

Inspection and Compliance Division

I have my permit, now what?

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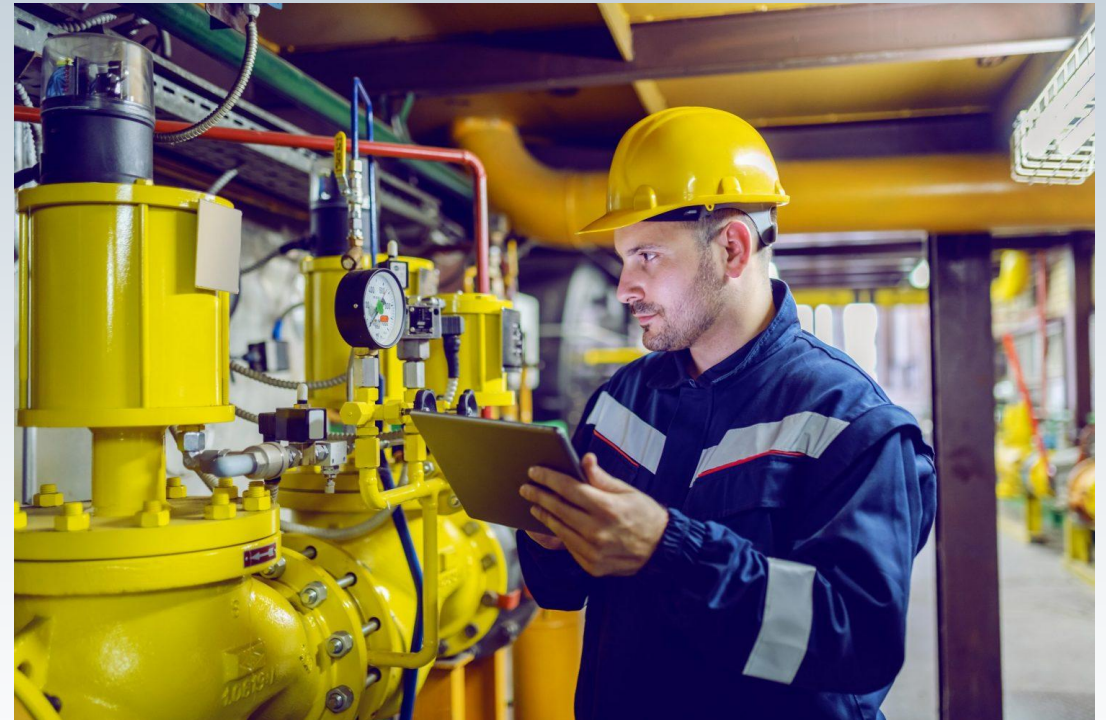
Supervisor: Matt Turco

Today's Presentation

- If you have questions during the presentation, please enter them in the chat box.
- For any questions you have after the presentations is over, please email your detailed question to NDEE.AirQuality@nebraska.gov

Why does NDEE conduct facility inspections?

- Collect information on facility operations, waste streams, and air emissions to ensure compliance with environmental regulations.
- State law allows NDEE employees to enter facility at reasonable times to determine compliance with state environmental permits, laws, and regulations.

