Title 118 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY
Chapter 3 - ANTIDEGRADATION CLAUSE

001 It is the public policy of the State of Nebraska to protect and improve the quality of ground water for human consumption; agriculture, industry and other productive, beneficial uses; and to achieve the standards set out in Chapter 4 herein, wherever attainable. In determining whether such standards are attainable for any specific aquifer, the State should take into consideration environmental, technological, social and economic factors.

002 It is recognized that the existing quality of some ground water in Nebraska is better than the maximum contaminant levels set out in Chapter 4 herein as of the date on which these standards become effective. This existing high quality ground water will be maintained and protected.

003 In select cases the State may choose, after notice and hearing, to allow degradation of such high quality ground water where justified as a result of necessary and widespread economic or social development; provided however, that in no event may degradation of ground water quality interfere with or become injurious to existing water uses.

Enabling Legislation: Neb. Rev. Stat. § 81-1505(1)(2)

Legal Citation: Title 118, Ch. 3, Nebraska Department of Environmental Quality