

NEBRASKA ADMINISTRATIVE CODE

Title 132 - NEBRASKA DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENTAL QUALITY

Chapter 11 - DISPOSAL FEES

001 Disposal Fees. An owner or operator of a municipal solid waste disposal area regulated by the Department or a permitted solid waste processing facility that transports solid waste out of State for disposal shall remit to the Department in the manner prescribed below a fee based on the volume or weight of solid waste entering the municipal solid waste disposal area or transported out of State from a permitted solid waste processing facility.

001.01 The fee imposed by Section 001 of this Chapter for disposing of solid waste in municipal solid waste disposal areas regulated by the Department or transported out of State from a permitted solid waste processing facility shall be the amount in Neb. Rev. Stat. § 13-2042(1):-

~~001.01A For each six (6) cubic yards of uncompacted solid waste: \$1.25; or~~

~~001.01B For each three (3) cubic yards of solid waste which has been compacted by a compacting machine: \$1.25; or~~

~~001.01C For each ton of solid waste: \$1.25.~~

001.02 The owner or operator of the municipal solid waste disposal area or permitted solid waste processing facility transporting solid waste out of State shall make the fee payment required by this chapter on a quarterly basis.

001.02A The owner or operator shall make the preceding quarter fee payment to the Department on or before the forty-fifth (45th) day following the end of each calendar quarter.

001.02B Each fee payment shall be made to the Department upon receipt of an invoice. The owner or operator shall return the invoice with information which:

001.02B1 States the total volume or weight of solid waste disposed of at the municipal solid waste disposal area or transported out of state by a permitted solid waste processing facility during the payment period;

001.02B2 Provides any other information which the Department deems necessary; and

001.02B3 Provides authorized signatures of the owner or operator.

002 Weight or Volume Information. It shall be the responsibility of an owner or operator to determine the weight or volume of solid waste entering the municipal solid waste disposal area each day.

002.01 The owner or operator shall record or cause to be recorded the following information on each incoming load of solid wastes or recyclables:

002.01A The facility's name or permit number;

002.01B The solid waste jurisdiction area;

002.01C The name and address of the owner of the vehicle carrying the load and the vehicle's number, if any;

002.01C1 If the truck does not have a number, the driver of the truck shall describe the make, model, and capacity of the truck as fully as possible.

002.01D The actual or estimated load weight or load volume;

002.01E Type of material or materials: recyclables, solid wastes, inert materials (such as construction or demolition wastes), special wastes, etc.; and

002.01F Type of route if applicable: commercial, industrial, residential or any combination.

002.02 The owner or operator shall place the information in the operating records of the facility, and shall consult these records in providing the Department with the information required by Section 001.02B1 of this Chapter. This information does not have to be submitted to the Department as part of the submittal required by Chapter 2, 007.

002.03 If the owner or operator elects to have drivers or haulers record the information required by 002.01A - 002.01F of this chapter, the owner or operator shall provide each driver or hauler with a data collection form.

003 Penalty for Non-Payment. If an owner or operator fails to pay his or her quarterly disposal fee by the date given in Section 001.02A of this Chapter, the Department shall assess on the amount due an interest penalty at the rate specified in Neb. Rev. Stat. § 45-104.02, as such rate may from time to time be adjusted.

Enabling Legislation: Neb. Rev. Stat. §§ 13-2034, 13-2042, 81-1504 and 81-1505

Legal Citation: Title 132, Ch. 11, Nebraska Department of Water, Energy, and Environmental Quality