

SECTION 12. OPERATING PERMIT RENEWAL AND EXPIRATION.

- (A) The renewals of Class I and Class II operating permits are subject to the same procedural requirements that apply to initial permit issuance, including those for public participation.
- (B) The expiration of an operating permit terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with Article 2, Section 7, paragraphs (B) and (C).
- (C) The conditions of an expired operating permit shall continue until the effective date of a new permit, provided the permittee has complied with Article 2, Section 8, paragraph (C)(3), or until the application for a permit is denied. The Director shall deny the application for a permit if any of the following are true:
 - (1) The permittee is not in substantial compliance with the terms and conditions of the expired permit, or with a stipulation, agreement, or compliance schedule designed to bring the permittee into compliance with the permit;
 - (2) The Department, as a result of an action or failure to act on the part of the permittee, has been unable to take final action on the application on or before the expiration date of the permit; or
 - (3) The permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of the deficiencies.

Ref: Title 129, Chapter 12, Nebraska Department of Environmental Quality