

NEBRASKA ADMINISTRATIVE CODE
TITLE 130 - NEBRASKA DEPARTMENT OF WATER, ENERGY, AND
ENVIRONMENTAL ~~QUALITY~~

Chapter 13 - GROUND WATER MONITORING

001 Ground water monitoring may be required for any large concentrated animal feeding operation based on a site-specific review by the Department. The following information will be used in determining the need for ground water monitoring:

001.01 The materials and methods used in the construction of the facility;

001.02 The size of the animal feeding operation;

001.03 Depth to ground water;

001.04 Type of soils;

001.05 Type of consolidated or unconsolidated sediments above and below the water table;

001.06 Local and regional use of ground water for drinking water and other beneficial uses; and

001.07 Other criteria, including, but not limited to, location of nearest public water supply wells, use of local Rural Water District, and location of on-site wells.

002 Ground water monitoring may be required for any small or medium animal feeding operation, if any one of the following has occurred:

002.01 A spill or non-permitted release from the facility;

002.02 The Department determines that percolation from the facility exceeds the allowable percolation rate; or

002.03 Any other circumstance that the Department determines may impact ground water quality.

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003 An applicant may supply additional information to the Department for reconsideration of the ground water monitoring requirement. The information shall be specific to the site and may include, but is not limited to, the following:

003.01 Geologic log of on-site test hole or water well, extending at least to ground water, with adequate detail concerning the sediments and/or rocks drilled through; and

003.02 Static water level in an existing on-site water well or in a new on-site test hole or water well, measured after water level has had time to stabilize, usually at least 24 hours after drilling.

004 Facilities where ground water monitoring has been required shall have a minimum of three monitoring wells, one up-gradient and two down-gradient. All wells shall be constructed according to Nebraska Health and Human Services, Regulation and Licensure Title 178 (Nebraska Administrative Code), Chapter 12. As an alternative, the Department may approve other means of monitoring the ground water, sediments, and rocks above or below the water table. This includes, but is not limited to, direct push techniques for monitoring of ground water or sediments, lysimeter installation and sampling, or other approved techniques.

005 Sampling shall occur as set out in the sampling and analysis plan approved by the Department, and the results reported to the Department within 45 days of the sampling event. The following information shall be obtained:

005.01 Depth to water prior to purging and sampling; and

005.02 Sample and lab analyses for nitrate, chloride, and ammonia, at a minimum, using accepted lab methods and sampling techniques.

005.02A Sampling shall be conducted by a qualified person, as defined by the Nebraska Health and Human Services System.

005.02B A sampling and analysis plan, or some other standardized plan for sampling and analysis of the ground water samples, shall be submitted and approved as part of the ground water monitoring plan.

006 The Department may require water level measurements at a frequency adequate to establish seasonal ground water flow directions.

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007 The permittee or authorized representative may request that the Department reconsider the ground water monitoring requirement. The request shall include supporting documentation. In the event monitoring wells will no longer be used, the wells shall be properly decommissioned according to state regulations.

008 Further ground water monitoring or investigation may be required if one or more of the following occurs. Such investigations and any subsequent actions related to ground water quality shall follow procedures in Title 118 (Nebraska Administrative Code) – Ground Water Quality Standards and Use Classification:

008.01 Contaminant concentrations in the monitoring wells are above the background concentrations;

008.02 There has been a discharge from the facility;

008.03 The Department determines that percolation from the facility exceeds the allowable percolation rate; or

008.04 Any other circumstance that the Department determines may impact ground water quality.

009 Any permittee or recipient of a construction approval that is required to conduct ground water monitoring in accordance with this Chapter shall maintain all documents pertaining to such monitoring for five years.

Enabling Legislation: Neb. Rev. Stat. § 81-1504(10)(11)(12)(13)(20)(21); § 81-1505(10); §§ 54-2416 to 54-2438

Legal Citation: Title 130, Ch. 13, Nebraska Department of Water, Energy, and Environmental Quality

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