

**SECTION 16. STACK HEIGHTS – GOOD ENGINEERING PRACTICE.**

- (A) The degree of emissions limitation required of any source for control of any air pollutant shall not be affected by so much of any source's stack height that exceeds good engineering practice or by any other dispersion technique, except as provided in paragraph (B) below.
- (B) The provisions of paragraph (A) above shall not apply to:
  - (1) Stack heights in existence, or dispersion techniques implemented prior to December 31, 1970, except where pollutants are being emitted from such stacks or using dispersion techniques by sources which were constructed or reconstructed, or for which major modifications were carried out after December 31, 1970; or
  - (2) Coal-fired steam electric generating units, subject to the provisions of Section 118 of the Act, which commenced operation before July 1, 1957, and whose stacks were constructed under a construction contract awarded before February 8, 1974.
- (C) No emission limitation will be established, or permit to construct or modify issued, involving any dispersion technique, unless approved by the Lincoln City Council or Lancaster County Board of Commissioners (depending on jurisdiction) following public hearing notice at least thirty (30) days in advance. The public notice will announce the availability of any fluid model or field study demonstration.

Ref: Title 129, Chapter 16, Nebraska Department of Environmental Quality