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## **Inspection Tips from NDEE's Air Quality Program**

### **Introduction**

In order to ensure smoother inspections and better compliance at facilities, the NDEE has developed some "inspection tips." These tips should prepare facility personnel for an inspection and emphasize better compliance with rules and regulations.

### **Purpose of Inspections**

A goal of the NDEE is to ensure the full compliance of regulated facilities. In order to determine compliance of a specific facility, the program needs to collect information about the facility's operations, waste streams, and emissions. One way to collect information is through an inspection. Inspectors collect and record information regarding the actual conditions at the facility.

### **Inspection Procedures**

As a matter of policy, the Air Quality Program of NDEE performs unannounced inspections. The purpose of these inspections is to assure the inspector observes the facility as it is normally operated.

Once on-site, an inspection generally consists of a pre-inspection interview, records review, inspection, and exit interview. Inspectors often take photographs during the inspection. Photographs are a means of collecting information and documenting the level of compliance of a facility.

Keep in mind that cooperation is better than confrontation when dealing with inspectors. Inspectors are simply doing their job helping to keep Nebraska's air clean and healthy, or they are responding to citizen concerns. Inspectors didn't write the rules, and they cannot change the rules or dismiss compliance issues.

### **Confidential Information**

When an inspector is at a facility, they are often told the records they want to review are confidential. These types of claims should not restrict access by inspectors who are responsible for assuring the facility is in compliance with NDEE regulations. If the record is needed to verify compliance with department regulations, it must be made available to the inspector.

Regulated entities may raise a claim of confidentiality for trade secrets at the time of submission of the record. The NDEE has formal procedures that a facility must go through in order for records to be considered trade secrets. (See [Title 115 – Rules of Practice and Procedure, Chapter 2](#) for more information on how a document is determined by the Director to be a confidential trade secret.) When a record is given trade secret status, agency personnel can still view the record in question. Agency personnel are prohibited from revealing trade secret material to the public pursuant to Neb. Rev. Stat. §81-1527 and §84-712.05(3).

Emissions information is never to be held as confidential.

## **Dealing with Non-Compliance**

If a compliance concern is found during an inspection, make sure to continue communicating with NDEE staff. When informed of a probable deficiency, keep NDEE informed of your corrective actions. Taking prompt action and following your compliance plans in a timely manner is always prudent policy.

## **Prepare for Inspections**

The following suggestions are meant to benefit facilities that are inspected. By following these suggestions, the inspection process will more likely be smooth and lead to better compliance.

### **1. READ AND UNDERSTAND YOUR PERMIT**

**Many violations result from not reading the permit. Know what the permit requires and call the permit writer if you have questions or need clarification.**

- Avoid immediately filing a new permit without thoroughly reading and understanding it.
- Know the permit limits - not knowing what the permit requires for documentation, limits on hours of operation, material use or quantity is a common problem.
- Understand the records and reporting requirements of your permit.

### **2. KEEP RECORDS IN ORDER**

**Record keeping requirements and accurate records are essential. This will save time during inspections and allow facilities to remedy any emission or other concerns before a problem occurs.**

- Keep records in a readily accessible area.
- Keep records in logical order.
- Do not compile too many records and permits into one folder.
- When recording measuring units, be consistent with those required in the permit and record data for required reporting period - gallons to gallons and pounds to pounds; monthly, quarterly, or annually.

### **3. REGULARLY CHECK ALL CONTROL EQUIPMENT**

**Good records and logs do more than meet legal requirements or impress inspectors. Properly functioning control equipment and routine maintenance is better for the environment and your community, and it can help reduce loss of valuable products or costly chemicals.**

- Keep a maintenance log – keeping a log helps with proper routine maintenance and prevents violations.
- Keep a log of manometer and other pressure device readings.
- Change filters, clean equipment regularly and document these actions.

### **4. TRAIN A BACKUP**

- An extra person with knowledge about records, and the ability to help identify stacks, vents and other processes can save time

### **5. USE LABELS**

- Label control equipment, vents, and stacks to avoid confusion.
- Labels can clarify inside the facility where stacks go up.

- Be consistent with how equipment, vents, stacks, etc. are labeled and named.

## 6. **PLAN AHEAD**

- Construction of new equipment or a modification of existing equipment may require a new permit.
- Until a new permit is signed and issued, the terms and conditions of your present permit remain in effect.

**IF YOU HAVE ANY QUESTIONS ON INSPECTIONS OR ANY COMPLIANCE ISSUES, YOU CAN REACH NDEE INSPECTION AND COMPLIANCE STAFF AT (402) 471-2186.**

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