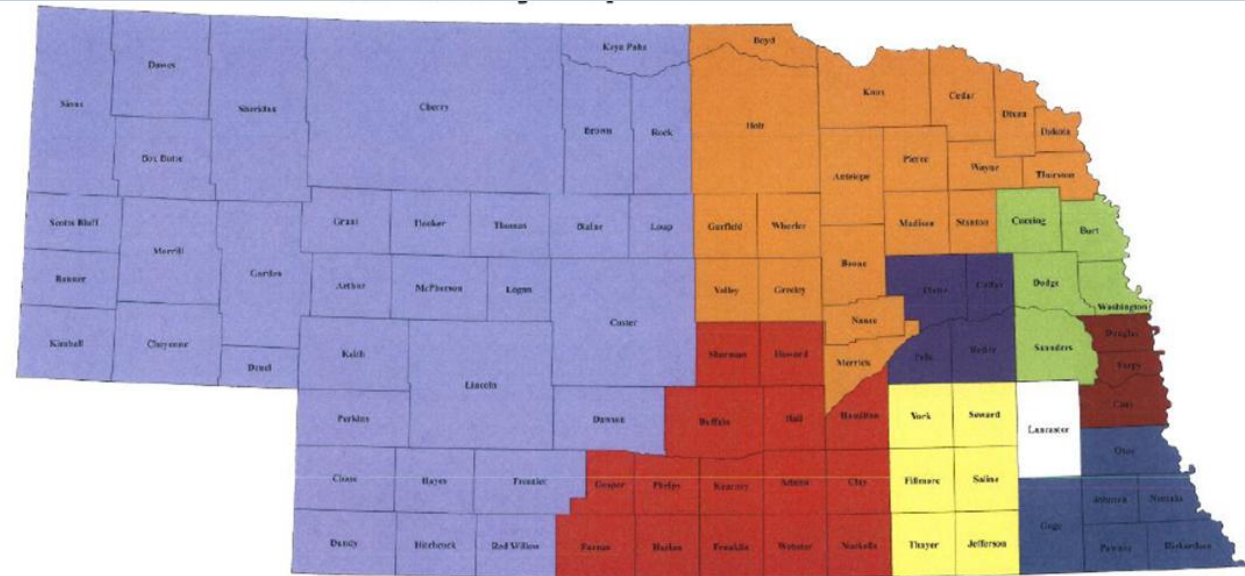


Types of Inspections

- Full Compliance Evaluation
 - Conducted regularly to assess facility-wide conditions
- Partial Compliance Evaluation
 - Conducted to assess a specific part of a facility's operations
- Desk audit/Remote
 - An evaluation of facility records
- Complaint
 - Takes place if the Department receives a complaint of alleged violations at a regulated facility

Jurisdiction

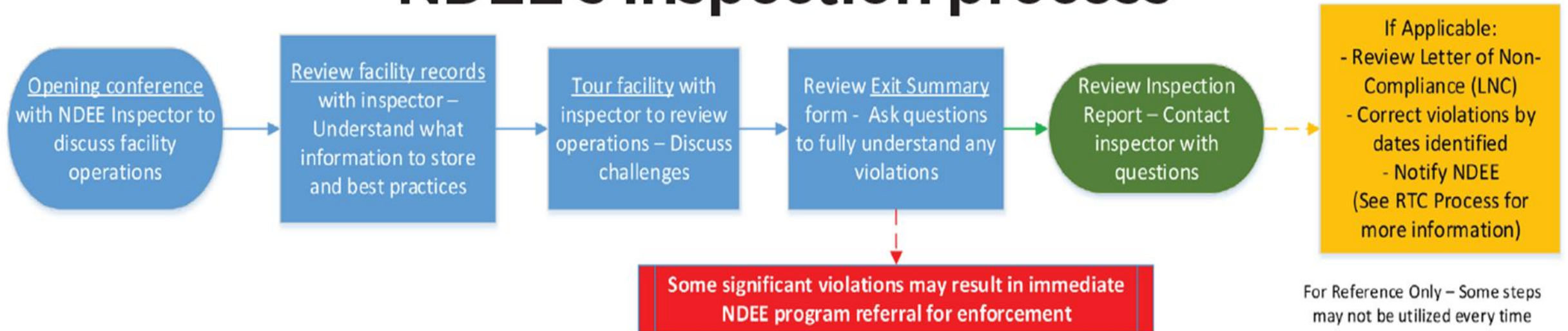
- The inspectors in NDEE's Air Compliance Section each have a dedicated area of responsibility in Nebraska
 - Exceptions for Clean Air Act activities: Tribal Lands, Lancaster County (Lincoln Lancaster County Health Department), and the City of Omaha (Omaha Air Quality Control)



Note: The City of Omaha and Lancaster County are not included in DEQ's Jurisdiction

Overview

NDEE's inspection process



How can you be prepared for an inspection?

- Please read and carefully review your permit often.
 - Permit assistance visits (PAVs) are available upon request. A PAV is an opportunity for you and NDEE to discuss permit requirements and how they apply to your facility.
- Keep documents organized and easy to find
- Regularly check equipment
- Have backup staff available with knowledge of the records and facility processes
- Label equipment and materials properly and make sure the labels are consistent with records.

Step 1: What can you expect during the opening conference?

- Introductions (State ID, handouts, business card)
- General Facility Info (processes, employees, changes)



Step 2: Review facility records and requirements

- Active Permit Requirements (Construction and Operating)
- Applicable Federal Rules (NSPS and NESHAP)
- Records Review



What kinds of records will an inspector review?

