

NEBRASKA ADMINISTRATIVE CODE

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

Chapter 17 - ~~PLASTIC CONTAINER CODING~~ LAND APPLICATION OF PAUNCH MANURE

~~001~~ Applicability. No person shall manufacture or distribute a plastic bottle or rigid plastic container unless such bottle or container is imprinted with a code identifying the appropriate resin type used to produce the structure of the container.

~~001.01~~ The code shall identify the appropriate resin type used to produce the structure of the container. The code shall consist of a number placed within three triangulated arrows and letters placed below the triangle of arrows. The triangulated arrows shall be equilateral, formed by three arrows with the apex of each point of the triangle at the midpoint of each arrow, rounded with a short radius. The arrowhead of each arrow shall be at the midpoint of each side of the triangle with a short gap separating the arrowhead from the base of the adjacent arrow. The triangle, formed by the three arrows curved at their midpoints, shall depict a clockwise path around the code number. The number and letter codes shall be:

- 1 and PETE, representing polyethylene terephthalate;
- 2 and HDPE, representing high density polyethylene;
- 3 and V, representing vinyl;
- 4 and LDPE, representing low density polyethylene;
- 5 and PP, representing polypropylene;
- 6 and PS, representing polystyrene; and
- 7 and OTHER.



~~For illustrative purposes only.~~

~~002~~ Failure to comply with these regulations may be grounds for enforcement pursuant to Neb. Rev. Stat. §69-2504.

001 Criteria for Non-Dedicated Paunch Manure Sites. A person proposing to land-apply paunch manure at a non-dedicated paunch manure site is not required to obtain a permit from the Department prior to land application when the following criteria are met:

001.01 All operating criteria applicable to partial exception solid waste processing facilities in Chapter 2, Section 003.02 of the Title;

001.02 Paunch manure is transported to the site in a sealed and tightly covered truck, trailer, or other container;

001.03 Paunch manure is uniformly spread over and incorporated into the soil to prevent odors, vectors, and discharges; and

001.04 All land application and twenty-four (24) hour storage activities are in accordance with the setback requirements in Section 002.01C2 of this Chapter.

002 Criteria for Dedicated Paunch Manure Sites. A person proposing to land-apply or store paunch manure at a dedicated paunch manure site shall apply for and obtain a permit from the Department as required by Chapter 2, Section 001 of this Title prior to any land application or storage activities. The permit requirement shall also apply to non-dedicated paunch manure sites not meeting all of the criteria in sections 001.01 through 001.04 of this Chapter. The following criteria shall be demonstrated in the permit application:

002.01 Location criteria

002.01A Name and address of owner or owners of the paunch manure application or storage site(s), legal description of the site(s), and proximity to nearest town;

002.01B The land application or storage site(s) in acres, the current and foreseeable future use(s) of the land, the land slope and soil type; and

002.01C A topographic map for the land application and storage sites with the following features identified:

002.01C1 The land application or storage site(s) identified in 002.01B; and

002.01C2 The location of all landscape features listed below within one mile and demonstrating that the following setback requirements have been met:

002.01C2(a) Private residences unless written permission is documented in the application – 1,000 foot setback for application sites; 1,320 foot setback for storage sites;

002.01C2(b) Domestic Water Supply Wells – 500 foot setback for both application and storage sites;

002.01C2(c) Municipal Water Supply Wells – 1,000 foot setback for both application and storage sites; and

002.01C2(d) Surface Waters of the State – 100 foot setback for both application and storage sites.

002.02 Operational criteria

002.02A A description of how paunch manure will be transported to the site in a sealed and tightly covered truck, trailer, or other container;

002.02B A description of the method of unloading and storage at the application or storage site to prevent odors, vectors, and discharges to waters of the state;

002.02C A description of the volume to be land applied or stored at each site on both an annual basis and by calendar month for an average year;

002.02D A description of the method to be used so that paunch manure will be uniformly spread over and incorporated into the soil to prevent odors, vectors, and discharges to waters of the state; and

002.02E The proposed application rate for each application site considering agronomic benefit and a program of initial and annual soil nutrient sampling. Soil sampling shall be conducted once before the initial application and once annually for nitrogen and phosphorous content at 0-8" and 2-3' soil depths with results to be submitted to the Department by December 31<sup>st</sup> of each year.

002.03 Design criteria for paunch manure storage areas

002.03A A description of the measures taken to protect soil and groundwater from pollutants including the use of compacted soils or concrete pads as may be necessary given site conditions and proposed operations;

002.03B A description of the measures taken to contain all site run-off from a twenty-four (24) hour twenty-five (25) year storm including engineering drawings for the use of any containment structures as may be necessary given site conditions and proposed operations; and

002.03C A description of the measures taken to ensure any dewatering activities will prevent odors, vectors, and discharges to waters of the state including engineering drawings for the use of any dewatering structures as may be necessary given site conditions and proposed operations.

Title 132

Chapter 17

Enabling Legislation: Neb. Rev. Stat. §§ ~~69-2501 through 69-2507~~13-2033(1); 81 – 1504(2),(11),(13),(15),(20); 81-1505(13)(d)

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17-4

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