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Community Solid Waste Management and Land Disposal Ban

This guidance document has been produced by the Nebraska Department of Environment and Energy (NDEE) to assist communities in managing their solid waste after the closure of their local landfills and provide information on items banned from landfills in Nebraska. The regulations applying to solid waste management and banned landfill items can be found in Nebraska [Title 132 – Integrated Solid Waste Management Regulations](#).

Use of a Closed Landfill Site

The use of a closed landfill site for the collection of recyclable material or for composting yard wastes is allowed by the NDEE. Each type of collected material must be kept in a distinctly separate area and should not be located directly over the buried waste. It is very important to protect the integrity of the final cover of the closed landfill from any disturbance, erosion, or standing water which may result from collection activities.

Demolition Waste Disposal

Demolition wastes which result from land clearing, the demolition of buildings, roads or other structures should be disposed of at an NDEE-permitted construction and demolition landfill or an NDEE-permitted municipal solid waste landfill. Some exceptions to this requirement include:

1. The collection of clean brick, rock, soil, concrete, or asphalt rubble for use in erosion control projects or as fill. The qualification to this exception is that these materials must be clean. There cannot be any wood, plaster, paint cans, other material, or petroleum contamination in the collection pile.
2. The disposal of building demolition material resulting from the cleanup of a natural disaster. This one-time disposal option is contingent upon obtaining prior permission from the NDEE.
3. The disposal of farm building demolition waste. Farm buildings originating on agricultural property may be disposed of (buried) on that property. Building demolition waste originating in an incorporated area may not be disposed of on-site or in an area other than a permitted landfill except for fill material used for land improvement.

Painted or treated wood waste from renovation or demolition projects cannot be burned at a community burn site and must be disposed of at a permitted landfill. Nebraska [Title 129 – Air Quality Regulations](#)

prohibits the burning of old or abandoned buildings. The only exception to this rule requires that the building be used as a fire training burn by the local fire department. For a more detailed explanation of the requirements for a training burn, please see the NDEE guidance document “Fire Training Burns.”

Tree and Brush Piles

Many municipalities have tree limb and brush piles which are burned for volume reduction. The NDEE issues permits to municipalities for the purpose of burning these piles. Even if a community burn site is permitted by the NDEE, a second permit issued by the local fire authority is required for reach burning event.

A NDEE burn permit only allows for the burning of tree branches and untreated wood. Ash resulting from burning trees and untreated wood can be disposed of on-site. Burning leaves, grass clippings, creosoted wood (railroad ties), treated lumber products, painted wood, tires, or building demolition materials is prohibited. The burning of prohibited materials may result in the withdrawal of the permit, and it changes disposal requirements for the remnant ash. Under Title 132, ash produced from any material other than untreated wood, branches, or brush is required to be disposed of at a permitted landfill.

Yard Waste

From April 1st through November 30th, yard waste cannot be disposed of in a landfill. The statewide landfill ban on yard waste went into effect on September 1, 1994. For the purposes of this ban, yard waste is defined as leaves and grass clippings. The exception to this ban is that if the landfill has been approved to take yard waste year-round to aid in methane production for a beneficial use. The small-scale stockpiling of yard wastes is not regulated by NDEE. Land application of collected yard wastes is an acceptable means of yard waste management.

Composting yard wastes at a community site requires a permit through the NDEE only if the quantity accepted at the site is greater than 100,000 cubic yards per year and/or if greater than 1,000 cubic yards per year of something other than yard wastes (like sewage sludge or food waste) is mixed in the compost. The NDEE encourages the composting of yard waste as a means of waste reduction.

Household Appliances (White Goods)

The statewide landfill ban on discarded household appliances went into effect on September 1, 1995. For the purposes of this ban, household appliances are defined as clothes washers and dryers, water heaters, heat pumps, air conditioners, dehumidifiers, refrigerators, freezers, trash compactors, dishwashers, conventional ovens, ranges, stoves, and wood stoves. Appliances that are not listed here are not banned from landfills statewide.

Arrangements for recycling household appliances should be made prior to collection. Collected appliances should be removed on a regular basis and should be stacked or lined up in an upright position to prevent releases of oil or freon. The Federal Clean Air Act requires that freon in refrigerators, freezers, air conditioners, and dehumidifiers be recovered before disposal. For questions related to chloroflourocarbons (CFCs) in stationary refrigeration and air conditioning, see the U.S. Environmental Protection Agency's (EPA) Section 608 website at: <https://www.epa.gov/section608/>.

Tires

The statewide landfill ban on tires in any form went into effect on September 1, 1998. The collection and storage of tires is regulated under Nebraska [Title 132 – Integrated Solid Waste Management Regulations](#). Collected tires should be stored and removed regularly in a manner which minimizes fire hazards and the potential for breeding mosquitoes. For more information on the management of tires, see the NDEE guidance document titled “Waste Tire Accumulation and Hauling.”

Statewide Landfill Banned Items

The following items are banned from landfills in Nebraska. Contact your local hauler for details.

- Yard wastes from April 1st to November 30th
- Waste oil
- Lead acid batteries (car batteries)
- Household appliances
- Unregulated hazardous waste (no more than 43 pounds by weight or 5 gallons per day)
 - Does not apply to household hazardous waste
- Waste tires in any form

RESOURCES:

- NDEE Home Page <https://dee.nebraska.gov/>

Contacts:

- NDEE Main Number (402) 471-2186
- NDEE Toll Free Number (877) 253-2603
- NDEE Hazardous Waste Compliance Assistant (402) 471-8308
- Email questions to: NDEE.moreinfo@nebraska.gov

NDEE Publications:

- Environmental Guidance Document – “Fire Training Burns”
- Environmental Guidance Document – “Waste Tire Accumulation and Hauling”
Guidance documents are available on the NDEE Home Page under “Forms”, “Publications, Grants & Forms”.
- [Title 129 – Nebraska Air Quality Regulations](#)
- [Title 132 – Integrated Solid Waste Management Regulations](#)
Titles are available on the NDEE Home Page under “Resources and Services”, “Laws & Regulations”, “Rules & Regulations”.

Produced by: Nebraska Department of Environment and Energy, P.O. Box 98922, Lincoln, NE 68509-8922; phone (402) 471-2186. To view this, and other information related to our agency, visit our web site at <https://dee.nebraska.gov/>.