Title 118 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 2 - INTENT AND APPLICABILITY OF STANDARDS AND CLASSIFICATION

001 The Ground Water Quality Standards and Use Classification are intended to be the foundation for other ground water regulatory programs. These Standards shall be implemented in conjunction with other regulatory programs. If other regulatory programs do not exist, these Standards alone may be used as the basis for remedial action of ground water contamination.

002 The ground water standards and ground water classifications shall apply to all ground waters of the State with the following exceptions:

002.01 Within an aquifer or a part of an aquifer that has been exempted through the Rules and Regulations of the Nebraska Oil and Gas Conservation Commission or through the Nebraska Department of Environmental Quality's Title 122 - Rules and Regulations for Underground Injection and Mineral Production Wells. This exception will apply only for ground water contaminants directly related to the activity requiring exemption. If the exemption designation is removed, this exception will no longer apply.

002.02 As explained in 003 and 004 below.

003 The numerical standards of Chapter 4 are intended to be applied in regulatory programs administered by the Department. This does not imply that all ground waters in the State will be expected to meet these levels. When point source ground water pollution has occurred, the numerical standards shall be applied according to Chapter 10.

004 The numerical standards of Chapter 4 shall apply to all ground water classes of Chapter 7 except as provided below:

004.01 The numerical standards of Chapter 4 shall not apply to ground waters classified as GC unless any of the following situations occur:

004.01A If a condition exists which has impaired or will impair, in the Department's judgment, beneficial uses other than drinking water.

004.01B If public health or welfare are threatened.

004.01C If considered necessary by the Department to protect hydrologically connected ground waters, surface water beneficial uses (as assigned in Title 117 - Nebraska Surface Water Quality Standards), or surface waters defined by the Department through the Nebraska Wellhead Protection Program as contiguous with a wellhead protection area.

004.02 The numerical standards of Chapter 4 shall not apply within a discrete boundary for the pollutants under consideration, as may be determined under the remedial action provisions of Chapter 10 in the event of pollution.

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

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