

Mohegan Tribal Ordinance 2005-02

The Mohegan Tribe
Tribal Air Program
Area wide NOx Emission Limitation
Regulation

Section 1. Purpose.

The purpose of this Area Wide Limitation for NOx (AWL) is to ensure the health, economic, esthetic and cultural well-being of all people present, and residing upon, the Mohegan Indian Reservation and to establish a federally enforceable limitation on NOx emissions from specified stationary sources.

Section 2. Applicability.

These rules apply to all stationary sources of NOx emissions that: directly emit, or have the potential to emit, NOx via fuel combustion; are owned or operated by the Mohegan Tribal Gaming Authority; generate greater than, or equal to, 5 million Btu/hour; and are located within the external boundaries of the Tribe's Reservation.

Section 3. Definitions.

For purposes of this Regulation, the terms defined in the Clean Air Act, as amended, 42 U.S.C. Sections 7401 et seq., and its implementing federal regulations shall apply unless otherwise defined or noted herein:

- A. "Administrator" shall mean the Administrator of the Mohegan Environmental Protection Department.
- B. "Department" shall mean the Mohegan Environmental Protection Department.
- C. "Area Wide" or "Facility" shall mean the geographic area within the external boundaries of the Tribe's Reservation and within which NOx emission units owned or operated by the Mohegan Tribal Gaming Authority are located.
- D. "Clean Air Act" or "CAA" shall mean the federal Clean Air Act, as amended, 42 USCA Sections 7401 et seq.
- E. "Diesel Generator," "Life Safety Generator" or "Emergency Diesel Generator" shall mean diesel generators located within the external boundaries of the Tribe's Reservation, owned or operated by the Mohegan Tribal Gaming Authority, and used to provide power

in the event of an emergency. A load shaving unit, peaking power production unit or a standby engine in an energy assistance program is not an emergency or life safety generator under this definition.

- F. "Emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the MTGA that requires immediate and unavoidable corrective action to restore normal operation and may cause area wide emissions to exceed an emission limitation. An emergency shall not include any noncompliance arising from improperly designed equipment, lack of preventative maintenance, careless or improper operation, operation error, or a decision to continue operating despite knowledge of any of these circumstances.
- G. "Emission unit" shall mean any source of NOx emissions described in Section 2 and to which this Regulation applies.
- H. "Modification" shall mean any physical change or change in the method of operation of a NOx emission unit, including but not limited to the use of alternate fuels or changes to associated control equipment, resulting in the increase of the amount of NOx emitted into the atmosphere by such unit.
- I. "Mohegan EPD" or "MEPD" shall mean the Mohegan Environmental Protection Department established pursuant to Mohegan Tribal Ordinance No. 2002-12.
- J. "Mohegan Tribe" or "Tribe" shall mean The Mohegan Indian Tribe of Indians of Connecticut, recognized by the United States government on March 15, 1994 (59 FR 12140).
- K. "Mohegan Tribal Gaming Authority" or "MTGA" shall mean the Tribal entity established pursuant to Article XIII of the Tribe's Constitution by Tribal Ordinance 95-2 (July 1995) and empowered to regulate gaming, including all associated facilities, on tribal lands.
- L. "Tribal Reservation" or "Reservation" shall mean all land within the exterior boundaries of the Mohegan Tribe Reservation.
- M. Tribal Authority Rule or "TAR" shall mean the regulations issued by the USEPA as set forth in the Federal Register on February 12, 1998 (Volume 63, Number 29, Page 7253-7274).
- N. "USEPA" shall mean the United States Environmental Protection Agency.

Section 4. Authority to Administer Program.

- A. The Tribe has the authority to promulgate, implement, administer and enforce this Regulation pursuant to the Clean Air Act, the Tribal Authority Rule, and the Tribe's

- inherent sovereign authority and jurisdiction over its land, water and air resources.
- B. The Administrator of the Mohegan Environmental Protection Department is authorized to take all necessary and appropriate steps to implement, administer and enforce the requirements of this Regulation.

