

## McManus, Brian

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**Subject:** FW: Proposed Amendments to NDEQ Title 132 - Integrated Solid Waste Management Regulations

**From:** McMullen, Brian

**Sent:** Tuesday, January 13, 2015 4:58 PM

**To:**

**Cc:**

**Subject:** Proposed Amendments to NDEQ Title 132 - Integrated Solid Waste Management Regulations

Dear Solid Waste Managers and Stakeholders:

In 2015, the Waste Management Division of the Nebraska Department of Environmental Quality proposes to amend Title 132 – *Integrated Solid Waste Management Regulations*. The proposed amendments to Title 132 clarify existing provisions and create new provisions to streamline permitting functions and continue to protect the environment. The Waste Management Division hopes to present these amendments to the Nebraska Environmental Quality Council at its June 4, 2015, meeting. A brief description of the proposed amendments by chapter is as follows:

- For Chapter 2, we propose to clarify certain solid waste processing activities as within the permit exception and move a signature requirement for general correspondence to a more appropriate subsection.
- For Chapter 3, we propose to add clarifying language to the liquids prohibition and incorporate provisions from 40 CFR 258.60(f) relating to closure and notice requirements at inactive landfills.
- For Chapter 5, we propose to add a closure record-keeping requirement for construction and demolition waste landfills that already exists in parallel sections in Chapters 3, 4, and 6.
- For Chapter 6, we propose to add a "Department-approved alternative" to the requirement that solid waste transfer stations have gates.
- For Chapter 8, we propose to codify a maximum pay-in term of 30 years for construction and demolition waste landfills using the trust fund or enterprise fund financial assurance mechanisms.
- For Chapter 9, we propose to remove obsolete language from the fee schedule in Section 003.
- For Chapter 14, we propose to codify a fixed expiration date for waste tire hauler permits. Waste tire hauler permits are issued for terms of up to one year, expiring every March 31. This is currently being done through administrative protocols.

**NDEQ seeks your input** on the impact of the proposed regulations to your solid waste management facility and activities. Division staff will be seeking stakeholder comment on the above proposals from January through April, 2015. Our first outreach meeting will be held on **Tuesday, February 3<sup>rd</sup>, 2015, at 2:00pm CST** at NDEQ offices, 1200 'N' St., Lincoln, in Room 424. If you are not able to attend the meeting in person, you may participate by telephone conference call at (888) 820-1398. Please connect prior to 2:00pm and enter attendee code 9932065# when prompted. The meeting will begin with a brief presentation of the proposed changes by NDEQ Waste Division staff, followed by questions and open discussion. We will send you a meeting reminder and a copy of the presentation notes one week prior to the meeting. The focus of this first meeting is general concepts and impacts. A second meeting will be held in March or early April to discuss the proposed regulatory language.

Waste Division staff have also been reviewing EPA's final rule on the management of Coal Combustion Residuals (CCRs) under Subtitle D of the Resource Conservation and Recovery Act. At present, we are evaluating consistency between the federal rule and Nebraska's current regulations in Title 132, Chapter 4. We will keep you informed of any new developments concerning the management of CCRs in Nebraska.

If you have questions or comments on any of the regulation changes discussed above, we welcome you to send them to by email to [ndeq.waste@nebraska.gov](mailto:ndeq.waste@nebraska.gov) or by phone to Brian McMullen at 402-471-0270.