

MEMORANDUM OF UNDERSTANDING

AIR QUALITY ANALYSIS FOR ENVIRONMENTAL DOCUMENTS

WHEREAS, the goal of the Nebraska Department of Transportation (NDOT) is to provide safe, efficient, and environmentally compatible surface transportation corridors for Nebraskans through the design of projects that attempt to mitigate congestion.

WHEREAS, the goal of the air quality program at the Nebraska Department of Environment & Energy (NDEE) is to achieve and maintain attainment with the National Ambient Air Quality Standards and to protect air quality in areas that have air cleaner than the standards from any significant deterioration.

WHEREAS, NDOT will continue to follow US Department of Transportation Mobile Source Air Toxic guidance for applicable air quality analysis.

WHEREAS, NDEE will continue to monitor National Ambient Air Quality Standards; and


WHEREAS, it is in the best interest of NDOT and NDEE to commit to the future exchange of information contemplated by this Memorandum of Understanding (MOU).

IT IS THEREFORE AGREED, that NDEE will provide written notification to NDOT if a determination is made that an area of Nebraska is in non-attainment of the National Ambient Air Quality Standards. All such notifications shall come from the NDEE Director or designee and shall be provided to the NDOT Director or designee.

IT IS FURTHER AGREED that NDOT and NDEE will meet at least annually to discuss future highway projects, potential environmental issues, and other issues of common interest. Such meeting will be initiated by NDOT in even-numbered years, and by NDEE in odd-numbered years.

IT IS FURTHER AGREED that this MOU may be terminated or amended as necessary. If any party wishes to terminate or amend the agreement, they will provide advance notice and an explanation regarding the reason for termination to the other party.

IT IS FURTHER AGREED that the April 12, 2018 *Memorandum of Understanding, Air Quality Analysis for Environmental Documents* between NDOT, NDEQ*¹ and the Federal Highway Administration (FHWA) will terminate, and this MOU will become effective, upon the execution of the *Memorandum of Understanding between Federal Highway Administration, Nebraska Division and the Nebraska Department of Transportation State Assumption of Responsibilities for Categorical Exclusions* (23 USC 326 MOU). NDOT will provide FHWA with advance notice of the termination of the April 12, 2018 MOU.



John R. Selmer, P.E.
Nebraska Department of Transportation, Director

8-26-2021
Date



Jim Macy
Director, Nebraska Department of Environment & Energy

8-23-2021
Date

¹ *Nebraska Department of Environmental Quality (NDEQ) is now the Nebraska Department of Environment & Energy (NDEE)*