



NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY
Air Quality Division

**AREA SOURCE BOILERS NESHAP
COMPLIANCE STATUS NOTIFICATION FORM
TUNE-UP REQUIREMENT**

Applicable Rule: 40 CFR Part 63, Subpart JJJJJJ - National Emission Standards for Hazardous Air Pollutants (NESHAP) for Area Sources - Commercial, Industrial, & Institutional Boilers - Promulgated February 1, 2013

Complete this form if you are an **area source of hazardous air pollutants** and operate a commercial, industrial, or institutional boiler fueled by coal, oil, or biomass AND you are subject to the tune-up requirements. See the instructions attached to this form for more information.

If your boiler is **NOT** subject to a tune-up work practice:



Do not use this form. There is a separate Notification of Compliance status form(s) that applies to you. The forms can be found on the NDEQ Air Toxics Notebook at <http://deq.ne.gov/AirToxic.nsf/pages/JJJJJJ>.

If your facility is a **major source of hazardous air pollutants (HAP)**, please refer to the National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 CFR Part 63 Subpart DDDDD at <http://deq.ne.gov/AirToxic.nsf/pages/DDDDD>.

Company Name: _____ Facility ID#: _____

Owner/Operator/Title: _____

Mailing Address: _____

City: _____ Zip: _____

Plant Address (if different than owner/operator's mailing address):

Street: _____

City _____ Zip: _____

Plant Phone Number: _____

Plant Contact/Title: _____

This form must be completed, signed and submitted to the following agencies. Existing sources must submit the form by July 19, 2014. New sources must submit the form 120 days after startup.

NDEQ Air Quality Division
1200 'N' St. Atrium, Suite 400
Lincoln, NE 68509-8922

and

Region VII EPA – Air & Waste Management
11201 Renner Blvd
Lenexa KS, KS 66219

If your facility is located in Omaha or Lancaster County, you must submit a notification to the appropriate local air pollution control agency and Region VII EPA.

Compliance Status and Certification

Please check all of the following that apply to your facility:

- This facility is in compliance with the requirements of §63.11214 to conduct an initial tune-up of each boiler.
- No secondary solid waste materials were combusted in any affected unit(s).¹
- I certify that my facility has complied with all the relevant standards and other requirements of 40 CFR Part 63, Subpart JJJJJJ.

Please select one of the following options:

- This facility has had an energy assessment performed according to §63.11214(c).²
- I will submit a separate compliance status notification for the energy assessment by July 19, 2014.
- The energy assessment does not apply to my facility.

CERTIFICATION

Print or type the name and title of the Responsible Official* for the facility:

Name: _____

Title: _____

I CERTIFY THAT INFORMATION CONTAINED IN THIS REPORT IS ACCURATE AND TRUE TO THE BEST OF MY KNOWLEDGE.

(Signature of Responsible Official*)

(Date)

*A "Responsible Official" can be:

- The president, vice president, secretary, or treasurer of the company that owns the plant;
- An owner of the plant;
- A plant engineer or supervisor of the plant;
- A government official, if the plant is owned by the Federal, State, City, or County government; or
- A ranking military officer, if the plant is located at a military base.

¹ If your boiler has qualified for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act, you do not need to check this box.

² The deadline to certify compliance with the energy assessment requirement if this requirement applies to your facility is July 19, 2014. If your facility completed an energy assessment on or after January 1, 2008 that meets the requirements in Table 2 of 40 CFR part 63 subpart JJJJJJ, you have satisfied the requirements for the energy assessment and therefore you have the option to certify compliance in this form instead of resubmitting at a later date. If you have not conducted an energy assessment since January 1, 2008, you must complete an assessment by March 21, 2014 and submit the energy assessment compliance status notification by July 19, 2014.

NESHAP Subpart JJJJJ – Compliance Status Notification Form – Tune-up Requirements Instructions

What is the purpose of this form?

You may use this form to meet the requirements for submitting a compliance status notification for the tune-up requirements under National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJ). However, this form is not required. You may submit the information in another form or format.

If you are also subject to energy assessment requirements and you have performed the energy assessment at the time of submittal, this form can also be used to certify compliance with those requirements.