Section 5. Area Wide Limitation for NOx.

- A. The Diesel Generators shall not be used in conjunction with any voluntary demand reduction program (e.g. electrical demand load shedding program).
- B. The MTGA shall submit an Air Emissions Inventory, in such form as prescribed by the Administrator, to the Administrator within 30 days of the effective date of this Regulation. Such Inventory shall be submitted in conformity with Section 9.C.i of this Regulation.
- C. The following requirements shall apply to all NOx emission units and associated control equipment:
- i. The modification or installation of any NOx emission unit that causes the total NOx emissions in any 12-month rolling year to exceed the Area Wide Limitation established in Section 5.E.i of this Regulation is prohibited.
 - ii. Prior to the modification of any NOx emission unit identified in the Air Emissions Inventory, the MTGA shall submit a written request to the Administrator in conformity with Section 9.B.iii of this Regulation. The Administrator shall approve a request for modification upon finding that the proposed modification will not cause total NOx emissions in a representative set of 12-month rolling years to exceed the Area Wide Limitation established in Section 5.E.i.
 - iii. Prior to the construction or installation of any new NOx emission unit not identified in the Air Emissions Inventory, the MTGA shall submit a written request to the Administrator in conformity with Section 9.B.iv of this Regulation. The Administrator shall approve a request for construction or installation upon finding that the proposed construction or installation will not cause total NOx emissions in a representative set of 12-month rolling years to exceed the Area Wide Limitation established in Section 5.E.i.
- D. The total NOx emissions from NOx emission units owned or operated by the MTGA shall not exceed the Area Wide Limitation established in Section 5.E.i of this Regulation.
- E. Determination of the Area Wide NOx Emissions.
- i. The Area Wide Limitation for NOx emissions shall be 49 TPY for each 12-month rolling year. If the USEPA issues a final rulemaking allowing the revision of

major source thresholds in an implementation plan to correspond to the Area's classification under the eight-hour ozone National Ambient Air Quality Standards, the Area-Wide Limitation for NOx emissions shall be 99 TPY for each 12-month rolling year on and after the date on which such rulemaking is effective.

- ii. The MTGA shall use the following formulas to verify compliance with the Area Wide Limitation:

Formula #1 Monthly NOx Emissions from Boilers (ton/month)

$$NO_{x(Boiler)} = [(BG * NO_x EF) + (BO * NO_x EF)] / (2000 \text{ Lb/Ton})$$

BG = Actual boiler natural gas usage in MMCF per month
 BO = Actual boiler fuel oil usage in kgal per month
 kgal = 1,000 gallons of fuel oil
 MMCF = Million cubic feet of natural gas
 NOx EF* = NOx emissions factor for boiler firing natural gas in Lb/MMCF or fuel oil in Lb/kgal

Formula #2 Monthly NOx Emissions from Emergency Generators (EG) (ton/month)

$$NO_{x(EGen)} = (EGO * HV_{Diesel} * D_{Diesel} * NO_x EF) / (2000 \text{ Lb/Ton})$$

EGO = Actual emergency generator fuel oil usage in gallons per month
 HV_{Diesel} = Heating value of diesel at 0.0193 MMBTU/Lb
 D_{Diesel} = Density of diesel at 7.1 Lb/gallon
 NOx EF* = NOx emissions factor for EG firing diesel fuel in Lb/MMBTU

Formula #3 Monthly NOx Emissions from Fuel Cells (ton/month)

$$NO_{x(FuelCell)} = (FCG * NO_x EF) / (2000 \text{ Lb/Ton})$$

FCG = Actual fuel cell natural gas usage in MMCF per month
 NOx EF* = NOx emissions factor for fuel cell using natural gas in Lb/MMCF

