

RESOLUTION No. 2007-28

of the

MOHEGAN TRIBE OF INDIANS OF CONNECTICUT

Technical Amendment to Area Wide Limitation for NOx

WHEREAS, the Mohegan Tribe of Indians of Connecticut is an American Indian Tribe recognized by the United States pursuant to the provisions of 25 C.F.R. Part 83; and

WHEREAS, the Tribal Council is vested with the authority to establish and enforce all ordinances providing for the maintenance of law, order and the administration of justice within the Mohegan Indian Reservation and to establish procedures for the conduct of all tribal government and business operations pursuant to Article IX, Section 2(n) and (c), Constitution of the Mohegan Tribe of Indians of Connecticut; and

WHEREAS, the Tribal Council approved and adopted the Mohegan Tribe Area Wide Limitation for NOx, on June 11, 2005, Ordinance No. 2005-01, now codified at Mohegan Tribe Code Article XIII; and

WHEREAS, approval of the Mohegan Tribe Area Wide Limitation for NOx has been pending at the United States Environmental Protection Agency for over two years; and

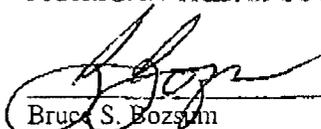
WHEREAS, the United States Environmental Protection Agency has communicated to the Tribe that an amendment to the Mohegan Tribe Area Wide Limitation for NOx, deleting certain language contained within Section 5-305(e)(1), will result in an expedited approval of publication of the Mohegan Tribe Area Wide Limitation for NOx in the Federal Register; and

WHEREAS, the Tribal Council has determined that the suggested amendment would be in the best interest of the Tribe;

NOW THEREFORE, BE IT RESOLVED THAT Mohegan Tribe Code Section 5-305(e)(1) is hereby amended to delete the following language: "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 (8)-hour ozone National Ambient Air Quality Standards, the Area Wide Limitation for NOx emissions shall be 99 TPY for each twelve (12)-month rolling year on and after the date on which such rulemaking is effective."

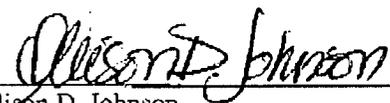
Dated this 22nd day of August, 2007, at Uncasville, Connecticut.

MOHEGAN TRIBAL COUNCIL



Bruce S. Bozson
Chairman

Attest:



Allison D. Johnson
Recording Secretary