

CHAPTER 5:

Waste Management Division

The Waste Management Division is comprised of two sections and one unit: the Waste Management Section, the Remediation Section, and the Planning and Aid Unit. Both Waste Management and Remediation sections share responsibilities for hazardous waste (RCRA), Superfund, voluntary remediation and integrated waste management programs. Several waste-related grant programs are administered by the Planning and Aid Unit. Following is a summary of Waste Management Division programs.



Staff observe remediation at the West Haymarket Voluntary Cleanup Program site in Lincoln. See page 35 for more information on the Voluntary Cleanup Program.

Resource Conservation and Recovery Act (RCRA) Program

NDEQ was authorized in 1985 by EPA to administer portions of the Resource Conservation and Recovery Act (RCRA) program. RCRA regulations are incorporated in NDEQ Title 128 - Nebraska Hazardous Waste Regulations, which is updated as the Federal RCRA regulations change.

The purpose of the RCRA program is to ensure proper management of hazardous wastes from the point of generation until final disposal. Activities performed under the RCRA program include:

- Helping hazardous waste generators maintain compliance through a Compliance Assistance Program,
- Performing compliance inspections and enforcement actions,
- Investigating complaints,
- Reviewing groundwater contamination monitoring and remediation systems,
- Reviewing permit applications and determining whether permits should be issued for proposed treatment, storage and disposal (TSD) facilities,
- Reviewing/approving closure and post-closure plans for hazardous waste storage areas and disposal sites,
- Maintaining data systems to support decision-making and making information available to the public.

The Compliance Assistance Program helps Nebraska businesses, governmental entities and private citizens comply with hazardous and solid waste regulations in a non-enforcement mode. This program works with the regulated community in a partnership promoting hazardous waste minimization and pollution prevention to help waste generators actually reduce the amount of hazardous waste being generated in the state. An additional benefit of these efforts is to ultimately reduce the amount of regulatory requirements on our industries by helping to bring hazardous waste generators into lower RCRA threshold levels.

Compliance and enforcement activities include investigating complaints and the inspection of hazardous waste generators and transporters, hazardous waste treatment, storage and disposal facilities, and used oil marketers and burners. Other compliance and enforcement activities include conducting comprehensive groundwater monitoring evaluations, and operation and maintenance inspections of sampling and analysis procedures at RCRA sites to ensure that useful and representative data is being collected.

The RCRA program also conducts extensive permitting and closure activities to minimize and prevent the release of hazardous material into the environment. Closure actions are required for treatment, storage or disposal facilities that are discontinuing operations or that have operated without a permit. Permits are required for operating treatment storage and disposal facilities. Post-closure permits are required for treatment storage and disposal facilities that have gone through closure and have remaining contamination.

There is one operating hazardous waste storage and treatment facility in Nebraska: the Clean Harbors Environmental Services, Inc. incinerator near Kimball. This facility has undergone annual performance test burns to demonstrate proper operation since hazardous waste treatment began in 1994. Operational and physical changes at the Clean Harbors incinerator, made to improve the performance of the facility and ensure compliance with applicable regulations, have resulted in numerous permit modifications. In addition, Nebraska oversees two active hazardous waste storage facilities which do not treat hazardous waste.

Corrective action is an important part of the RCRA program and addresses past and present activities at RCRA facilities that resulted in hazardous waste and hazardous constituents being released into soil, groundwater, surface water and air. Corrective action requires investigation and remediation of the release of hazardous constituents from regulated facilities. These regulations make current and former owners of a property responsible for past mismanagement of hazardous waste. EPA presently operates the corrective action program in Nebraska, and is responsible for regulating cleanups at Nebraska facilities.

Program Funding

Funding for RCRA program activities is provided by an EPA grant, which requires a 25% state match.