Formula #4 Monthly NOx Emissions from Wood Burning Devices (tons/month)

$$NO_{x(Wood)} = [(CW) * (2.85 \text{ tons/cord}) * NO_x EF] / (2000 \text{ Lb/Ton})$$

CW = Actual wood usage in cords of dry wood burned per month
 NOx EF = NOx emissions factor for device burning wood at 2.8 Lb/ton

Formula #5 Monthly Area Wide NOx Emissions (tons/month)

$$\text{NOX}_{(\text{Monthly})} = [\text{NOX}_{(\text{Boiler1} + 2 + \dots + n)} + \text{NOX}_{(\text{EGen1} + 2 + \dots + n)} + \text{NOX}_{(\text{FuelCell1} + 2 + \dots + n)} + \text{NOX}_{(\text{Wood})}]$$

Formula #6 Area Wide NOx Emissions for 12-Month Rolling Year

$$\text{NOX}_{(\text{Facility})} = [\text{Sum of NOX}_{(\text{Monthly})} \text{ from the current and previous 11 months}]$$

* See Section 5.E.iii for the appropriate NOx emissions factor.

- iii. Within 30 days of the effective date of this Regulation, the MTGA shall submit to the Administrator a proposed list of NOx emission factors for each NOx emission unit covered by this Regulation. The Administrator shall approve this proposed list, and subsequent requests to revise emission factors, only if each factor is based on emissions rates determined on the basis of the following data.
 - a. Data from continuous emissions monitoring equipment that is installed, operated, and certified in accordance with 40 CFR Part 60; or
 - b. If continuous emissions monitoring data are unavailable, then data from stack testing conducted in accordance with Sections 7.A - 7.D; or,
 - c. If continuous emissions monitoring and stack testing data are unavailable, data supplied by the manufacturer of the subject emissions unit, but only if the data were derived from USEPA-approved emissions testing of such unit performed by or for the manufacturer; or
 - d. If none of the data described above are available, data from "Compilation of Air Pollutant Emission Factors (AP-42)" published by the USEPA.
- iv. NOx emissions from all emission units operated by the MTGA shall be calculated on a monthly basis according to the method specified in Section 5.E.ii. The results of these calculations shall be included in the Monthly Report, in conformity with Section 9.D.i of this Regulation.
- v. The Area Wide NOx emissions from all emission units operated by the MTGA shall be calculated on a 12-month rolling basis according to the method specified in Section 5.E.ii.
- vi. The MTGA shall submit a Quarterly Report of the monthly emission totals to the Administrator in conformity with Section 9.C.ii of this Regulation.

Section 6. Compliance with Clean Air Act New Source Performance Standards, 40 C.F.R. Part 60, Subpart Dc.

Pursuant to its authority under the Clean Air Act and 40 C.F.R. Section 60.13(i), on January 2,

2001, the USEPA granted a waiver of the federal requirement that individual fuel meters must be used for monitoring each boiler (40 CFR Section 60.48c(g)). This waiver is attached to this Regulation and incorporated herein by reference.

Section 7. Testing

- A. An initial stack test shall be performed by the MTGA on NOx emission units (1) within 90 days of the effective date of this regulation for each existing NOx emission unit (if not previously performed) and (2) within 90 days of the initial start-up of a NOx emission unit not identified in the Air Emissions Inventory required by Section 5.B;
- B. A periodic stack test shall be performed on each NOx emission unit every three years after the date of the initial stack test. The periodic stack test requirement is waived for emission units equipped with a CEMS satisfying the requirements of 40 CFR 60 Subpart A.
- C. The MEPD or the USEPA may require additional stack testing.
- D. Before conducting any stack testing described in Section 7, the MTGA shall:
 - i. Submit to the Administrator and the USEPA a notice of intent to test, containing the items enumerated in Section 9.B.ii of this Regulation, at least 60 days prior to the anticipated test date.
 - ii. Conduct compliance stack testing in accordance with procedures set forth in Appendix A of 40 CFR part 60 or another method approved by the Administrator and the USEPA.
 - iii. Submit the emission test report to the Administrator and the USEPA within 60 days of the completion of the compliance stack testing, in conformity with Section 9.C.iv.
- E. The MTGA shall perform an inspection and maintenance on each NOx emission unit in accordance with the manufacturer's requirements and test each unit for efficient operation at least once each calendar year. The results of said testing and the dates upon which it was performed shall be recorded in conformity with Section 9.D.iv. of this Regulation.

