



ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[EPA-R07-OAR-2026-4952; FRL-13457-01-R7]

**Approval and Promulgation of State Plan (Negative Declaration)
for Designated Facilities and Pollutants; Nebraska; Commercial
and Industrial Solid Waste Incineration Units**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to accept a negative declaration submitted by the Nebraska Department of Water, Energy, and Environment (NDWEE) to satisfy the emission guidelines and associated compliance times requirements for Commercial and Industrial Solid Waste Incineration (CISWI) units for the State of Nebraska. The negative declaration certifies that there are no existing sources within the jurisdiction of Nebraska that must comply with the rule. This action is being taken in accordance with the Clean Air Act (CAA) requirements for emission guidelines and state plans for existing sources. In the "Rules and Regulations" section of this *Federal Register*, we are approving the State's negative declaration submission as a direct final rule without a prior proposed rule. If we receive no adverse comment, we will not take further action on this proposed rule.

DATES: Comments must be received by **[insert date 30 days after date of publication in the Federal Register]**.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R07-OAR-2026-4952, to <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT: Allyson Prue, Environmental Protection Agency, Region 7 Office, Air Quality Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 551-7277; email address: prue.allyson@epa.gov.

SUPPLEMENTARY INFORMATION: This document proposes to take action on approving the State of Nebraska's negative declaration, submitted in accordance with 40 CFR 60.23(b) and 62.06, to satisfy requirements in the emission guidelines and compliance

times for CISWI units. We have published a direct final rule approving the State's negative declaration submission in the "Rules and Regulations" section of this *Federal Register*, because we view this as a noncontroversial action and anticipate no relevant adverse comment. We have explained our reasons for this action in the preamble to the direct final rule. If we receive no adverse comment, we will not take further action on this proposed rule. If we receive adverse comment, we will withdraw the direct final rule and it will not take effect. We would address all public comments in any subsequent final rule based on this proposed rule. We do not intend to institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information, please see the information provided in the **ADDRESSES** section of this document.

List of Subjects in 40 CFR Part 62

Environmental protection, Administrative practice and procedure, Air pollution control, Commercial and industrial solid waste incinerators, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: July 6, 2026.

James Macy,
Regional Administrator,
Region 7.