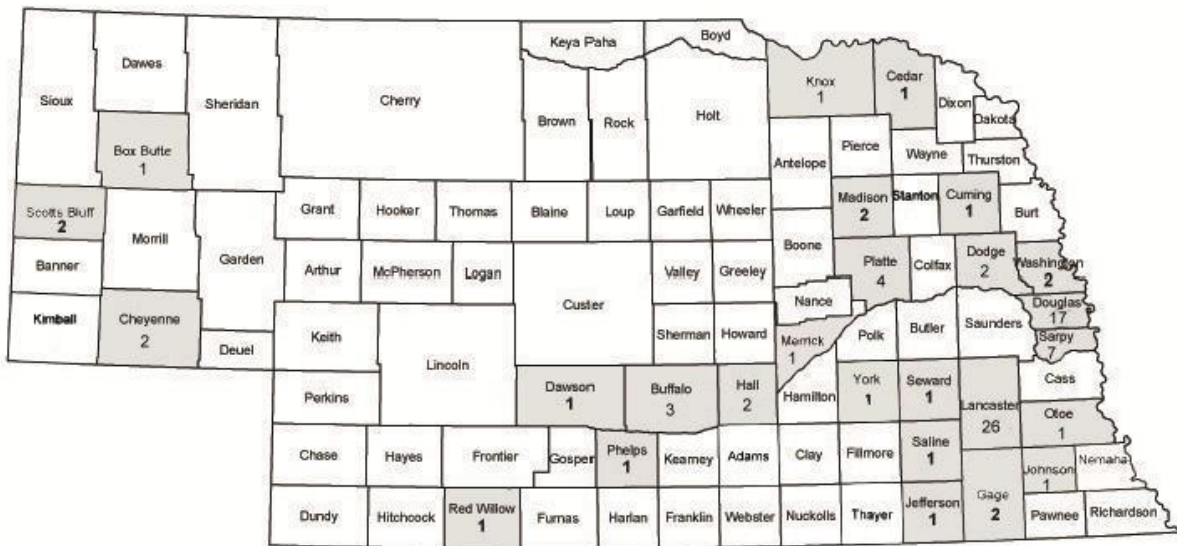
Additionally, NDEQ can charge proposed commercial hazardous waste management facilities a fee to cover expenses for facility siting committee activities. No new facilities have been proposed in Nebraska since 1994, and that is the last time this fee was collected. There were no new facilities proposed in FY15.

The RCRA program collects an annual fee from commercial hazardous waste treatment and disposal facilities. Currently, one facility in Nebraska performs hazardous waste treatment and disposal. The fees are based on the total yearly volume or weight of hazardous waste treated or disposed. Fees are due March 1, and are remitted to the state general fund.

Currently, the RCRA Program oversees:

- 87 Large Quantity Generators (greater than 2200 pounds of hazardous waste generated per month) See map below.
- 392 Small Quantity Generators (between 220 and 2200 pounds generated per month)
- 1050 Conditionally Exempt Small Quantity Generators (less than 220 pounds generated per month)
 - 1 Hazardous Waste Incinerator Facility
 - 32 Treatment, Storage or Disposal Facilities (active and inactive)
 - 14 Hazardous Waste Transporters

Location of Large Quantity Generators in Nebraska Regulated Under RCRA



Note: The number in each county indicates the number of Large Quantity Generators located in that county

Summary of FY2015 Activities		
Activity	State	EPA
Compliance Assistance		
On-site Visits	2	*
Direct Assistance Contacts	559	*
Public Outreach Presentations (total <u>600</u> in attendance)	5	*
RCRA Inspections		
Land Treatment Facilities	0	0
Treatment, Disposal and Storage Facilities	2	1
Comprehensive Groundwater Monitoring Evaluations	0	0
Operation and Maintenance Inspections	2	0
Facility Self-Disclosure	0	0
Large Quantity Generator	12	5
Small Quantity Generator	4	4
Conditionally Exempt Small Quantity Generators	4	5
Transporters	0	0
RCRA Permitting		
Closure Plans Finalized	2	0
Permits Issued/Renewed	1	0
Modifications	6	0
EPA Corrective Action Orders	N/A	0
RCRA Record Reviews		
Financial Assurance	22	2
<i>*Data not available</i>		

Superfund Program

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) became federal law in 1980. CERCLA established what has commonly become known as Superfund to deal with known or suspected contamination at inactive commercial/industrial/military facilities or so-called "uncontrolled hazardous waste or abandoned sites." The nation's most contaminated sites are listed on the National Priorities List. Nebraska currently has 15 sites on the National Priorities List. One site, the Waverly Groundwater Contamination Site, was removed from the National Priorities List on November 20, 2006 as the cleanup goals for the site have been achieved. Twelve of the sites are in the cleanup phase and three sites (West Highway 6 & 281 in Hastings, York PCE/TCE Northeast Contamination site, and the York PCE Southeast Contamination site) are relatively new to the National Priority List and are in the site study stage. Numerous other non-National Priorities List sites with known or suspected releases of hazardous substances exist in the state, but are not being addressed through the federal Superfund process.

