



6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**[EPA-R07-OAR-2015-0106 FRL-9926-49-Region 7]**

**Approval and Promulgation of Air Quality Implementation Plans; Nebraska; Update to Materials Incorporated by Reference**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule; notice of administrative change.

**SUMMARY:** The Environmental Protection Agency (EPA) is updating the materials submitted by Nebraska that are incorporated by reference (IBR) into the state implementation plan (SIP). EPA is also notifying the public of the correction of certain typographical errors within the IBR table. The regulations affected by this update have been previously submitted by the state agency and approved by EPA. This update affects the SIP materials that are available for public inspection at the National Archives and Records Administration (NARA), and the Regional Office.

**DATES:** This rule is effective on [INSERT DATE OF PUBLICATION IN THE **FEDERAL REGISTER**].

**ADDRESSES:** SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at the following locations: Environmental Protection Agency, Region 7, 11201 Renner Boulevard, Lenexa, Kansas 66219; or at <http://www.epa.gov/region07/air/rules/fedapprv.htm>; and the National Archives and Records Administration. For information on the availability of this material at NARA, call (202) 741-6030, or go to: [www.archives.gov/federal-register/cfr/ibr-locations.html](http://www.archives.gov/federal-register/cfr/ibr-locations.html).

**FOR FURTHER INFORMATION CONTACT:** Jan Simpson at (913) 551-7089, or by email at [simpson.jan@epa.gov](mailto:simpson.jan@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The SIP is a living document which the state revises as necessary to address the unique air pollution problems in the state. Therefore, EPA from time to time must take action on SIP revisions containing new and/or revised regulations to make them part of the SIP. On May 22, 1997 (62 FR 27968), EPA revised the procedures for incorporating by reference Federally-approved SIPs, as a result of consultations between EPA and the Office of Federal Register (OFR). The description of the revised SIP document, IBR procedures and "Identification of plan" format are discussed in further detail in the May 22, 1997, **Federal Register** document.

On February 12, 1999, EPA published a document in the **Federal Register** (64 FR 7091) beginning the new IBR procedure for Nebraska. On December 1, 2003, (68 FR 67045) and on July 30, 2009 (74 FR 37939), EPA published updates to the IBR material for Nebraska.

In this document, EPA is publishing an updated set of tables listing the regulatory (i.e., IBR) materials in the Nebraska SIP taking into account the additions, deletions, and revisions to those materials previously submitted by the state agency and approved by EPA. We are removing the EPA Headquarters Library from paragraph (b) (3), as IBR materials are no longer available at this location. Table (e) revisions include:

- adding text in the explanation column for (6)-(27)

## **II. EPA Action**

In this action, EPA is doing the following:

A. Announcing the update to the IBR material as of December 31, 2014.

B. Revising the entry in § 52.1420(b) to reflect the update and corrections.

C. Revising certain entries in § 52.1420(e) as described above;

D. Correcting the date format in the "State effective date" or "State submittal date" and "EPA approval date" columns in §

52.1420(c), (d) and (e). Dates are numerical month/day/year without additional zeros;

E. Modifying the Federal Register citation in § 52.1420(c), (d) and (e) to reflect the beginning page of the preamble as opposed to the page number of the regulatory text.

EPA has determined that this rule falls under the "good cause" exemption in section 553(b)(3)(B) of the Administrative Procedures Act (APA) which, upon finding "good cause," authorizes agencies to dispense with public participation and section 553(d)(3), which allows an agency to make a rule effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). This rule simply codifies provisions which are already in effect as a matter of law in Federal and approved State programs. Under section 553 of the APA, an agency may find good cause where procedures are "impractical, unnecessary, or contrary to the public interest." Public comment is "unnecessary" and "contrary to the public interest" since the codification only reflects existing law. Immediate notice in the CFR benefits the public by providing notice of the updated Nebraska SIP compilation.

#### **Statutory and Executive Order Reviews**

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation

by reference of the Nebraska regulations described in the amendments to 40 CFR part 52 set forth below. EPA has made, and will continue to make, these documents generally available electronically through [www.regulations.gov](http://www.regulations.gov) and/or in hard copy at the appropriate EPA office (see the ADDRESSES section of this preamble for more information).