- Relevant facility process information
- Operation records
- Training records
- Current permits or fact sheets
- Previous non-compliance letters
- Certification of Compliance Reports
- Supplemental documents
- Maintenance records
- Air emission data
- Monitoring data
- Fuel receipts
- Monitoring reports
- Replacement records
- Deviation reports

Step 3: What can you expect during the facility tour?

- Provide access to all requested areas (Permitted emission points and other relevant areas)
- Process beginning to end
- Inspector should have PPE, but any specialty equipment must be provided by the facility



Step 4: What can you expect during the exit interview?

- Discuss preliminary findings on site
- Exit Summary Form

NEBRASKA
DEPT. OF ENVIRONMENT AND ENERGY

Inspection and Assistance Exit Summary

NDEE ID: _____ NDEE Program & ID: _____ NDEE Notification #: _____
 Inspection/Other Compliance Assistance Visit (CAV) Permit Assistance Visit (PAV)

Facility/Operation Name: _____
 Address: _____
 City/Town: _____, County _____, State of Nebraska.
 Owner/Occupant/Operator Inspection Contact(s): _____

Inspector _____	Phone No _____	E-Mail address _____
		@nebraska.gov
		@nebraska.gov

Mailing Address: Department of Environment and Energy, PO Box 98922, Lincoln, Nebraska 68509-8922

Inspection Date: _____ Start Time: _____ End Time: _____
 No concerns observed Further agency discussion needed to determine compliance
 Concerns observed:

Actions to be performed immediately or as soon as reasonably practical:

Please notify the Inspector when the above actions are completed.
 The Department will provide a final inspection report within an agency average of 14 days of the inspection date. The final inspection report will contain a complete list of any alleged violations. This inspection exit summary does not preclude any other legal action by the Nebraska Department of Environment and Energy and your prompt attention to the documented concerns will be considered in assessment of your voluntary compliance. This summary was left with: _____ Please contact the Inspector if you have any questions concerning this inspection and assistance exit summary.

Signing this document is not an admission of liability by the facility.

Inspector Signature _____ Inspection Contact Signature _____

revised 11/19/19

What happens after the inspection?

- Receive letter with the inspection report within typically 2-3 weeks of the inspection
 1. Transmittal letter (no violations found)

OR

 2. Letter of Non-Compliance (if violations are found)

What are some common violations found on inspections?

- Failure to conduct visible emissions surveys (if required)
- Failure to maintain records
- Failure to prevent fugitive dust from leaving the property (from handling, transporting, storage)
- Failure to maintain equipment in accordance with applicable requirements
- Failure to conduct stack test by required date in permit (if required)
- Failure to submit a timely permit application
- Failure to submit required reports

What if NDEE inspectors identify violations?

- The Facility will receive a Letter of Non-Compliance (LNC) which:
 1. Communicates the violation(s)
 2. Requests corrective action
 3. Establishes a schedule to return to compliance



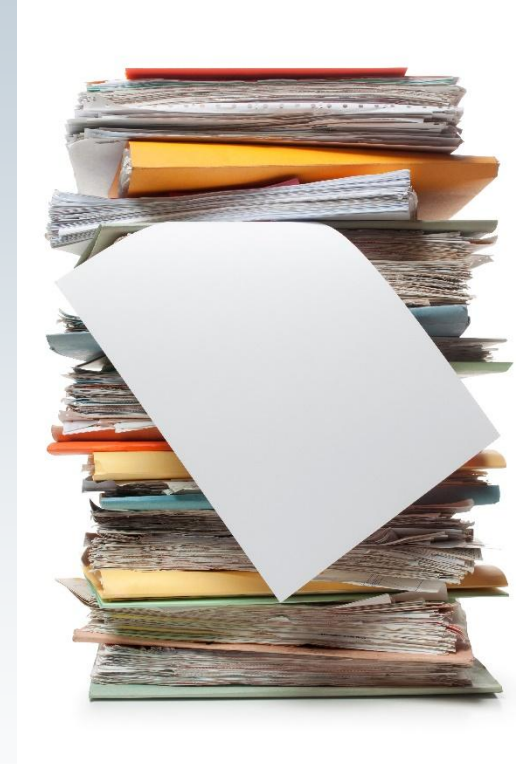
Letter of Non-Compliance (LNC)

- In the LNC is NDEE's request for compliance with state and federal regulations
- Your prompt compliance will be considered in deciding whether further enforcement is necessary
- Means there is an inspection or reporting related violation at your facility.

