant
Mass Balance	Used to convert gallons of material used into pounds of pollutant using material density and the percentage of pollutant in the material.
MM	Million (One thousand times one thousand)
MMBtu	Million British thermal units
MVACs	Motor Vehicle Air Conditioner
NAAQS	National Ambient Air Quality Standard
NAICS	North American Industrial Classification System – Adopted in 1997 by the Office of Management and Budget to be used by statistical agencies of the United States. These identifiers are also be used by Canada and Mexico. Replaces the 1987 SIC.
NESHAP	National Emission Standards for Hazardous Air Pollutants applies to existing as well as new or modified sources. These may apply to sources not otherwise affected by the operating permit program.
NH ₃	Ammonia
Non-attainment	A geographic area that does not meet, or exceeds, established air pollution levels. An area may be a non-attainment area for certain criteria pollutants and may be an attainment area for other criteria pollutants.
NO _x	Nitrogen Oxides
NSPS	New Source Performance Standards apply to new or modified sources, are industry or process specific, and regulate emission limits.
NSR	New Source Review is applicable to all major sources.
OAQC	Omaha Air Quality Control

Permit Shield	Deems a source to be in compliance as long as the terms and conditions of the permit are met.
PM	Particulate Matter
PM ₁₀	Particulate matter less than 10 micrometers in diameter
PM _{2.5}	Particulate matter less than 2.5 micrometers in diameter
PSD	Prevention of Significant Deterioration is a subset of the NSR program and is only applicable in attainment areas.
PTE	Potential To Emit
SCC	Source Classification Code
SIC	Standard Industrial Classification – A statistical classification standard underlying all establishment-based Federal economic statistics classified by industry.
Source	A business operation, organization, plant, or plant complex whose operation creates air pollutants.
SO _x	Sulfur Oxides, mostly sulfur dioxide (SO ₂)
Synthetic Minor	A source using enforceable limitations to avoid classification as a major source.
Title V	One of eleven subdivisions of the 1990 Clean Air Act Amendments, this requires an operating permit system for each state and is often used to refer to the operating permit(s) issued under this requirement.
TMRA	Twelve month rolling average (twelve consecutive months)
TPY	Tons per year
TSP	Total Suspended Particulates
VOC	Volatile Organic Compound means any organic compound which participates in atmospheric photochemical reactions.

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BASIS OF PERMIT

West Plains, LLC
 1230 Ohio Street
 Omaha NE 68110

DESCRIPTION OF THE FACILITY:

West Plains is a traditional terminal grain elevator. The 4 digit Standard Industrial Classification (SIC) Code for the facility is 5153.

The facility was constructed prior to 1970. The facility receives wheat and ships the wheat to mills for processing into flour. The bottlenecked capacity of the plant is rated at 600 tons/hour.

The facility has the following equipment:

<u>Unit Number</u>	<u>Unit Description</u>	<u>Control Equipment</u>
001a, 001b	Grain Receiving 001a- by truck; 001b- by railcar	South Baghouse
002	Grain Receiving: Elevating Leg	North Baghouse
003	Bin Top Conveyor	No Control
004	Basement Conveyor	North Baghouse
005	Grain Shipping: Elevating Leg	North Baghouse
006	Grain Cleaning	No Control
007a, 007b	Grain Shipping 007a- by truck; 007b- by railcar	007a- No Control 007b- South Baghouse
008	Dust Load-out (insignificant)	No Control
009	Fumigation	228 tons/hr grain 320 grams/hour fumigant

DESCRIPTION OF THE PERMIT ACTIVITY:

West Plains is an existing facility that has applied to renew their Class II Synthetic Minor (SM) operating permit. The previous operating permit (#O142SM) expired on November 2, 2017. West Plains submitted their renewal application April 24, 2017 and is operating under their application shield. The new application does not include any notable changes to the existing plant.

SUMMARY OF EMISSION UNITS:

The plant receives and ships wheat for future milling. Facility operations include wheat receiving, wheat handling and cleaning, wheat storing and load-out and fumigation to control insect pests.

Potential emissions were calculated for the receiving, handling and cleaning, storing and load out operations and fumigation. Emission factors available from EPA's WebFIRE were used in these calculations. Particulate emissions from the bin top conveyor, grain cleaning and grain load-out by truck are not being controlled. Baghouses are used to control particulate emissions from all of the other operations.

SUMMARY OF PERMIT LIMITS:

The proposed operating permit includes the following limits:

Various throughput limits on the amount of grain that is processed in any 12-month rolling period.

Particulate emissions from the receiving, various transfer operations, grain load-out by railcar and fumigation out are to be controlled by baghouses.

TYPE AND QUANTITY OF AIR CONTAMINANT EMISSIONS ANTICIPATED:

The following table summarizes the predicted maximum emissions:

<u>Regulated Pollutant</u>	<u>Permitted PTE (tpy)</u>
Particulate Matter	99.80
PM-10	38.54
PM-2.5	5.83
Phosphine	2.16

APPLICABLE REQUIREMENTS :

This permit is a Class II (SM) operating permit.

