

Title 128 - Department of Water, Energy, and Environment

Chapter 24 - FEES FOR TREATMENT, STORAGE AND DISPOSAL FACILITIES FEES FOR GENERATORS OF HAZARDOUS WASTE

001 Fee report, payment, and assessment for hazardous waste treatment or disposal facilities.

001.01 Applicability. For the purposes of this Section, hazardous waste processing facilities shall include hazardous waste treatment and disposal facilities.

001.02 Fee Report. The owner or operator of a hazardous waste treatment or disposal facility shall, on or before March 1 of each year, submit to the Director a report specifying the quantity of hazardous waste (as defined in Chapters 2 and 3) processed or disposed at the facility (as determined on biennial report) during the preceding calendar year. The corresponding fee payment based upon the fee assessment schedule in Section 001.03, shall be submitted with the fee report.

001.03 Fee assessment.

001.03A Hazardous waste treated or incinerated at hazardous waste management facilities shall be subject to the following fee rate:

\$.06 per cubic foot (\$1.62 per cubic yard) or \$.00096 per pound.

001.03B Hazardous waste disposed at hazardous waste disposal facilities shall be subject to the following fee rate:

\$.70 per cubic foot (\$18.90 per cubic yard) or \$.0112 per pound.

001.03C When multiple management activities occur at the same facility, the operator shall be assessed the management fee having the highest rate of the management activities involved.

001.03D When exact volumes are unavailable, the following conversion factors shall be used:

1 cubic foot = 7.5 gallons

1 cubic foot = 28.3 liters

1 cubic foot = 2.3×10^{-5} acre feet

002 Fee report, payment, and assessment for generators of hazardous waste.

002.01 Applicability. For the purposes of this Section, a generator of hazardous waste shall include any "small quantity generator" and "large quantity generator" as defined in Chapter 1. Hazardous waste generator fee payment is due as required in this Section if the generator operated for any portion of the previous calendar year.

002.02 Annual generator fee. A generator of hazardous waste shall, on or before March 1 of each year, submit to the Director a report specifying the quantity of hazardous waste (as defined in Chapters 2 and 3) generated at the facility (as reported to the EPA's hazardous manifest system) during the preceding calendar year. The report shall be on a form provided by the Department. The corresponding annual generator fee payment based upon the fee assessment schedule in Section 002.02A, shall be submitted with the fee report.

002.02A The initial generator fee for large and small quantity generators for the period beginning July 1, 2026 to December 31, 2026 will be \$525.00.

002.02B The annual generator fee rates beginning January 1, 2027 will be subject to the following rates:

\$525.00 per calendar year for a small quantity generator.

\$1,050.00 per calendar year for a large quantity generator.

002.02C Shifting generator status. A generator of hazardous waste that shifts between small quantity generator and large quantity generator status during the preceding calendar year is subject to the fee rate for a large quantity generator.

Enabling Legislation: Neb. Rev. Stat. §81-1505(13)

Legal Citation: Title 128, Chapter 24, Nebraska Department of Water, Energy, and Environment