The investigation and remediation of contaminated sites under CERCLA are the primary responsibility of the EPA and other federal agencies. NDEQ participates in the Superfund process by serving as a technical support agency to the EPA and as the environmental representative for the State of Nebraska. Activities in the Superfund Program include:

Site Assessment — The Superfund Site Assessment program identifies, assesses and characterizes sites where hazardous substances are known or suspected to pose a threat to public health and/or the environment. Currently, the sites investigated in Nebraska consist primarily of areas where groundwater contamination has been detected in municipal and private drinking water supply wells or where there is a significant potential for groundwater contamination.

The first site assessment step is called a pre-screening assessment. This step is a review of existing information on a potential site to determine whether a release has occurred that should be evaluated further through the Superfund process. The next site assessment step is called an abbreviated preliminary assessment. This step involves the collection of background information such as property ownership, operational history and geology/hydrogeology, and performing a site reconnaissance. The third step is called a site investigation, which involves sampling environmental media, such as soil, soil gas and groundwater, and evaluating vapor intrusion into indoor air of building structures. In some situations, the preliminary assessment step and the site investigation step are combined. For large and/or complex sites, an expanded site investigation may also be performed to collect additional soil and groundwater samples to further define the extent of contamination. In addition, some sites that have been investigated in the past may be reassessed if new information is obtained that indicates that a threat to public health and/or the environment may exist.

During the past year, NDEQ has performed work on four pre-screening assessments, five abbreviated preliminary assessments, one site investigation, one vapor intrusion evaluation and one expanded site investigation. NDEQ and the City of Beatrice have been examining options to most effectively address groundwater contamination resulting from operations at a legacy manufactured gas plant. Beatrice has elected to enter into NDEQ's Voluntary Cleanup Program (VCP), which many businesses consider a more efficient and streamlined alternative to pursuing the remediation under the federal Superfund National Priorities List program (more information on VCP can be found on page 35). A similar voluntary cleanup approach may also be taken at the manufactured gas plant located in Norfolk.

The EPA Region 7 Superfund program continues to investigate the Former Northwestern Metals site at 900 T Street in Lincoln that historically operated a lead smelter at the property. A decision on whether nearby residential yard cleanup is necessary is expected in the spring of 2016. NDEQ also performed sampling of residential yards at the other Former Northwestern Metals site at North 27th Street in Lincoln that also historically operated a lead smelter following decommissioning of the 900 T

Street facility. The results of the sampling did not detect elevated lead levels in any of the residential yards. NDEQ also reviewed numerous site assessments conducted by EPA in the state and provided recommendations on the need for followup action.

NPL Site Management Assistance — The Superfund Management Assistance program provides management and technical support to the EPA at priority sites in Nebraska. This assistance includes reviewing technical documents and participating in the Superfund remedy selection process. As the most heavily contaminated sites in the nation, Superfund National Priority List sites are generally large and complex, because they often involve more than one contaminated media and have multiple sub-units with varying contaminants. The investigation and cleanup activities at these sites are organized into several phases, including remedial investigations, groundwater modeling, baseline risk assessments, feasibility studies/engineering cost evaluations, field-scale pilot studies, remedy design/construction, and remedy operation and maintenance. NDEQ also participates in public meetings with citizens and local officials in the development of cleanup plans.

Below is a list of the 15 active National Priority List sites. Below each name is an EPA web address that provides more detailed information about the site. The first 12 sites listed below are currently in the cleanup phase. The West Highway 6 & 281 site in Hastings is currently in the removal action and site studies phases. The York PCE/TCE Northeast Contamination site and the York PCE Southeast Contamination site recently became final on the Superfund National Priority List and have commenced the site studies phase.

