

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 November 15, 2016 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 public testimony and evidence about the amendment of NDEQ regulations and grant programs 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, November 14, 2016.

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 119--Rules and Regulations Pertaining to the Issuance of Permits under the National Pollutant Discharge Elimination System (NPDES). Changes to Chapter 1 add, clarify, and update definitions and update the reference to the Code of Federal Regulations (CFR) incorporated by reference to July 1, 2015 notably the revised federal requirements for cooling water intake structures. Changes to Chapter 2 add a reference to federal permit to discharge requirements and clarify existing language. Changes to Chapter 5 clarify who has a duty to apply for a permit and streamline permit application requirements substituting a

CFR reference to information and effluent sampling requirements for NPDES permits, and provide an option for applicants to use a standard application form and for the Department to develop an electronic permit submittal process. Changes to Chapter 6 streamline permit application requirements substituting CFR references to additional information and effluent sampling requirements for existing manufacturing, commercial mining, and silvicultural dischargers and provide an option for applicants to use a standard application form. Changes to Chapter 7 streamline permit application requirements substituting a CFR reference to application information and effluent sampling requirements for new and existing Publicly Owned Treatment Works (POTWs) and provide an option for applicants to use a standard form. Changes to Chapter 8 streamline permit application requirements substituting a CFR reference to information and effluent sampling requirements for new sources and new discharges and provide an option for applicants to use a standard form. Changes to Chapter 13 clarify language regarding application and duly authorized representative signatory requirements and include a limited liability company as a recognized business organization with a corresponding signatory requirement. Changes to Chapter 14 clarify language and formatting regarding general permit terms and conditions. Changes to Chapter 16 clarify language and formatting regarding additional case-by-case permit conditions. Changes to Chapter 26 update existing and adopt new general pretreatment requirements for existing and new sources of pollution discharging to a POTW; and add streamlining provisions for reporting and monitoring. Changes to Chapter 27 adopt and update federal requirements applicable to construction storm water effluent limitations guidelines and Steam Electric Power Generating Point Source Category at power plants. Permit application forms in Appendices A through F are proposed to be deleted. The EQC will vote on the NDEQ proposal after hearing and considering all the testimony and written submissions.

2. Litter Reduction and Recycling Grant Program, 2017 Funding Percentage Allocations. The NDEQ administers the Litter Reduction and Recycling Grant Fund in percentage amounts to grantees for projects within three categories: public education, cleanup, and recycling. Neb. Rev. Stat. §81-1561 requires the EQC to annually determine the percentages for each category. A statewide litter fee is the source of revenue for the fund. At this hearing, the EQC will take action on the NDEQ recommendations for percentage amounts. For the Year 2017, the NDEQ recommends the following percentage allocations: public education 40%, cleanup 5%, and recycling 55% with additional approval to adjust these percentages by up to 5%. All persons affected by the proposed allocations are hereby notified that modifications may be offered to the proposed percentage allocations or the EQC may propose new allocations. The EQC will vote to adopt, amend or not approve the NDEQ proposal after hearing and considering all the testimony and written submissions.