Section 8. Monitoring

- A. Upon completion of any initial stack tests, and prior to the operation of any NOx emission unit, the MTGA shall install an automatic data acquisition and reporting system to track and record fuel use and to calculate air emissions from all existing and planned NOx emission units. This automatic data acquisition and reporting system shall operate continuously. The data and acquisition system shall be calibrated, inspected and

maintained by MTGA in accordance with the manufacturer's and/or the supplier's recommendations.

- B. Upon completion of testing, and prior to the operation of any NOx emission unit, the MTGA shall install, at the fuel inlet line for each such unit, a gas flow meter or an oil flow meter. If the NOx emission unit can burn both gas and oil, the MTGA shall install both a gas and an oil flow meter on that unit. If a return flow fuel nozzle is installed on the unit, a supply and return flow meter shall also be installed on that unit.
- C. The MTGA shall install an automatic energy tracking and control system. This energy tracking and control system shall track fuel use data, calculate part-load efficiencies for each boiler and boiler combination, and identify the optimum boiler selection to reduce fuel use and emissions. The energy tracking and control system shall operate continuously. Prior to operating any NOx emission unit, the MTGA shall ensure such unit is connected to the automatic energy tracking and control system.
- D. The MTGA shall install and operate automated boiler plant controls on the energy tracking and control system described in Section 8.C. of this Regulation. Such automatic controls shall be programmed to select and maintain optimum boiler operation combinations in order to minimize NOx emissions. Prior to operating any NOx emission unit, the MTGA shall ensure such unit is connected to the automated boiler plant controls of the energy tracking and control system
- E. The energy tracking and control system described in Sections 8.C. and D. of this Regulation shall track and record information in conformity with Section 9.D.iii. of this Regulation.
- F. Flue gas oxygen sensors shall be installed on each boiler and monitored continuously.

Section 9. Recordkeeping and Reporting Requirements.

The MTGA shall follow the reporting and record keeping requirements related to this Regulation as follows:

- A. Verbal Notification by MTGA to Administrator:
 - i. If one or more diesel generators cumulatively operate(s) more than 24 hours, the MTGA shall verbally notify the Administrator within 4 hours. This verbal notification must be followed-up with written notification within two business days to the Administrator of such event.
 - ii. If, during stack testing conducted pursuant to Section 7 of this Regulation, there are any changes in the emissions factors for the fuel combustion sources and

combustion efficiencies for each boiler, the MTGA shall verbally notify the Administrator within 24 hours. This verbal notification must be followed-up with written notification within two business days to the Administrator of such event.

