

NOTICE OF PUBLIC HEARINGS
AND PUBLIC MEETING
STATE OF NEBRASKA
DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ)
ENVIRONMENTAL QUALITY COUNCIL

Notice is hereby given pursuant to Neb. Rev. Stats. §81-1505(17), §84-907, and §84-1411, the Nebraska Environmental Quality Council (EQC) will hold a meeting and public hearings on June 13, 2017 beginning at 10:00 A.M. Central Time (CT) at the Cornhusker Hotel, 333 South 13th St., Lincoln, Nebraska. Preceding the hearings will be business items on the agenda. The hearings are scheduled to begin at 10:00 A.M. CT or as soon thereafter as can reasonably be heard. The purpose of the hearings is to take testimony and evidence about the proposed Fiscal Year 2018 State Revolving Fund Clean Water and Drinking Water Intended Use Plan (2018 IUP), proposed amendments to Title 131-Rules and Regulations for Wastewater Treatment Facilities and Drinking Water Construction Assistance Program, and proposed amendments to Title 129-Nebraska Air Quality Regulations, as outlined in this notice.

The meeting agenda and a draft copy of the proposals scheduled for hearing are available at the NDEQ's Lincoln office, 1200 N St., Suite 400, Lincoln, NE and on the NDEQ website at <http://deq.ne.gov>. The meeting agenda and a draft copy of the proposed regulations scheduled for hearing are also available at the Office of the Secretary of State, Regulations Division, Room 1305, State Capitol Building, Lincoln, NE. The description of the fiscal impact of the proposed regulations on state agencies, political subdivisions, or persons regulated is also available at these locations.

All interested persons may attend and testify orally or by written submission at the public hearings. Any person may provide advance notice of intent to testify by contacting Carla Felix, Hearing Officer, NDEQ, 1200 N St., Suite 400, P.O. Box 98922, Lincoln, NE 68509-8922. Unscheduled testimony will be heard following scheduled testimony. Interested persons may also submit written comments to Carla Felix prior to the hearing, which will be entered into the hearing record if received at the Lincoln office by 5:00 P.M. CT, June 12, 2017.

Please notify the NDEQ at least one week in advance of the EQC meeting if auxiliary aids or reasonable accommodations or alternate formats of materials are needed. Contact phone number is 402-471-2186. TDD users call 800-833-7352 and ask the relay operator to call us at 402-471-2186.

A public hearing will be held on the following:

1. Amendments to Title 131--Rules and Regulations for the Wastewater Treatment Facilities and Drinking Water Construction Assistance Fund. Changes proposed are to implement Legislative Bill 737, enacted by the Nebraska Legislature in 2016 to expand eligible activities for public entities seeking low-interest loans through the Clean Water State Revolving Fund (CWSRF) and increase CWSRF

loan terms from 20 years to a maximum term of up to 30 years. Additional changes proposed incorporate loan requirements necessitated by amendments made to the Federal Water Pollution Control Act approved on June 10, 2014. Changes to Chapter 2 add new categories of CWSRF loan eligibility for acquisition of land; water conservation, efficiency, or reuse; energy efficiency; reuse or recycling of wastewater, stormwater, or subsurface drainage water; development and implementation of watershed projects; and measures to increase the security of treatment works. Changes to Chapter 4 expand the period of time for consideration of CWSRF loan projects from a minimum of 20 years or the term of the loan whichever is greater. Note that LB 737 authorized CWSRF loan terms up to a maximum of 30 years. Changes to Chapter 8 allow a CWSRF loan term not to exceed the lesser of 30 years or the projected life of the project; specify that loans must be fully amortized not later than 30 years after the date of initiation of operation of the project; and correct a statutory citation. The EQC will vote on the NDEQ proposal after hearing and considering all the testimony and written submissions.

2. The 2018 IUP and Project Priority Lists for determining loan recipients under the Clean Water State Revolving Fund (CWSRF) and the Drinking Water State Revolving Fund (DWSRF). This document is developed by the NDEQ, with DWSRF priority system and list as provided by Nebraska Department of Health and Human Services, Division of Public Health; it is brought before the EQC in conformance with Neb. Rev. Stat. §81-15,152, Neb. Rev. Stat. §71-5321, Title 131 – Rules and Regulations for Wastewater Treatment Facilities and Drinking Water Construction Assistance Program, and the federal Clean Water and Safe Drinking Water Acts. The 2018 IUP describes how Nebraska intends to use money available in the two funds for making loans to qualified recipients for assistance in construction needs. The 2018 IUP includes a Project Priority Rating System and Fiscal Year 2018 Funding List for each of the funds, and an Interest Rate System. The purpose of the hearing is to accept public testimony and EQC adoption of the 2018 IUP. The EQC will vote to adopt, amend or modify the 2018 IUP after hearing and considering all the testimony and written submissions.
3. Amendments to Title 129 – Nebraska Air Quality Regulations. Changes to Chapter 1 update definitions and make minor corrections. Changes to Chapter 4 update the ambient air quality standard for ozone and appendix reference. Changes to Chapter 18 would update the new source performance standards for municipal solid waste landfills and the emission guidelines for existing landfills by incorporating by reference 40 Code of Federal Regulations, Part 60, Subpart XXX and Subpart Cf. Changes to Chapter 20 corrects references to and reorganizes tables related to particulate emissions. Changes to Chapter 28 adds a new National Emission Standard for Hazardous Air Pollutants for Wool Fiberglass Manufacturing Area Sources, Subpart NN incorporating by reference 40 Code of Federal Regulations, Part 63 effective July 1, 2016. Change to Chapter 34 corrects a typographical error. The EQC will vote on the NDEQ proposal after hearing and considering all the testimony and written submissions.