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- is not a "significant regulatory action" under the terms of Executive Order 12866 (58 FR 51735, October 4, 1993) and is therefore not subject to review under Executive Orders 12866 and 13563 (76 FR 3821, January 21, 2011).
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4);
- does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

The SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

EPA has also determined that the provisions of section 307(b)(1) of the CAA pertaining to petitions for judicial review are not applicable to this action. Prior EPA rulemaking actions for each individual component of the Nebraska SIP compilations

previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, EPA sees no need in this action to reopen the 60-day period for filing such petitions for judicial review for this "Identification of plan" reorganization update action for the State of Nebraska.

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: March 13, 2015.

Mark Hague,  
Acting Regional Administrator,  
Region 7.

Editorial Note: This document was received for publication by the Office of the Federal Register on July 1, 2015.

For the reasons stated in the preamble, the EPA amends 40 CFR part 52 as set forth below:

**PART 52 - APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS**

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 et seq.

Subpart CC -- Nebraska

2. In § 52.1420, paragraphs (b), (c), (d) and (e) are revised to read as follows:

§52.1420 Identification of Plan.

\* \* \* \* \*

(b) Incorporation by reference. (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to December 31, 2014, was approved for incorporation by reference by the Director of the **Federal Register** in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c) and (d) of this section with EPA approval dates after December 31, 2014, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 7 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the

officially promulgated state rules/regulations which have been approved as part of the SIP as of December 31, 2014.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region 7, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; at the EPA, Air and Radiation Docket and Information Center, and the National Archives and Records Administration (NARA). If you wish to obtain material from the EPA Regional Office, please call (913) 551-7089. For information on the availability of this material at NARA, call (202) 741-6030, or go to: [www.archives.gov/federal-register/cfr/ibr-locations.html](http://www.archives.gov/federal-register/cfr/ibr-locations.html).

(c) EPA-approved regulations.

EPA-APPROVED NEBRASKA REGULATIONS

Nebraska Citation	Title	State effective date	EPA approval date	Explanation
<b>STATE OF NEBRASKA</b>				
<b>Department of Environmental Quality</b>				
<b>Title 129 Nebraska Air Quality Regulations</b>				
129-1	Definitions	4/1/12	8/4/14, 79 FR 45108	
129-2	Definition of Major Source	3/14/06	3/22/11, 76 FR 15852	
129-3	Region and Subregions: How Classified	6/26/94	1/4/95, 60 FR 372	
129-4	Ambient Air Quality Standards	4/1/02 7/10/02	7/8/03, 68 FR 40528	
129-5	Operating Permit - When Required	11/20/02	9/5/03, 68 FR 52691	Section 001.02 is not SIP approved.
129-6	Emissions Reporting; When Required	11/20/02	9/5/03, 68 FR 52691	
129-7	Operating Permits - Application	8/22/00	5/29/02, 67 FR 37325	

Nebraska Citation	Title	State effective date	EPA approval date	Explanation
129-8	Operating Permit Content	8/22/00	5/29/02, 67 FR 37325	
129-9	General Operating Permits for Class I and II Sources	6/26/94	1/4/95, 60 FR 372	
129-10	Operating Permits for Temporary Sources	9/7/97	1/20/00, 65 FR 3130	
129-11	Operating Permits - Emergency; Defense	6/26/94	1/4/95, 60 FR 372	
129-12	Operating Permit Renewal and Expiration	5/29/95	2/9/96, 61 FR 4899	
129-13	Class I Operating Permit - EPA Review; Affected States Review; Class II Permit	6/26/94	1/4/95, 60 FR 372	
129-14	Permits - Public Participation	2/6/08	3/22/11, 76 FR 15852	
129-15	Operating Permit Modification; Reopening for Cause	2/6/08	3/22/11, 76 FR 15852	
129-16	Stack Heights; Good Engineering Practice (GEP)	12/15/98	5/29/02, 67 FR 37325	
129-17	Construction Permits - When Required	4/1/12	8/4/14, 79 FR 45108	Approval does not include Nebraska's revisions to sections 001.02T and 013.04T pertaining to ethanol production facilities, which were not submitted by the State.

