

CITY OF OMAHA CHAPTER 41 - AIR QUALITY CONTROL

ARTICLE I. IN GENERAL

SECTION 41-9. PENALTIES

Any person violating any of the provisions of this Chapter shall upon conviction thereof, be punished as provided in section 1-10 of this Code. Provided however, knowing violations of the provisions of this chapter, except those not related to enforcement of Title 129 and the Clean Air Act amendments of 1990, shall be subject to a maximum fine of \$10,000 as required by Federal regulations, notwithstanding the limits of section 1-10 of this Code. Each continuing day of violation shall be deemed to constitute a separate offense.

In addition to other violations, it shall be a violation of this chapter for any person to knowingly violate any of the applicable requirements of this chapter, any permit condition, or any fee or filing requirement, or for any person to knowingly make any false material statement, representation, or certifications in any of the forms, in any notice or report required by a permit issued under this chapter, or to knowingly render inaccurate any required monitoring device or method.

In addition to, or as an alternative to, the foregoing criminal penalties, the control officer may commence and prosecute with the Law Department, a civil enforcement action as provided in Section 41-10.

ARTICLE I
SECTION 41-9

CITY OF OMAHA

EPA Rulemakings

CFR: 40 C.F.R. 52.1420(c)(44)(i)(B)
FRM: 61 FR 5701 (2/14/96)
PRM: 61 FR 5725 (2/14/96)
State Submission: 6/2/95
State Proposal: 11/2/93
State Final: 5/29/95 (effective date locally)
APDB File: NE-38
Description: EPA approved a revision to the SIP that updated the local ordinances of the city of Omaha and created a federally enforceable Class II operating permits program. Chapter 41 - Air Quality Control rules of the city of Omaha replaced Chapter 45.04 rules in their entirety.

CFR: 40 C.F.R. 70, Appendix A, City of Omaha (b)
FRM: 60 FR 53872 (10/18/95), Correction Notice 61 FR 7073 (2/26/96)
PRM: 60 FR 5883 (1/31/95)
State Submission: 11/15/93
State Proposal: 3/21/95
State Final: 5/29/95 (effective date locally)
APDB File: NE-32a
Description: EPA fully approved the operating permits program submitted by the city of Omaha for the purpose of complying with Federal requirements for an approvable program to issue operating permits to all major stationary sources and certain other sources. The EPA also approved, under 112(l), the city's program for accepting delegation of section 112 standards to enforce air toxics regulations.

Note: All previous versions of the rule are obsolete; the record of prior rulemakings is shown below for historical purposes only.

CFR: 40 C.F.R. 52.1420(c)(24)
FRM: 47 FR 22954 (5/26/82)
PRM: 42 FR 46371 (9/15/77)
State Submission: 12/27/76
State Proposal: 12/10/76
State Final: 9/24/74 (effective date locally)
APDB File: NE-08
Description: EPA approved the revised air quality control rules for the city of Omaha. The state withdrew Sections 050, 150, 160, and 180 of the regulations prior to the EPA's final rulemaking.

CFR: 40 C.F.R. 52.1420(c)(5)
FRM: 41 FR 8962 (3/2/76)
PRM: None
State Submission: 6/29/72
State Proposal: Unknown
State Final: 5/25/72 (effective date locally)
APDB File: NE-00
Description: As part of an action to clarify the list of SIP revisions submitted by the states, the EPA approved revisions to the city of Omaha's regulations.

CFR: 40 C.F.R. 52.1420(a)
FRM: 37 FR 10842 (5/31/72)
PRM: None
State Submission: 1/28/72
State Proposal: Unknown
State Final: 5/26/70 (effective date locally)
APDB File: NE-00
Description: EPA approved the city of Omaha's regulations for air pollution control as part of the original SIP.

Difference Between the State and EPA-Approved Regulation

None.