NEBRASKA

DEPT. OF WATER, ENERGY, AND ENVIRONMENT

This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

10-004 November 2026

Onsite Wastewater: Subdivision Review

Prior to construction of a development area where an onsite wastewater treatment system is proposed on any lot less than three acres in size, the owner of the development area must submit an application for subdivision review and receive approval from the Department for the use of onsite wastewater treatment systems for the development area. For purposes of subdivision review and approval, 'construction' is defined in Title 124 – Onsite Wastewater Treatment Systems as physical activity on a development area including the building of roads, cut and fill, grading, installation of utilities, construction of any foundations, buildings or structures for the development, and construction work on drainage, piping, trenching, lighting, foundations, or other site activities. Construction does not include siting, soil percolation testing or soil boring.

The application submitted to the DWEE must include a completed Application for Onsite Wastewater Subdivision Review; a nonrefundable fee of $450 for each lot subject to approval; and all plans, specifications, reports, and supporting technical documents.

The Department will review the application and will either approve or deny the use of onsite wastewater treatment systems for the development area. Approval will be based upon an evaluation of the submitted information to meet the design requirements of Title 124.

Once the Department has issued subdivision approval, any subsequent change may be considered a new application and subject to the subdivision review and approval application and fee requirements. A subdivision approval expires ten years from the date the approval is issued by the Department unless the owner submits a written request for reauthorization or extension from the Department prior to the expiration date and the reauthorization or extension is approved by the Department. Such reauthorization or extension will be subject to requirements in effect at the time the reauthorization or extension is issued. The reauthorization or extension will be valid for no more than one year from the date of issuance. Additional reauthorization or extension may be requested in writing prior to expiration.