B. Written Notification by MTGA to Administrator:

- i. In any month that Area Wide NO_x Emissions for the associated 12-month rolling year (NO_x_(Area Wide)) exceeds the Area Wide Limitation established in Section 5.E.i, the MTGA shall notify the Administrator, in writing, within 15 days of the end of that month.
- ii. At least 60 days prior to any scheduled Performance Testing of the NO_x emission units required under Section 7 of this Regulation, the MTGA shall submit to the Administrator and the USEPA a notice of intent to test. Such notice shall contain the test protocol/test methodology to be utilized by the MTGA and all relevant information pertinent to conducting such performance testing. (See Section 7.D).
- iii. Prior to the modification of any existing NO_x emission unit, including the use of any alternate fuel other than natural gas or fuel oil, the MTGA shall submit a written request for review and approval by the Administrator of such modification. The written request shall contain a detailed description of the nature of the proposed modification, a description of the potential effect of the modification on the NO_x emissions of the unit, the scheduled completion date of the modification and date of return to on-line status of the unit, and any other supporting documentation showing that the proposed modification meets all applicable tribal and federal requirements. (See Section 5.C.ii).
- iv. Prior to the construction or installation of any new NO_x emission unit, the MTGA shall submit a written request for review and approval by the Administrator of such construction or installation. The request shall contain a detailed description of the proposed construction or installation showing the potential effect on total NO_x emissions and showing that the addition of such NO_x emission unit meets all applicable tribal and federal requirements. (See Section 5.C. iii).
- v. If the MTGA, based on the results of performance testing, wishes to revise the NO_x emissions factors approved of in Section 5.E.iii, the MTGA shall submit a request to the Administrator. The Administrator shall provide the MTGA with the necessary paperwork, including the required documentation necessary for submission of such request. Upon completion of all necessary documentation, the Administrator shall review the request for approval. The Administrator shall approve NO_x emissions factors only if each factor is based on emission rates determined in accordance with Section 5.E.iii.

C. Required Reports from MTGA to Administrator:

- i. Air Emissions Inventory- The MTGA shall submit such inventory within 30 days of the effective date of this Regulation. The inventory shall identify each existing NOx emission unit and, for each existing unit, the yearly and monthly emissions of (1) NOx, (2) particulate matter (PM), (3) volatile organic compounds, and (4) carbon monoxide. (See Section 5.B.)
- ii. Quarterly NOx Emissions Report- The MTGA shall submit a quarterly report containing the previous 3 months' Monthly Reports, as described in Section 9.D.i of this Regulation, due no later than 30 calendar days following the end of each calendar quarter. (See Section 5.E.vi and Section 9.D.i)
- iii. Quarterly NSPS Report - If the MTGA switches fuel types from natural gas to distillate oil in any boiler monitored by the alternate plan in lieu of 40 C.F.R. Section 60.48c(g) [individual fuel meters on each boiler], the MTGA shall submit quarterly reports to the Administrator of fuel sulfur content in accordance with 40 CFR Sections 60.48c(e)(11) and 60.48c(f)(1). (See Section 6.)
- iv. Performance Testing Report- If the MTGA conducts stack testing pursuant to Section 7 of this Regulation, the Combustion and Emissions Test Forms and the Summary Reports shall be sent to the Administrator within 48 hours of completing the tests. The Summary Report shall include the test equipment used, most recent calibration test results, all Combustion and Emissions Test Forms, and narratives describing test procedures and observations. The final emission test report shall be submitted to the Administrator and the USEPA within 60 days of the completion of stack testing.

D. Records to be Maintained by the MTGA:

- i. The Monthly Report shall contain the following information:
 - a. The Area Wide NOx Emissions for the 12-month rolling year ($NO_{x(Facility)}$);
 - b. The total monthly natural gas consumption in each Boiler and Fuel Cell (in MMCF per month);
 - c. The total monthly number two fuel oil consumption in each Boiler (in gallons per month);
 - d. The total monthly NOx emissions from each NOx emission unit calculated in accordance with Formula #1= $NO_{x(Boiler)}$, Formula #2= $NO_{x(EmerGen)}$, Formula #3= $NO_{x(FuelCell)}$, and Formula #4= $NO_{x(Woodburning)}$;
 - e. The monthly actual fuel use for the diesel generators; and
 - f. The running totals of Section D.i.b.-e., above, for the previous 12-month rolling year.