<b>Nebraska Citation</b>	<b>Title</b>	<b>State effective date</b>	<b>EPA approval date</b>	<b>Explanation</b>
129-19	Prevention of Significant Deterioration of Air Quality	4/1/12	8/4/14, 79 FR 45108	Provisions of the 2010 PM <sub>2.5</sub> PSD-Increments, SILs and SMCs rule (75 FR 64865, October 20, 2010) relating to SILs and SMCs that were affected by the January 22, 2013, U.S. Court of Appeals decision are not SIP approved.
129-20	Particulate Emissions; Limitations and Standards (Exceptions Due to Breakdowns or Scheduled Maintenance: See Chapter 35)	2/7/04	3/31/05, 70 FR 16426	
129-21	Controls for Transferring, Conveying, Railcar and Truck Loading at Rock Processing Operations in Cass County	7/10/02	7/8/03, 68 FR 40528	
129-22	Incinerators; Emission Standards	9/7/97	1/20/00, 65 FR 3130	
129-24	Sulfur Compound Emissions; Existing Sources Emission Standards	6/26/94	1/4/95, 60 FR 372	
129-25	Nitrogen Oxides (Calculated as Nitrogen Dioxide); Emissions Standards for Existing Stationary Sources	9/7/97	1/20/00, 65 FR 3130	
129-30	Open Fires, Prohibited; Exceptions	9/25/05	8/11/10, 75 FR 48582	
129-32	Dust; Duty to Prevent Escape of	6/26/94	1/4/95, 60 FR 372	
129-33	Compliance; Time Schedule for	6/26/94	1/4/95, 60 FR 372	
129-34	Emission Sources; Testing; Monitoring	5/7/05	7/10/06, 71 FR 38776	

<b>Nebraska Citation</b>	<b>Title</b>	<b>State effective date</b>	<b>EPA approval date</b>	<b>Explanation</b>
129-35	Compliance; Exceptions Due to Startup, Shutdown, or Malfunction	9/7/97	1/20/00, 65 FR 3130	
129-36	Control Regulations; Circumvention, When Excepted	6/26/94	1/4/95, 60 FR 372	
129-37	Compliance; Responsibility	6/26/94	1/4/95, 60 FR 372	
129-38	Emergency Episodes; Occurrence and Control, Contingency Plans	6/26/94	1/4/95, 60 FR 372	
129-39	Visible Emissions from Diesel-powered Motor Vehicles	6/26/94	1/4/95, 60 FR 372	
129-40	General Conformity	5/29/95	2/12/96, 61 FR 5297	
129-41	General Provisions	12/15/98	5/29/02, 67 FR 37325	
129-42	Permits-By-Rule	11/20/02 4/8/03 5/7/05	7/10/06, 71 FR 38776	
129-43	Consolidated with Chapter 41	5/29/95	2/9/96, 61 FR 4899	
129-44	Consolidated with Chapter 41	5/29/95	2/9/96, 61 FR 4899	
Appendix I	Emergency Emission Reductions	6/26/94	1/4/95, 60 FR 372	
Appendix II	Hazardous Air Pollutants (HAPS)	5/7/05	7/10/06, 71 FR 38776	
<b>Title 115 - Rules of Practice and Procedure</b>				
115-1	Definitions of Terms	8/8/93	1/4/95, 60 FR 372	
115-2	Filing and Correspondence	8/8/93	1/4/95, 60 FR 372	
115-3	Public Records Availability	8/8/93	1/4/95, 60 FR 372	
115-4	Public Records Confidentiality	8/8/93	1/4/95, 60 FR 372	
115-5	Public Hearings	8/8/93	1/4/95, 60 FR 372	
115-6	Voluntary Compliance	8/8/93	1/4/95, 60 FR 372	
115-7	Contested Cases	8/8/93	1/4/95, 60 FR 372	
115-8	Emergency Proceeding Hearings	8/8/93	1/4/95, 60 FR 372	
115-9	Declaratory Rulings	8/8/93	1/4/95, 60 FR 372	