The permit conditions specific to the proposed permit are as follows:

1. Emission Limits / Work Practice Standards

- 1.a. This condition states that there are no alternative scenarios for this source.
- 1.b. The permittee has chosen to limit the amount of grain received in any 12-month rolling period. This condition states that production limit. This is a local, state and federal requirement.
- 1.c. The permittee has chosen to limit the amount of grain cleaned in any 12-month rolling period. This condition states that production limit. This is a local, state and federal requirement.
- 1.d. The permittee has chosen to limit the amount of grain loaded out in any 12-month rolling period. This condition states that production limit. This is a local, state and federal requirement.
- 1.e. The permittee has chosen to limit the amount of grain fumigated in any 12-month rolling period. This condition states that production limit. This is a local, state and federal requirement.
- 1.f. The permittee has chosen to limit the amount of fumigant applied out in any 12-month rolling period. This condition states that production limit. This is a local, state and federal requirement.
- 1.g. The permittee has chosen to control the filterable particulate emissions from the grain handling, grain cleaning, grain milling, flour loadout and flour import operations with a baghouse. This condition states that operational limit. This is a local, state and federal requirement.

- 1.h. Omaha Municipal Code Chapter 41 sets an odor standard. This condition states that standard. This is a local requirement.

2. Testing Requirements

- 2.a. There are no testing requirements.

3. Monitoring Requirements

- 3.a. This condition requires that grain receiving operations be monitored in order to make the voluntary limit enforceable. This is a local, state and federal requirement.
- 3.b. This condition requires that grain cleaning operations be monitored in order to make the voluntary limit enforceable. This is a local, state and federal requirement.
- 3.c. This condition requires that grain load-out operations be monitored in order to make the voluntary limit enforceable. This is a local, state and federal requirement.
- 3.d. This condition requires that grain fumigating operations be monitored in order to make the voluntary limit enforceable. This is a local, state and federal requirement.
- 3.e. This condition requires that fumigant usage be monitored in order to make the voluntary limit enforceable. This is a local, state and federal requirement.
- 3.f. This condition requires that baghouse operations be monitored in order to make the voluntary limit enforceable. This is a local, state and federal requirement.

4. Recordkeeping Requirements

- 4.a. This condition requires that a record of grain receiving operations be kept in order to make the voluntary limit enforceable. This is a local, state and federal requirement.
- 4.b. This condition requires that a record of grain cleaning operations be kept in order to make the voluntary limit enforceable. This is a local, state and federal requirement.
- 4.c. This condition requires that a record of grain load-out operations be kept in order to make the voluntary limit enforceable. This is a local, state and federal requirement.
- 4.d. This condition requires that a record of grain fumigating operations be kept in order to make the voluntary limit enforceable. This is a local, state and federal requirement.
- 4.e. This condition requires that a record of baghouse operations be kept in order to make the voluntary limit enforceable. This is a local, state and federal requirement.
- 4.f. This condition requires that all records required herein and support information be kept on site and be available for inspection. This is a local, state and federal requirement.

5. Reporting Requirements

- 5.a. This condition requires an annual emission inventory be submitted and that supporting documentation be available upon request. This is a Local, State and Federal requirement.

- 5.b. This condition requires an annual deviation report be submitted. This is a Local, State and Federal requirement.
- 5.c. This condition requires reporting of any permit deviation. This is a Local, State and Federal requirement.
- 5.d. This condition requires all reports submitted to OAQC shall include a certification by the responsible official. This is a Local, State and Federal requirement.

STATUTORY OR REGULATORY PROVISIONS:

Operating Permits [Omaha Municipal Code, Section 41-2, Chapter 5]-

The facility is a synthetic minor source and requires a Class II operating permit.

NSPS [Omaha Municipal Code, Section 41-2, Chapter 18]-

The facility is a grain elevator that is not subject to NSPS Subpart DD because it was constructed before August 3, 1978.

PSD [Omaha Municipal Code, Section 41-2, Chapter 19]-

The facility is not considered major for future PSD permitting purposes because potential emissions do not exceed those thresholds.

Particulate Emissions [Omaha Municipal Code, Section 41-2, Chapter 20, Section 002]-

The facility is expected to comply with this regulation because the main sources of particulate matter are being controlled with baghouses.

Opacity [Omaha Municipal Code, Section 41-2, Chapter 20, Section 004]-

The facility is expected to comply with this regulation because the main sources of particulate matter are being controlled with baghouses.

Sulfur Compound Emissions [Omaha Municipal Code, Section 41-2, Chapter 24]-

The constructed units are expected to comply with this regulation because there are no fossil fuels being combusted at this source.

Acid Rain [Omaha Municipal Code, Section 41-2, Chapter 26]-

The facility is not subject to Acid Rain requirements because it does not produce electricity for sale.

State BACT [Omaha Municipal Code, Section 41-2, Chapter 28]-

The facility is not subject to Nebraska BACT requirements because potential emissions do not exceed those thresholds.

NESHAP [Omaha Municipal Code, Section 41-2, Chapter 28]-

The facility is not subject to any MACT requirements.

CAM [Omaha Municipal Code, Section 41-2, Chapter 31]-

The facility is not subject to CAM standards because the source is not a Title V source.

Emission Sources- Testing & Monitoring [Omaha Municipal Code, Section 41-2, Chapter 34]-

The facility is not subject to testing and COMS requirements.

PROCEDURES FOR FINAL DETERMINATION:

The public notice, as required under NAQR Chapter 14, shall be published on November 21, 2018. Persons or groups shall have 30 days from that issuance of public notice (December 21, 2018) to provide the OAQC with any written comments concerning the proposed permit action and/or to request a public hearing, in accordance with NAQR Chapter 14. Persons having comments or requesting a public hearing may contact:

John Finlan Mayne
Air Quality Engineer
Air Quality Control Division
Omaha Public Works Department
5600 S 10th Street
Omaha NE 68107

If no public hearing is requested, the permit may be granted at the close of the 30-day comment period. If a public hearing is requested, the Director may choose to extend the date on which the permit is to be granted until after that public hearing has been held.

Telephone inquiries may be made at: (402) 444-3915