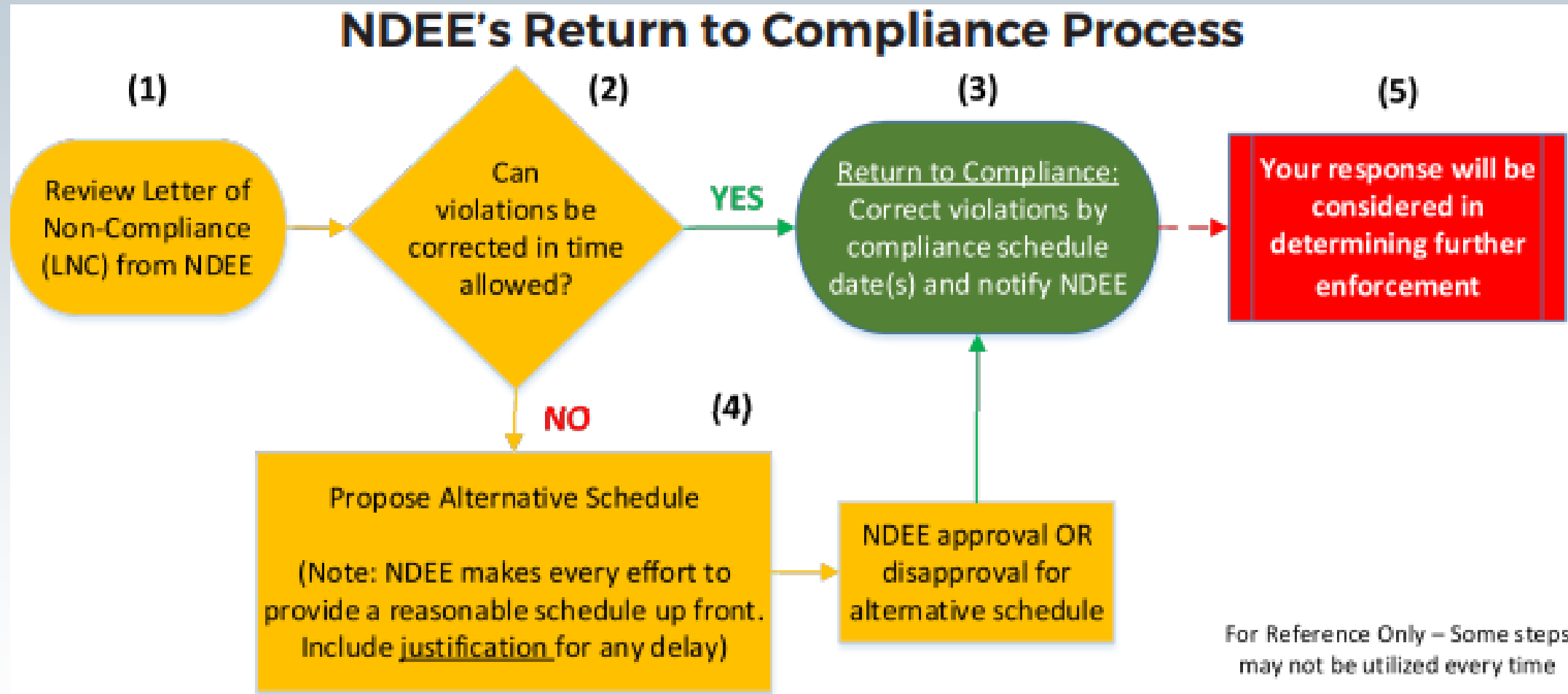


What assistance is available to help me be proactive?

- Assistance visits (PAVs) are available upon request
- Technical assistance for applications, emission inventories, excess emission reports, and other required documents
- Explanations of regulations and their application to your situation
- Fact sheets, guidance documents, web pages, and other environmental resources



How does the Return to Compliance process work?



Questions?

- Visit the NDEE Assistance Webpage:
 - <http://dee.ne.gov/NDEQProg.nsf/OnWeb/Assistance>
- Email the Air Program:
 - NDEE.AirQuality@nebraska.gov
- Call Us: (402) 471-2186