<b>Nebraska Citation</b>	<b>Title</b>	<b>State effective date</b>	<b>EPA approval date</b>	<b>Explanation</b>
115-10	Rule-making	8/8/93	1/4/95, 60 FR 372	
115-11	Variances	8/8/93	1/4/95, 60 FR 372	
<b>Lincoln-Lancaster County Air Pollution Control Program</b>				
<b>Article 1 - Administration and Enforcement</b>				
Section 1	Intent	5/16/95	2/14/96, 61 FR 56991	
Section 2	Unlawful Acts - Permits Required	5/16/95	2/14/96, 61 FR 5699	
Section 3	Violations - Hearings - Orders	5/16/95	2/14/96, 61 FR 5699	
Section 4	Appeal Procedure	5/16/95	2/14/96, 61 FR 5699	
Section 5	Variance	5/16/95	2/14/96, 61 FR 5699	
Section 7	Compliance - Actions to Enforce - Penalties for Non-Compliance	5/16/95	2/14/96, 61 FR 5699	
Section 8	Procedure for Abatement	5/16/95	2/14/96, 61 FR 5699	
Section 9	Severability	5/16/95	2/14/96, 61 FR 5699	
<b>Article 2 - Regulations and Standards</b>				
Section 1	Definitions	8/11/98	1/20/00, 65 FR 3130	
Section 2	Major Sources - Defined	8/11/98	1/20/00, 65 FR 3130	
Section 4	Ambient Air Quality Standards	5/16/95	2/14/96, 61 FR 5699	
Section 5	Operating Permits - When Required	8/11/98	1/20/00, 65 FR 3130	
Section 6	Emissions Reporting - When Required	8/11/98	1/20/00, 65 FR 3130	
Section 7	Operating Permit - Application	8/11/98	1/20/00, 65 FR 3130	
Section 8	Operating Permit - Content	8/11/98	1/20/00, 65 FR 3130	
Section 9	General Operating Permits for Class I and II Sources	5/16/95	2/14/96, 61 FR 5699	
Section 10	Operating Permits for Temporary Services	5/16/95	2/14/96, 61 FR 5699	
Section 11	Emergency Operating Permits - Defense	5/16/95	2/14/96, 61 FR 5699	
Section 12	Operating Permit Renewal and Expiration	5/16/95	2/14/96, 61 FR 5699	
Section 14	Permits - Public Participation	5/16/95	2/14/96, 61 FR 5699	

<b>Nebraska Citation</b>	<b>Title</b>	<b>State effective date</b>	<b>EPA approval date</b>	<b>Explanation</b>
Section 15	Operating Permit Modifications - Reopening for Cause	8/11/98	1/20/00, 65 FR 3130	
Section 16	Stack - Heights - Good Engineering Practice (GEP)	5/16/95	2/14/96, 61 FR 5699	
Section 17	Construction Permits - When Required	8/11/98	1/20/00, 65 FR 3130	
Section 19	Prevention of Significant Deterioration of Air Quality	5/16/95	2/14/96, 61 FR 5699	
Section 20	Particulate Emissions - Limitations and Standards	3/31/97	1/20/00, 65 FR 3130	
Section 22	Incinerator Emissions	5/16/95	2/14/96, 61 FR 5699	
Section 24	Sulfur Compound Emissions - Existing Sources - Emission Standards	5/16/95	2/14/96, 61 FR 5699	
Section 25	Nitrogen Oxides (Calculated as Nitrogen Dioxide) - Emissions Standards for Existing Stationary Sources	5/16/95	2/14/96, 61 FR 5699	
Section 32	Dust - Duty to Prevent Escape of	3/31/97	1/20/00, 65 FR 3130	
Section 33	Compliance - Time Schedule for	5/16/95	2/14/96, 61 FR 5699	
Section 34	Emission Sources - Testing - Monitoring	5/16/95	2/14/96, 61 FR 5699	
Section 35	Compliance - Exceptions Due to Startup Shutdown or Malfunction	5/16/95	2/14/96, 61 FR 5699	
Section 36	Control Regulations - Circumvention - When Expected	5/16/95	2/14/96, 61 FR 5699	
Section 37	Compliance - Responsibility of Owner/Operator Pending Review by Director	5/16/95	2/14/96, 61 FR 5699	
Section 38	Emergency Episodes - Occurrence and Control - Contingency Plans	5/16/95	2/14/96, 61 FR 5699	
Appendix I	Emergency Emission Reduction Regulations	5/16/95	2/14/96, 61 FR 5699	
<b>City of Omaha</b>				