Active National Priority List Sites in Nebraska

- Cornhusker Army Ammo Plant (Grand Island)
http://www.epa.gov/region07/cleanup/npl_files/ne2213820234.pdf
- Hastings Groundwater Contamination (Hastings)
http://www.epa.gov/region07/cleanup/npl_files/ned980862668.pdf
- Lindsay Manufacturing Co. (Lindsay)
http://www.epa.gov/region07/cleanup/npl_files/ned068645696.pdf
- Nebraska Ordnance Plant (Mead)
http://www.epa.gov/region07/cleanup/npl_files/ne6211890011.pdf
- 10th Street Site (Columbus)
http://www.epa.gov/region07/cleanup/npl_files/ned981713837.pdf
- Cleburn Street (Grand Island)
http://www.epa.gov/region07/cleanup/npl_files/ned981499312.pdf
- Ogallala Groundwater Contamination Site (Ogallala)
http://www.epa.gov/region07/cleanup/npl_files/ned986369247.pdf
- Bruno Coop Association (Bruno)
http://www.epa.gov/region07/cleanup/npl_files/ned981713829.pdf
- Sherwood Medical (Norfolk)
http://www.epa.gov/region07/cleanup/npl_files/ned084626100.pdf
- Omaha Lead Site (Omaha)
http://www.epa.gov/region07/cleanup/npl_files/nesfn0703481.pdf
- Parkview Well Site (Grand Island)
http://www.epa.gov/region07/cleanup/npl_files/nen000704456.pdf
- Garvey Elevator (Hastings)
http://www.epa.gov/region07/cleanup/npl_files/nen000704351.pdf

West Highway 6 & 281 (Hastings)

http://www.epa.gov/region07/cleanup/npl_files/nen000704738.pdf

York PCE/TCE Northeast Contamination

<http://www.epa.gov/superfund/sites/npl/nar1887.htm>

York PCE Southeast Contamination

<http://www.epa.gov/superfund/sites/npl/nar1886.htm>

Federal Facilities — The Superfund Federal Facilities program provides technical assistance and regulatory oversight to the U.S. Army Corps of Engineers in support of site assessment and cleanup activities and military munitions response activities at Department of Defense active facilities and formerly used sites. Active Federal installations include Offutt Air Force Base in Bellevue and Cornhusker Army Ammunition Plant in Grand Island. One hundred known formerly-used defense sites exist in Nebraska that include small former defensive surface-to-air missile sites, bomber target sites, radar and communications sites and other formerly occupied Department of Defense properties. Under the current Defense-State Memorandum of Agreement, investigation and cleanup activities are being performed or planned to be performed at three active sites and 13 formerly used defense sites. Military munitions response activities are being performed at four sites. A military munitions response site is a site that may have the potential for unexploded ordnance, discarded military munitions, or munitions constituents in soil and groundwater that may pose an explosive hazard or threat to the environment.

Nebraska Voluntary Cleanup Program

The Remedial Action Plan Monitoring Act (RAPMA), initially created in 1995, established the Nebraska Voluntary Cleanup Program (VCP). The Voluntary Cleanup Program provides property owners and parties responsible for contamination with a mechanism for developing voluntary environmental cleanup plans that are reviewed and approved by NDEQ. The voluntary cleanup program provides an avenue for businesses to proceed with cleanup of property and an opportunity for regulatory review and oversight that may not be available at the federal level. In addition, the program serves as an alternative cleanup program to the more traditional federal cleanup programs like Superfund or RCRA.

NDEQ has a Memorandum of Agreement with EPA Region 7 which provides federal approval of voluntary cleanup programs. Under this agreement, any site that joins the voluntary cleanup program and successfully completes the cleanup action is assured that EPA will not pursue federal enforcement under CERCLA.

To date, 45 sites have entered the voluntary cleanup program. Currently, 18 sites are active in the voluntary cleanup program. Two sites have been referred to the EPA Superfund program. Five sites withdrew from the program. Five sites have been terminated from the program due to lack of activity in completing the investigation and/or cleanup. Fifteen sites have successfully completed cleanup requirements and have received "No Further Action" letters from NDEQ.

