



NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Air Quality Division

**NOTICE of INTENT to COMPLY WITH  
OPERATIONAL LIMITS**

**for Facilities Subject to the Requirements of  
40 CFR Part 63 Subpart BBBBBB**

**Purpose of this form:**

Title 129, Chapter 28, Section 003 (effective May 17, 2009) allows Gasoline Distribution Facilities (bulk terminals/plants/pipelines) subject to 40 CFR Part 63 Subpart BBBBBB to voluntarily limit their operating levels in exchange for complying with reduced regulatory requirements.

**Facilities eligible to file this form:**

Facilities must first file a Notice of Intent and receive written approval from NDEQ before the operational limits are effective. The following facilities are eligible to apply for operational limits:

- Gasoline Distribution Facilities (bulk terminals/plants/pipelines) who are subject to Subpart BBBBBB, and have a maximum design capacity larger than 20,000 gallons per day. These facilities may take operational limits if their actual daily throughput is **always** less than 20,000 gallons per day. Upon approval from NDEQ, the facility must maintain a daily record of actual gasoline throughput and comply with the requirements for bulk gasoline plants with a maximum design throughput capacity of less than 20,000 gallons per day.
- In addition to filing the Notice of Intent and receiving written approval from NDEQ, facilities must comply with all applicable state and federal requirements, provide any additional information to NDEQ upon request, and keep all associated records for five years.

**Facility information:**

On the following pages, print or type the information for each facility for which you are making Notice of Intent to Comply with Operational Limits.

Facility Name:

Facility ID#:

Facility Address:

City:

State:

Zip:

**Bulk terminals/plants/pipelines must answer the following questions:**

This facility is subject to 40 CFR Part 63, Subpart BBBBBB  YES  NO

This facility has a design capacity greater than or equal to 20,000 gallons per day.  
 YES  NO

This facility agrees to operate at an actual daily throughput of less than 20,000 gallons per day.  YES  NO

This facility agrees to maintain a daily record of actual gasoline throughput and comply with the requirements for bulk gasoline plants with a maximum design throughput capacity of less than 20,000 gallons per day.  YES  NO

This facility agrees to comply with all applicable requirements, to keep all associated records for five years, and to provide any additional information to NDEQ upon request.  YES  NO

Note: All statements must be answered "YES" in order to be eligible for operational limits.

**Certification by a Responsible Official:**

A Responsible Official can be any person holding a position listed below:

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

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

**Name:**

**Title:**

**Telephone number:**

**Email (if available):**

**I CERTIFY UNDER PENALTY OF LAW THAT, BASED ON INFORMATION AND BELIEF FORMED AFTER REASONABLE INQUIRY, THE STATEMENTS AND INFORMATION CONTAINED IN THIS NOTICE OF INTENT ARE TRUE, ACCURATE, AND COMPLETE.**

**Signature of responsible official:**

\_\_\_\_\_

*(Signature of Responsible Official)*

\_\_\_\_\_

*(Date)*

Responsible Official's Address (if different than facility address):

Street:

City:

State:

Zip:

**Eligible facilities must submit a completed form to NDEQ at the address below. Operational limits are not effective until the facility has received written permission from NDEQ.**

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

**Retain a copy of this form in your records. You will receive a response from NDEQ within 60 days. Please retain a copy of the response from NDEQ in your files.**

**References:**

- *40 CFR Part 63, Subpart BBBBBB* - National Emission Standards For Hazardous Air Pollutants For Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, And Pipeline Facilities, Promulgated 1/10/08;
- Title 129, Chapter 28, Section 003, Effective May 17, 2009

**FOR NDEQ USE ONLY:**

**Date received:**

**Approval granted?**  YES  NO

**Name and title of person granting approval:**

**Date copy sent to facility:**