- ii. The Combustion and Emissions Test Forms and Summary Reports created during performance testing shall be made available for inspection and securely stored for a period of at least five years by the MTGA. (See Section 9.C.iv).
 - iii. The MTGA shall track and record, as part of the Energy Tracking and Control System that shall operate continuously, the following information:
 - a. Natural Gas Use by each Boiler;
 - b. Fuel Oil use by each Boiler;
 - c. Fuel Use by Fuel Cells;
 - d. Thermal Output from Fuel Cells; and
 - e. Outdoor Air Temperature.
 - iv. The MTGA shall record the dates and results of the inspection and maintenance conducted on each NO_x emission unit in accordance with the manufacturer's requirements. These records shall be made available for inspection and securely stored for a period of at least five years by the MTGA. (See Section 7.E).
 - v. Daily Records- The MTGA shall maintain a record of the following information on a 24-hour calendar day basis:
 - a. The total daily natural gas consumption in each Boiler. (in MMCF per day);
 - b. The total daily number 2 fuel oil consumption in each Boiler (in gallons per day);
 - c. All data recorded by the energy tracking and control system described in Section 9.D.iii of this Regulation;
 - d. The running totals of the amounts specified in Section 9.D.iii.a-c for the previous calendar month.
- E. If the MTGA uses the alternate monitoring plan described in Section 6 in lieu of the requirements of 40 CFR Section 60.48c(g) [individual fuel meters on each boiler], the MTGA shall record, on a daily basis, the information below.
- i. The MTGA shall record the total natural gas usage daily from a single meter and will monitor and record on a daily basis the amount of feedwater flow to each boiler. The total fuel use and feedwater flow to each boiler shall be recorded each day on boiler log sheets. If #2 fuel oil is combusted in any or all of the boilers a separate fuel metering system shall be used and the same formula shall be used to determine the daily fuel use for each boiler. The following formula shall be used to allocate the total natural gas, or #2 fuel oil, used by each boiler:

$$\text{Boiler \# gas use} = \text{daily gas use} \times \text{feedwater to boiler \#} / \text{feedwater to all boilers.}$$

This equation will be used for all 40 CFR 60 Subpart Dc boilers operated by MTGA. The total fuel use and feedwater flow to each boiler will be recorded each day on boiler log sheets. If #2 fuel oil is combusted in any or all of the boilers, a separate fuel metering system shall be used and the same formula shall be used to determine the daily fuel use for each boiler.

- ii. If during the use of the alternate monitoring plan, the MTGA uses any fuel other than natural gas or low sulfur distillate fuel oil in the 40 CFR 60 Subpart Dc boilers, the MTGA shall measure and record the fuel usage on a daily basis for each source.
 - iii. If during the use of the alternate monitoring plan, the MTGA switches fuel types from natural gas to distillate oil, the MTGA shall record fuel sulfur content in accordance with NSPS Subpart Dc at Sections 60.42c(h)(1) and 60.44c(h).
- F. The Administrator may, with sixty (60) days written notice, require the MTGA to monitor, record and report information in addition to those noted in this Regulation that the Administrator deems necessary to assure compliance with this Regulation and to protect human health, the environment, and the best interests of the Tribe. Such notice to the MTGA may be less than sixty (60) days, if the Administrator determines that it is reasonable to obtain such information in less than 60 days.
- G. All records and reports required by this Regulation shall be securely maintained for a period of at least 5 years and shall be made available for inspection by the Administrator or USEPA and shall not be discarded after 5 years without prior approval of the Administrator.

Section 10. Inspections.

MEPD employees or USEPA are authorized to enter any building or structure within the exterior boundaries of the Reservation for the purpose of inspecting any air pollution source, investigate any condition it believes may be causing air pollution, or to examine any records required to be maintained by this Regulation or other directive by the Administrator.

Section 11. Enforcement.

- A. The Administrator is hereby authorized to enforce this Regulation as specified below:
- i. **Judicial Enforcement**
 - a. The Administrator may issue a citation to any person that the Administrator reasonably believes to have violated the requirements of this Regulation.