Nebraska Citation	Title	State effective date	EPA approval date	Explanation
<b>Chapter 41 - Air Quality Control</b>				
<b>Article I In General</b>				
41-2	Adoption of State Regulations with Exceptions	4/1/98	1/20/00, 65 FR 3130	
41-4	Enforcement - Generally	5/29/95	2/14/96, 61 FR 5699	
41-5	Same Health Department	5/29/95	2/14/96, 61 FR 5699	
41-6	Residential Exemptions	5/29/95	2/14/96, 61 FR 5699	
41-9	Penalties	5/29/95	2/14/96, 61 FR 5699	
41-10	Civil Enforcement	5/29/95	2/14/96, 61 FR 5699	
<b>Article II - Permitting of Air Contaminant Sources</b>				
41-23	Prerequisite to Approval	5/29/95	2/14/96, 61 FR 5699	
41-27	Signature Required; Guarantee	5/29/95	2/14/96, 61 FR 5699	
41-38	Funds	5/29/95	2/14/96, 61 FR 5699	
41-40	Fees - When Delinquent	5/29/95	2/14/96, 61 FR 5699	
<b>Article IV - Waste Incinerators Division 1. Generally</b>				
41-60	Definitions	5/29/95	2/14/96, 61 FR 5699	
41-61	Violations	5/29/95	2/14/96, 61 FR 5699	
<b>Article IV - Waste Incinerators Division 2. Emissions</b>				
41-70	New or Modified Facilities	5/29/95	2/14/96, 61 FR 5699	
41-71	Existing Facilities	5/29/95	2/14/96, 61 FR 5699	
41-72	Emission Testing	5/29/95	2/14/96, 61 FR 5699	
<b>Article IV - Waste Incinerators Division 3. Design</b>				
41-80	New or Modified Waste Incinerators	5/29/95	2/14/96, 61 FR 5699	
41-81	Existing Incinerators	5/29/95	2/14/96, 61 FR 5699	

(d) EPA-approved state source-specific permits.

**EPA-APPROVED NEBRASKA SOURCE-SPECIFIC PERMITS**

Name of source	Permit No.	State effective date	EPA approval date	Explanation
(1) Gould, Inc.	677	11/9/83	1/31/85, 50 FR 4510	
(2) Asarco, Inc.	1520	6/6/96	3/20/97, 62 FR 13329	The EPA did not approve paragraph 19.
(3) Nebraska Public Power District, Gerald Gentleman Station	CP07-0050	5/11/10	7/6/12, 78 FR 40140	EPA has only approved the elements of the permit pertaining to NO <sub>x</sub> requirements.
(4) Omaha Public Power District, Nebraska City Station	CP07-0049	2/26/09	7/6/12, 78 FR 40140	

(e) EPA-approved nonregulatory provisions and quasi-regulatory measures.

**EPA-APPROVED NEBRASKA NONREGULATORY PROVISIONS**

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanation
(1) Air Quality Implementation Plan	Statewide	1/28/72	5/31/72, 37 FR 10842	
(2) Confirmation That the State Does Not Have Air Quality Control Standards Based on Attorney General's Disapproval	Statewide	4/25/72	5/31/72, 37 FR 10842	
(3) Request for Two-Year Extension to Meet the Primary NO <sub>x</sub> Standard	Omaha	1/24/72	7/27/72, 37 FR 15080	
(4) Clarification of Section 11 of the State's Plan	Statewide	2/16/72	7/27/72, 37 FR 15080	
(5) Letters Clarifying the Application of the State's Emergency Episode Rule	Omaha	10/2/72	5/14/73, 38 FR 12696	
(6) Analysis of Ambient Air Quality in Standard Metropolitan Statistical Areas and Recommendations for Air Quality Maintenance Areas	Omaha, Lincoln, Sioux City	5/9/74	6/2/75, 40 FR 23746	[FRL 369-8]

