

SITING AND PERMITTING NEBRASKA SOLID WASTE MANAGEMENT FACILITIES



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Nebraska Department of Environmental Quality's

2015 Environmental Update

Local Siting

- Local Siting Approval Process with Public Input
 - Required by state statute (§13-1701 – 13-1714 and §13-2035)
 - For Disposal Areas and certain Compost Facilities
 - Public Comment Period and Public Hearing by **Local governing body**
 - Criteria under consideration
 - Necessary, safe and protective, planning commission advice, traffic patterns, property values, previous experience of applicant
 - May not effect special use permitting

State Permitting

- State Approval Process with Public Input
 - Required by state statutes and department rules (e.g. Integrated Solid Waste Management Act and Title 132)
 - If Local Approval Process required, must be complete prior to applying for state permit
 - Locational, Design, Operating & Closure Criteria
 - Disposal Areas (Municipal Waste, Coal Ash, Construction & Demolition Debris, etc.)
 - Processing Facilities (Compost, Transfer Stations, MRFs, etc.)
 - Public Comment Period and potential hearing

State Locational Criteria

- Disposal Areas *
- No Detrimental effect on Waters of the State:
 - Water resource quality and uses, Groundwater separation from wastes, local aquifers, surface water, site hydrogeology, soils, etc.
- Roadway Setbacks
- Airport Proximity
- Floodplain
- Wetlands
- Unstable Areas, Faults & Seismic impact zones
- * Certain criteria differ depending on wastes (e.g. Construction & Demolition Debris, Coal Ash)

State Locational Criteria

- Processing facilities
 - Transfer Stations, Materials Recovery Facilities, others.
 - Wetlands
 - ✓ Compost Facilities
 - No Detrimental effect on Waters of the State:
 - Water resource quality and uses, Groundwater separation from wastes, local aquifers, surface water, site hydrogeology, soils, etc.
 - Roadway Setbacks
 - Airport Proximity
 - Floodplain
 - Wetlands

Common Public Concerns

- Local Siting Approval Process
 - Truck Traffic (Noise, dust, road wear)
 - Property Values
 - Odors
- State Approval Process
 - Noise, dust, odors
 - Locational Criteria

Important takeaways...

- Local siting for solid waste management facilities is a separate process not overseen by DEQ
- Local siting considers public health, safety and welfare along with broader community impacts not typically addressed under state permitting
- Unlike Local siting, state permitting requires detailed locational, design, operational and closure criteria.
- If it needs a DEQ disposal or compost permit, it needs local siting.

For additional information call:

Department main phone number – (402) 471-2186 or 1-877-253-2603

Compliance Assistance/Resources

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“Local Siting Approval for Solid Waste Management Facilities” available online at
(www.deq.ne.gov)