- If you have not completed the energy assessment at the time of submittal, you must submit the “Compliance Status Notification – Energy Assessment Requirements” form by July 19, 2014.
- If you are subject to the emission limits, you are required to submit the “Compliance Status Notification – Emission Limits” form within 60 days of conducting the performance stack test.

These forms are located in the Air Toxics Notebook on the NDEQ website at <http://deq.ne.gov/AirToxic.nsf/pages/JJJJJ> under “Forms.”

Am I required to submit this Compliance Status Notification Form?

You must submit this compliance status notification if you are:

1. an area source**;
2. subject to the Area Source Boilers NESHAP; and
3. required to conduct tune-ups.

** *Major source:* a stationary source or group of stationary sources that emits or has the potential to emit 10 tons per year or more of any hazardous air pollutant (HAP) or 25 tons per year or more of any combination of HAP (§63.2).

Area source: a stationary source of HAP that is not a major source (§63.2).

Am I subject to the Area Source Boilers NESHAP?

You are subject to the Area Source Boilers NESHAP if you own or operate an industrial, commercial, or institutional boiler that is fueled by coal, biomass, or oil and is located at, or is part of, an area source of HAP.

- *Boiler:* an enclosed device using controlled flame combustion in which water is heated to recover thermal energy in the form of steam or hot water. Controlled flame combustion refers to a steady-state, or near steady-state, process wherein fuel and/or oxidizer feed rates are controlled (§63.11237).
- *Commercial boiler:* a boiler used in commercial establishments, such as hotels, restaurants, and laundries, to provide electricity, steam, and/or hot water.
- *Industrial boiler:* a boiler used in manufacturing, processing, mining, refining, or any other industry to provide steam, hot water, and/or electricity.
- *Institutional boiler:* a boiler used in institutional establishments such as medical centers, research centers, and institutions of higher education to provide electricity, steam, and/or hot water.

Boilers **not** subject to the Area Source Boilers NESHAP rule include: gas-fired boilers; hot water heaters; waste heat boilers; boilers subject to other NESHAP standards; boilers used as control devices for other NESHAP standards; boilers used for research and development; and boilers burning solid or hazardous waste. See [§63.11195](#) for more information.

When must I submit the Compliance Status Notification ([§63.11225\(a\)\(4\)](#))?

Existing sources: No later than July 19, 2014.
New sources: No later than 120 days after startup.

Is my source a new or existing source ([§63.11194](#))?

New source means that you commenced construction or reconstruction of the boiler after June 4, 2010 and you meet the applicability criteria at the time you commence construction.

Existing source means you commenced construction or reconstruction of the boiler on or before June 4, 2010.

To whom do I submit the Compliance Status Notification?

NDEQ Air Quality Division 1200 'N' St. Atrium, Suite 400 Lincoln, NE 68509-8922	and	Region VII EPA – Air & Waste Management 11201 Renner Blvd Lenexa, KS 66219
---	------------	--

If your facility is located in Omaha or Lancaster County, you must submit a notification to the appropriate air pollution control agency in that area and Region VII EPA.

What are my compliance dates ([§63.11196](#))?

Existing Sources:

- Existing sources subject to a tune-up work practice or management practice standard must be in compliance no later than March 21, 2014.
- Existing sources subject to an emission limit must be in compliance with the emission limit no later than March 21, 2014.
- Existing sources subject to the energy assessment requirement must complete the energy assessment no later than March 21, 2014.

New sources:

- New sources must be in compliance with all requirements of the rule upon startup of the affected source, or May 20, 2011, whichever is later.

Where can I find more information?

The NDEQ Air Toxics Notebook located at <http://deq.ne.gov/AirToxic.nsf/pages/JJJJJJ> contains the electronic Code of Federal Regulations link for the rule citations, federal register documents, guidance documents, training materials, and other helpful information.

You can also find the page by going to the NDEQ website and selecting “Focus on Air.” The Air Toxics Notebook is under the Air Toxics Program. From the Notebook, select Subpart JJJJJJ – Boilers – Area Sources. EPA’s website for boilers can be found at www.epa.gov/ttn/atw/boiler/boilerpg.html. You can contact the NDEQ Air Toxics Coordinator at (402) 471-2189 or NDEQ.AirQuality@nebraska.gov if you have additional questions.