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanation
(7) Amended State Law (LB1029) Giving the Department of Environmental Quality Authority to Require Monitoring of Emissions, Reporting of Emissions and Release of Emissions Data	Statewide	2/10/76	6/23/76, 41 FR 25898	[FRL 564-5]
(8) Air Monitoring Plan	Statewide	6/19/81	10/6/81, 46 FR 49122	[A-7-FRL-1933-1]
(9) TSP Nonattainment Plan	Douglas and Cass Counties	9/25/80 8/9/82	3/28/83, 48 FR 12715	[EPA Action NE 129; A-7-FRL 2302-8]
(10) Plan for Intergovernmental Consultation and Coordination and for Public Notification.	Statewide	8/9/82	7/5/83, 48 FR 30631	[EPA Action NE 1123; A-7-FRL 2353-7]
(11) Lead Plan	Statewide except Omaha	1/9/81 8/5/81 1/11/83	11/29/83, 48 FR 53697	[AD-FRL 2479-3; EPA Action NE 1122] The plan was approved except that portion pertaining to Omaha.
(12) Lead Nonattainment Plan	Omaha	7/24/84 11/17/83 8/1/84	1/31/85, 50 FR 4510	[NE 1418; A-7-FRL-2768-3]
(13) CO Nonattainment Plan	Omaha	4/3/85	9/15/86, 51 FR 32640	[A-7-FRL-3065-7]
(14) CO Nonattainment Plan	Lincoln	4/3/85	9/19/86, 51 FR 33264	[A-7-FRL-3082-8]
(15) Revised Lead Nonattainment Plan	Omaha	2/2/87	8/3/87, 52 FR 28694	[A-7-FRL-3238-2]
(16) Letter Pertaining to NO <sub>x</sub> Rules and Analysis Which Certifies the Material Became Effective on February 20, 1991	Statewide	3/8/91	7/2/91, 56 FR 30335	[FRL-3968-7] State submittal date is date of the letter.
(17) Small Business Assistance Program	Statewide	11/12/92	8/30/93, 58 FR 45452	[NE-4-1-5861; FRL-4694-6]

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanation
(18) Class II Operating Permit Program Including Letter Committing to Submit Information to RACT/BACT/LAER Clearinghouse, Letter Regarding Availability of State Operating Permits to the EPA and Specified Emissions Limits in Permits, and Letter Regarding the Increase in New Source Review Thresholds	Statewide	2/16/94	1/4/95, 60 FR 372	[NE-6-1-6445a; FRL-5115-3]
(19) Letter from City of Omaha Regarding Authority to Implement Section 112(1) and Letter from the State Regarding Rule Omissions and PSD Program Implementation	Omaha, Lincoln	9/13/95 11/9/95	2/14/96, 61 FR 5725	[NE-9-1-7220b, FRL-5409-8]. State submittal dates are dates of letters.
(20) Lincoln Municipal Code, Chapter 8.06.140 and 8.06.145	City of Lincoln	2/5/99	1/20/00, 65 FR 3130	[NE 071-1071a, FRL-6521-6]
(21) Lancaster Co. Resolution 5069, Sections 12 and 13	Lancaster County	2/5/99	1/20/00, 65 FR 3130	[NE 071-1071a, FRL-6521-6]
(22) Nebraska Lead Maintenance SIP	Omaha	1/18/01	4/20/01, 66 FR 20196	[Region 7 Tracking No. 0124-1124(b), FRL-6968-5]
(23) CAA 110(1)(2)(D)(i) SIP - Interstate Transport	Statewide	5/18/07	12/17/07, 72 FR 71245	[EPA-R07-OAR-2007-1128, FRL-8507-1]

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanation
(24) Section 110(a)(2) Infrastructure Requirements for the 1997 8-Hour Ozone NAAQS	Statewide	12/7/07	7/8/11, 76 FR 40258	[EPA-R07-OAR-2011-0310, FRL-9434-4]. This action addresses the following CAA elements as applicable: 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).
(25) Regional haze plan for the first implementation period	Statewide	6/30/11	7/6/12, 78 FR 40150	[EPA-R07-OAR-2012-0158; FRL-9689-2]. The plan was approved except for that portion pertaining to SO <sub>2</sub> BART for Nebraska Public Power District, Gerald Gentleman Units 1 and 2, and the portion of the long-term strategy addressing the SO <sub>2</sub> BART measures for these Units.

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanation
(26) Section 110(a)(2) Infrastructure Requirements for the 2008 Pb NAAQS	Statewide	10/18/11	10/21/14, 79 FR 62832	[EPA-R07-OAR-2014-0685; FRL-9918-13-Region 7]. This action addresses the following CAA elements: 110(a)(2)(A), (B), (C), (D), (E), (F), (G), (H), (J), (K), (L), and (M).
(27) Section 128 Declaration: Nebraska Department of Environmental Quality Representation and Conflicts of Interest Provisions, Section 49-1493(13) of the NE Political Accountability and Disclosure Act and Chapter 2 of Title 4, NE Accountability and Disclosure Commission	Statewide	8/22/13	10/21/14, 79 FR 62832	[EPA-R07-OAR-2014-0685; FRL-9918-13-Region 7]. This declaration is contained within Nebraska's 2010 Sulfur Dioxide NAAQS Infrastructure SIP submission concerning Section 110(a)(2)(E) of the CAA.