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Disposal of Bulk Quantities of Liquids in Household-Sized Containers

Nebraska [Title 132 – Integrated Solid Waste Management Regulations](#), Chapter 3, §004.10, Subsection [004.10B1](#) states that containers of liquid wastes may not be placed in a municipal solid waste disposal area unless: “The container is a small container similar in size to that normally found in household waste.” It is the purpose of this guidance document to clarify the circumstances when this regulation is applicable at a Municipal Solid Waste (MSW) landfill.

Nebraska’s Title 132 regulations are based on the Code of Federal Regulations (CFR). Nebraska Title 132, Chapter 3, like the liquids prohibition in 40 CFR 258.28, bans the disposal of bulk liquids in a MSW landfill. Subsection [004.10B1](#) of Chapter 3 allows for the disposal of liquids in small household-sized containers. This exemption to the liquids ban is intended to allow the disposal of normal waste generated by a Nebraska household or business. However, the exemption also allows for the disposal of larger numbers of these types of containers generated through some unplanned event or accident. A toppled semi-truck hauling a load of individually packaged household liquids is a good example of the sort of liquid waste that could be managed at an MSW landfill.

To be clear, wastes that are routinely generated, such as expired consumable liquids at grocery stores, should already have an established pathway for reuse, recycling or disposal. This may include reverse distribution or drainage to a public treatment works. It is not advisable to divert these wastes to landfill disposal except in unusual circumstances. There are some landfills in Nebraska equipped and permitted to accept bulk quantities of free liquids by mixing that liquid with dry material such as soil. This mixing continues until the material can pass a paint filter test. However, this type of bulk-liquid disposal is not the subject of this guidance document.

The Nebraska Department of Environment and Energy (NDEE) expects disposal areas, i.e. MSW landfills, to follow the conditions of their facility permit when accepting bulk quantities of household-sized liquids and act responsibly so as not to cause unexpected failures of engineering controls (e.g. liner and leachate systems) or operational complications. The following considerations apply:

1. A MSW landfill should be able to handle the waste in such a way that it does not adversely impact daily operations or significantly increase leachate production.
2. The waste would be best handled by landfills which are already permitted for leachate recirculation as these MSW landfills have demonstrated a design and operational ability to add larger volumes of liquids to disposed waste.

3. Due to the channelization of vertically migrating liquids, bale-fill landfills may not be able to accommodate large quantities of household-sized liquid containers.

So long as a MSW landfill takes these considerations into account, NDEE will not object to the disposal of such waste in a MSW landfill that is capable of handling the material. This could include cartons of orange juice, jugs of milk, or even cans or bottles of beer that must otherwise be disposed or destroyed due to the circumstances of their generation as a waste.

This interpretation does not extend to any liquid product in household-sized containers that is also a regulated hazardous waste, such as some corrosive cleansers, pesticides, or flammable materials. These individual containers would normally be disposed from households, or from Conditionally Exempt Small Quantity Generators (CESQG) of Hazardous Waste, and as such would fall under the exclusion for household hazardous waste and CESQG waste. However, if a number of containers were designated as waste outside of a household, or CESQG business, the exemption would no longer apply. An example of this sort of hazardous waste would be a shipment of bottles of charcoal lighter fluid that was damaged in transit. Since the material did not originate from a household, or a conditionally exempt business, it would no longer meet the waste exemption. As a result any waste materials generated outside a home must be characterized and disposed of properly as per [Title 128 – Nebraska Hazardous Waste Regulations](#).

Generators of large numbers of small household-sized liquid containers who wish to dispose of them at one time are urged to contact their MSW landfill of choice to get prior approval before taking any action. Landfills may have their own individual acceptance criteria for such wastes.

RESOURCES:

- NDEE Home Page: <http://dee.ne.gov/>

Contacts:

- NDEE Main Line (402) 471-2186
- NDEE Toll Free Number (877) 253-2603
- NDEE Solid and Hazardous Waste Compliance Assistance (402) 471-8308
- Email questions to: NDEE.moreinfo@nebraska.gov

NDEE Publications:

- [Guidance Document – Liquid Waste Restricted From Landfills](#)
Guidance is available on the NDEE Home Page under “Publications & Forms”
- [Title 128 – Nebraska Hazardous Waste Regulations](#)
- [Title 132 – Integrated Solid Waste Management Regulations](#)
Titles are available on the NDEE Home Page under “Laws/Regs & EQC”, “Rules & Regulations”