

Proposed Updates to N.A.C. Title 132


Integrated Solid Waste Management Regulations

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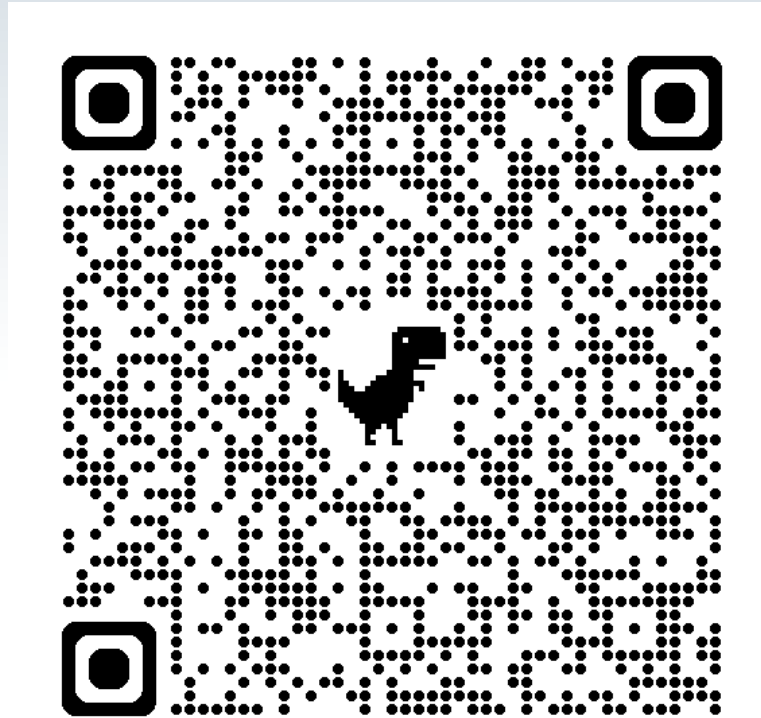
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4 major areas

- Adopt 2015 federal CCR rule & subsequent amendments, including CCRMU rule & extensions
 - Various cleanup, clarifying, and gap-filling revisions – the major focus today
 - DEQ → DWEE name change resulting from LB317 in 2025
 - Update reference to landfill tipping fee increase in N.R.S. §13-2042(1) resulting from LB247, also in 2025
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QR Code for Draft Title 132 Regulations Webpage



Regulations on Agency Webpage

<https://dee.nebraska.gov/>

→ “Resources and Services”


→ “Laws & Regulations”

→ “Proposed Rules and Regulations”


Under the “Preliminary Drafts” Heading (1st heading)



Chapter 1 – Definitions (misc. solid waste)

- “construction and demolition waste” (023) + “uncontaminated wood pallets”
 - “livestock waste” (066) clarified as solid waste from “animal agriculture for purposes of food or fiber production”
 - “major modification” moved from Chapter 9 to 1, 069; distinguished from CCR definition; clarifying deletion re. type of modification decides public participation
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Ch. 2 – Permit Application Procedures

- 006.01H – “if applicable” replaces “whichever is applicable” re. certification of local siting for consistency w/ policy & department application form
 - 009.02C – distinguishes permit renewals (009.02B) from permit transfers and that compliance history of the transferee may be considered in agency permit decision
 - 012.05 – continuation of expiring permit; in other titles
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Ch. 3 & 5 – MSWLFs and C&D LFs – final cover

- Chapter 3, 005.09 (MSWLFs) & Chapter 5, 005.10 (C&Ds):


““No person shall excavate, disturb, or fail to maintain the final cover, or remove any deposited materials from any active or closed solid waste disposal area without having received prior approval from the Department.”




Ch. 9 – application fees; Ch. 11 – tipping fee

- Ch. 9, 001.01 – streamline & correct outdated, incorrect legal citations of state statutes
 - Ch. 9, 002 – move “major modification” to Ch. 1, 069
 - All Chapter 9 fee amounts remain unchanged
 - Ch. 11, 001.01 – tipping fee now references the statute, N.R.S. §13-2042(1), which was updated by LB247 in 2025 from \$1.25/ton to \$2.34/ton, effective 7-1-2025
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Timeline – Rulemaking & CCR Application

- now to May 21, 2026 – outreach & informal comment
 - May 22 to June 24, 2026 – formal comment period to EQC
 - June 24, 2026 – EQC public hearing & take testimony
 - June 25, 2026 (if adopted) → review by other branches
 - Late summer (if approved) → Secretary of State + 5 days
 - T132 in effect → state CCR application to EPA + 180 days
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Title 128 – Hazardous Waste Regulations

- Planning two (2) updates for 2026-2027
 - Update #1 will adopt H.W. generator fees as LB759 passed
 - There will be a robust public outreach process on type & amount
 - H.W. generator fees are required in all Region 7 states (IA, KS, MO)
 - Update #2 will adopt recent RCRA rules since 2015-2016
 - Hazardous waste generator improvements rule, aerosol cans as universal waste rule, Subpart P pharmaceutical waste rule, etc.
 - 1st update in 2026, 2nd in 2027 due to EPA review process
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Questions & Comments

- Please participate in the process if interested
 - 2 webinars in April & May – similar presentation to today
 - Will forward email updates to SWANA contacts
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