NDEQ has seen a significant increase in applications to the voluntary cleanup program over the last several years. New applicants include Nebraska Machine Products in Omaha, the City of Omaha and Metropolitan Utilities District on the Lynch Park former manufactured gas plant (FMGP) site, Appleton Electric in Columbus, the Magnus Farley facility in Fremont, and the City of Beatrice on the Beatrice FMGP site. It should be noted that the Magnus Farley facility is addressing its federal RCRA Corrective Action obligations by participating in the voluntary cleanup program through a deferral from the EPA Region 7 RCRA program. NDEQ anticipates other RCRA-type facilities may utilize the program in future years. Significant cleanup activities are ongoing at the West Haymarket Redevelopment Site South in Lincoln, the former Nebraska Solvents Company site in Grand Island, the Archer Daniels Midland facility in Lincoln, the Vishay Dale Electronics site in Norfolk, and Hoover

Manufacturing in Beatrice. Cleanup activities were commenced in 2015 at the Dettmer Lease Property in Auburn. Cleanup activities were completed in 2015 at the CVS Pharmacy in south Lincoln. Cleanup activities are anticipated to commence in 2016 at Nebraska Machine Products in Omaha and the Lynch Park FMGP site in Omaha. Cleanup activities are anticipated to be completed in 2016 at the former Pfizer facility in Omaha, the West Haymarket Redevelopment Site North in Lincoln, and the two former FMGP sites in Blair and Plattsmouth.

The application fee to participate in the program is \$2,000, and the initial deposit to pay for state oversight costs is \$3,000.

Voluntary Cleanup Program Sites and Status

Site	Location	Date of Entry into RAPMA Program	Status
KN Energy	Holdrege	4/3/95	Completed 5/01/97
Garvey Elevator	Hastings-West	4/13/95	Deferred to EPA Superfund
ASARCO	Omaha-Riverfront	1/8/96	Completed 10/11/01
BNSFRR	Lincoln-N. Havelock	1/17/96	Terminated 12/4/06
Union Pacific RR	Omaha-N. Downtown	1/17/96	Withdrawn 3/7/03
Farmland Industries	Scottsbluff	2/26/96	Completed 7/2/09
Lincoln Journal Star	Lincoln-Downtown	2/26/97	Terminated 1/28/09
Farmland Industries	Hastings-East	6/25/97	Completed 9/2/03
Hastings Area wide	Hastings	12/17/97	Withdrawn 6/23/00
Lincoln Plating Co.	Lincoln	8/17/98	Completed 7/26/12
Witco Corporation	Omaha-North	1/20/99	Completed 6/29/99
BNSFRR	Lincoln-Lot 9 Havelock	4/28/99	Completed 2/20/01
Dana Corporation	Hastings-West	9/27/99	Deferred to EPA Superfund
Ballpark Complex	Lincoln-Haymarket	11/9/99	Completed 9/1/06
Progress Rail Services	Sidney-North	11/22/99	Completed 1/3/06
Brownie Manufacturing	Waverly-Highway 6	4/25/00	Withdrawn 7/19/01
BNSFRR	Lincoln-Havelock Yards	10/26/00	Terminated 12/4/06
New Holland	Grand Island-Southwest	11/9/00	Active
Owen Parkway East	Omaha-Abbott Drive	12/13/00	Withdrawn 11/26/02
Omaha Riverfront Redevelopment - 3 parcels	Omaha-Riverfront	5/18/01	Completed 6/18/03, 12/9/03, 11/9/04
Sanford & Son	Lincoln-North	1/22/02	Terminated 4/18/07
Union Pacific RR Child Development Center	Omaha-N. Downtown	3/5/04	Completed 1/13/12
Vishay Dale Electronics	Norfolk	11/13/06	Terminated 4/20/09
Union Pacific RR Nebraska	Grand Island	2/23/07	Active

