

NEBRASKA

DEPT. OF WATER, ENERGY, AND ENVIRONMENT

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Onsite Wastewater Treatment System Construction and Operating Permits

When an onsite wastewater treatment system does not meet all requirements of the General Permits, it requires a construction/operating permit in accordance with [Title 124 - Onsite Wastewater Treatment Systems](#). The owner must obtain a construction permit from the Nebraska Department of Water, Energy, and Environment (DWEE) prior to start of the work and an operating permit from the Department prior to use of the system. The construction permit and the operating permit for a single system are covered by one application.

Construction Permit Application

To obtain a construction permit, the following must be submitted to the DWEE for review:

1. A completed application
2. Non-refundable permit application fee of \$450
3. One set of all plans, specifications, reports, and technical documents prepared and stamped by a Professional Engineer. This must include the following:
 - a. A detailed description of the waste and wastewater sources the onsite system is proposed to treat or store;
 - b. The peak single-day flow;
 - c. A complete and detailed site plan with accurate information drawn to an appropriate scale including:
 - i. A fixed geographic reference point;
 - ii. The location of all percolation tests and soil borings;
 - iii. A visual scale;
 - iv. All development features including, but not limited to, foundations, outbuildings, driveways, wells, property lines, and natural topographic features including lakes, ponds, streams, drainage ways, and ditches;
 - v. Existing and planned elevation contour lines to show the direction and steepness of the slope of the ground surface (Information may also be required for adjacent property to provide verification that setback requirements are met);
 - d. The type, size, location, and elevation of all the components of proposed system clearly identified on a scaled drawing of sufficient size that shows:
 - i. The legal description and survey of the lot and immediate vicinity;
 - ii. Property lines;
 - iii. Buildings;
 - iv. Water supply wells;
 - v. Buried water pipes and utility lines;
 - vi. The ordinary high-water mark of lakes, rivers, streams; and
 - vii. The location and the type of water supply wells within 1,000 feet of the proposed onsite wastewater treatment system.

- e. Depth to the seasonal highest measured or estimated groundwater table and to the bedrock or other barrier layer surface if this depth is less than the depth of the seasonal high groundwater table;
- f. A detailed description of the method used to determine depth for the planned location of the soil absorption, treatment lagoon, or any holding tank facilities. If the depth to seasonal high groundwater or to the bedrock or other barrier layer is less than 10 feet, soil borings or other site-specific methods are required to be used;
- g. Direction of groundwater flow;
- h. Soil conditions and properties; and
- i. Soil percolation test locations, data, and results.

Additional information may be required to ensure proper engineering design and operation.

Construction Permit Expiration & Extension

A construction permit will be issued in the name of the facility owner for the legal location of the facility and will be valid for two years from the date of issuance. Prior to expiration, the owner may submit a written request for reauthorization or extension from the Department. If approved, the reauthorization or extension shall be subject to requirements in effect at the time the reauthorization or extension is issued, and such 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.

Changes to Approved Design

The onsite wastewater treatment system must be constructed, reconstructed, altered, or modified according to the Department-approved design. The owner must notify the Department of any changes to the approved design or changes in wastewater characteristics (quality or quantity) and obtain Department approval prior to changes being made in the system. If the Department determines that any of the changes are significant modifications to the previously approved design, the Department may require submittal of a new application and application fee. If a new construction permit is issued, the previous construction permit will become null and void.

Operating Permit Issuance

The Department can issue an operating permit when all of the following occurs:

1. Construction that complies with the approved construction permit documents has been completed;
2. The Professional Engineer who designed the system submits a signed construction completion [form](#); And
3. The [system registration](#) form, system registration fee, and any applicable late fee have been received by the Department.

Permit Conditions & Transfer of Ownership

The Department may require, as a construction and/or operating permit condition, implementation of an approved operation and maintenance plan to ensure proper operation of the onsite wastewater treatment system. The Department may also require groundwater monitoring if there is a potential for groundwater pollution. The permittee must operate and maintain the onsite wastewater treatment system in compliance with any permit conditions, Title 124, and all other applicable rules and regulations. Any transfer of ownership of a permitted system, or a system authorized under the general permits, shall automatically authorize the new owner to operate under the existing permit or authorization by rule. A subsequent owner is under the same obligations and conditions of the permit or authorization by rule as was the original or previous owner.