- b. A citation shall require the person cited to appear before the Gaming Disputes Court on a date specified for a hearing on the violation charged in the citation.
- c. The date for the required appearance shall be at least five (5) days and no more than sixty (60) days from the date of the citation, unless the Administrator and the person cited agree to another date or settle the matter, and so inform the Gaming Disputes Court.
- d. The Administrator is authorized to propose a settlement of the violation alleged in the citation. Such settlement (1) may consist of a monetary civil penalty and other reasonable terms proposed by the Administrator that are in the best interest of the Tribe and the environment and (2) shall assure compliance with this regulation.
- e. At any hearing before the Gaming Disputes Court, pursuant to this Section, the Administrator, or his or her designee, shall present evidence establishing the alleged violation of this Regulation and shall propose a judicial order specifying a certain civil penalty and/or injunctive relief.
- f. At any hearing before the Gaming Disputes Court, pursuant to this Section, the alleged violator shall be given an opportunity to be heard, to present witnesses, and to examine the Administrator and any witnesses presented by the Administrator.
- g. If, after hearing, the Gaming Disputes Court finds that a violation has in fact occurred, it may issue a judicial order for (a) the assessment of civil penalties and/or (b) appropriate injunctive relief.
- h. Cease and Desist Orders.
 - (i) Whenever, on the basis of any information available to the Administrator, the Administrator reasonably believes that an individual is in violation of any requirement or prohibition of this Regulation and that the continuing violation constitutes a serious and imminent threat to the environment or human health, safety, and welfare, the Administrator may petition, with contemporaneous notice to an alleged violator, the Gaming Disputes Court for a cease and desist order.
 - (ii) The Gaming Disputes Court may issue a cease and desist order if it finds that the continuing violation does constitute a serious and imminent threat to the environment or human health, safety, and welfare.

- (iii) The cease and desist order shall require immediate compliance with this Regulation and notify the alleged violator of his right to appeal the order to the Gaming Disputes Court of Appeals.
 - (iv) The issuance of a compliance order shall not prevent the Tribe from seeking judicial relief pursuant to Section 11.A.i above or undertaking any other enforcement actions described in this section.
- i. Any person aggrieved by any judicial order issued by the Gaming Disputes Court pursuant to this Section may appeal such order to the Gaming Disputes Court of Appeals.
 - ii. **General Provisions**
 - a. The Administrator, may, in his or her discretion, refer alleged violations to the USEPA for either civil or criminal enforcement.
 - b. The Administrator is authorized to establish a schedule of civil penalties to be assessed for violations of this Regulation, subject to approval by Tribal Council.
 - c. The Mohegan Tribal Police Department shall assist the Administrator, upon request, to deliver and enforce a cease and desist order or any order issued by the Gaming Disputes Court pursuant to Section 11 of this Regulation.

Section 12. Public Notice.

The Administrator shall take appropriate steps to notify the MTGA regarding the requirements of this Regulation and any other preliminary and final actions taken that directly affect consultants, agents or employees of the MTGA.

Section 13. Severability Clause

If any provision of this Regulation or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Regulation which can be given effect without the invalid provisions or application, and, to this end, the provisions of this Regulation are severable.

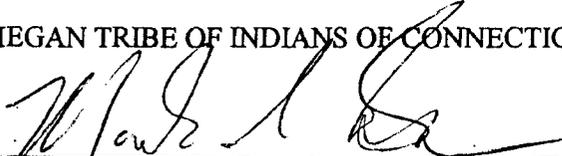
Section 14. Effective Date.

This Regulation is effective upon enactment by the Mohegan Tribal Council and upon adoption

of this Regulation by the Management Board of the Mohegan Tribal Gaming Authority.

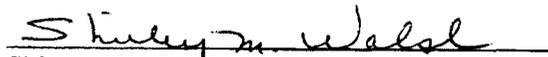
Dated this 28th day of April, 2005 at Uncasville, Connecticut

MOHEGAN TRIBE OF INDIANS OF CONNECTICUT



Mark F. Brown
Chairman

Attest:



Shirley M. Walsh
Recording Secretary