Solvent Site			
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Site	Location	Date of Entry into RAPMA Program	Status
Archer Daniels Midland	Lincoln	11/3/08	Active
Plaza North Station LLC	Omaha	7/14/09	Completed 2/11/14
Former Pfizer Facility	Omaha	7/28/09	Active
CVS Pharmacy	Lincoln	10/13/10	Completed 1/28/15
West Haymarket Redevelopment Site North	Lincoln	10/27/10	Active
Izaak Walton Trap Range	Fremont	10/28/10	Completed 4/6/12
Magnolia Metal Corporation	Auburn	3/9/11	Completed 10/31/13
Dettmer Lease Property	Auburn	4/7/11	Active
Hoover Manufacturing	Beatrice	5/27/11	Active
Blair FMGP	Blair	6/28/11	Active
Plattsmouth FMGP	Plattsmouth	6/28/11	Active
Former USDA CCC Grain Bin Sites	Multiple Sites	3/16/12	Active
Vishay Dale Electronics	Norfolk	4/2/12	Active
Lewis and Clark Landing	Omaha	4/20/12	Active
West Haymarket Redevelopment Site South	Lincoln	6/11/12	Active
Quality Analytical Services	Omaha	8/2/12	Withdrawn 6/3/14
Nebraska Machine Products	Omaha	9/18/12	Active
Lynch Park FMGP	Omaha	11/20/12	Active
Appleton Electric	Columbus	3/1/13	Active
Magnus Farley	Fremont	8/14/14	Active
Beatrice FMGP	Beatrice	Under review	Under review

Brownfield Assessments and Cleanups — A Brownfield site is a vacant or under-used industrial or commercial property where expansion or redevelopment is complicated by unresolved contamination concerns. The Voluntary Cleanup Program performs assessments and cleanups at Brownfield sites in Nebraska. These assessments and cleanups are performed by NDEQ, typically with federal funds, at no cost to interested parties in Nebraska communities. A Brownfield assessment is a preliminary investigation to evaluate the environmental conditions at a property, similar to a Phase I and Phase II Environmental Site Assessment. The Brownfield assessment can also include surveys of existing building structures on the property for the presence of lead-based paint or asbestos.

Cleanups can involve a variety of measures that are implemented to contain and reduce contamination at a site. During the past year, NDEQ has performed 14 Phase I assessments, five Phase II assessments, one lead-based paint survey and five asbestos surveys. In addition, NDEQ provided partial cleanup assistance at four sites for removal of asbestos prior to building renovation or demolition.

Solid Waste Program

Solid Waste regulations are incorporated in NDEQ *Title 132 - Integrated Solid Waste Management Regulations*. The purpose of the program is to ensure proper management of solid waste. Solid waste includes municipal solid waste typically collected and disposed in municipal landfills, and other non-hazardous waste. The regulations provide technical criteria for land disposal areas and solid waste processing facilities.

Duties assigned to this program include: 1) Permit issuance, renewal and modification; 2) Response to inquiries related to facility operations; 3) Compliance inspections and enforcement actions; 4) Investigation of citizen complaints; 5) Alternate waste management method approvals; 6) Groundwater investigations and groundwater/soil remediation projects for permitted and non-permitted facilities; 7) Gas emissions monitoring related to landfills and other permitted sites; 8) Closure inspections and monitoring of closure and post-closure activities; 9) Conducting public information sessions and hearings related to permits; 10) Financial assurance review and monitoring compliance; and 11) Assisting regulated facilities and the general public in recycling, re-use and proper management of waste-like materials.

The program regulates municipal solid waste disposal areas (landfills), construction and demolition disposal sites, fossil fuel combustion ash disposal sites, industrial and delisted hazardous waste sites, and land application sites for repeated disposal or treatment of special wastes. In addition, solid waste processing facilities, such as compost sites, material recovery facilities and transfer stations, are regulated by this program.

Permit modification requests are regularly submitted by permitted facilities. Response to the modification requests are particularly time-critical since the facility may need to expand or construct new cells in order to meet their disposal capacity needs and continue operations.

The waste management program coordinates with other NDEQ programs to ensure that permits issued include adequate protection of all environmental media. The requirements in solid waste permits include protection against excessive emissions of landfill gas to the atmosphere, storm water runoff controls and restrictions on accepting hazardous waste for disposal at a landfill.

Currently, the Solid Waste Program oversees the following facilities, by type:

Total Permitted Facilities in FY 2015	
Municipal Solid Waste Disposal Areas (Landfills)	23
Solid Waste Compost Sites	9
Transfer Stations	38
Materials Recovery Facilities	4
Construction & Demolition Waste Disposal Areas	31
Delisted Waste Disposal Area	1
Processing Facility	1
Fossil Fuel Combustion Ash Disposal Areas	8
Emergency Carcass Disposal	1
Total	116

The following table indicates the number of inspections, complaints and permitting-related activities that the program was involved with in FY2015:

Summary of Activities: FY2015	
Compliance	
Facility Inspections (General)	111
Complaints Received	81
Complaints Investigated	81
Complaints Closed	78
Permitting	
New Permits Issued	3
Permit Renewals	16
Major Permit Modifications	5
Public Hearings	0
Permits Transferred	1
Financial Assurance Reviews	152
Facilities Closed	2

Assessment Monitoring and Remedial Measures

All solid waste landfills accepting municipal solid waste, industrial waste, delisted hazardous waste and fossil fuel combustion ash are required to conduct groundwater monitoring. The purpose of the groundwater monitoring is to detect any release of contaminants from the facility that may impact groundwater quality. A phased approach is used from the initial detection of a potential release to making decisions on cleanup actions after groundwater contamination has been fully investigated.

The first phase is detection monitoring. During this phase, a landfill will monitor for a discrete number of contaminants that would be indicative of a potential release from the facility. If one or more of the parameters being monitored exceed background levels, the facility then begins assessment monitoring. During assessment monitoring, a landfill will monitor for a more extensive list of contaminants. If during the assessment monitoring phase contaminant concentrations are detected above a groundwater protection standard, the landfill may then be required to characterize the nature and extent of the release. In FY2015, ten active municipal solid waste disposal areas and two closed municipal solid waste disposal areas conducted assessment monitoring.

Following the assessment monitoring phase, a landfill may be required to assess and conduct remedial measures. In FY2015, remedial measures were conducted at two sites.

Title 118 Groundwater Investigations and Remedial Actions

Several municipal solid waste disposal areas that closed prior to 1993 have conducted groundwater investigations and remedial actions pursuant to NDEQ *Title 118 – Groundwater Quality Standards and Use Classification*. In FY2015, groundwater investigations were conducted at three sites and remedial actions were conducted at seven sites.

Financial Assurance and Fees

All permitted solid waste landfills are required to provide financial assurance for closure and post-closure maintenance and monitoring. All privately-owned permitted solid waste processing facilities are required to provide financial assurance for closure.

Program Funding

The Waste Management Section collects permit fees and annual operating fees for all solid waste management facilities. Quarterly disposal fees based on cubic yards or tonnage are collected from all municipal solid waste landfills and transfer stations moving waste for disposal out of state. Fifty percent of the quarterly disposal fees are redistributed as grants and for administration of the Waste Reduction and Recycling Incentives Grants Program and fifty percent of the quarterly disposal fees are utilized for costs of administering the solid waste program and for investigation and remediation of contamination from solid waste facilities and for other statutorily authorized activities.

Waste Tire Management Program

NDEQ also administers the waste tire management program. Approved beneficial uses of waste tires are outlined in NDEQ regulations. Waste tire haulers are required to obtain individual permits annually and are required to post financial assurance. Financial assurance is designed to provide adequate funds to clean up any waste tires that are illegally disposed by the transporter.

Waste tire management facilities (except tire dealers) are allowed to accumulate up to 500 tires without further requirements, other than mosquito control and fire prevention measures. Speculative accumulation of more than 500 waste tires is prohibited.

Compliance assistance is an important aspect of this program. Program activities include responding to telephone inquiries, letters and contacts from other states, developing guidance

documents, conducting site visits and providing technical advice. NDEQ has developed guidance documents to explain the proper use of waste tires for blow-out and bank stabilization. Direct financial assistance is also available through the Waste Reduction and Recycling Incentives Grant program, which is described later in this chapter.

Waste Tire Permit Totals, FY2015	
Permitting	
Renewed Hauler Permits	21
New Permits Issued	3

The waste tire compliance assurance program includes facility inspections, complaint investigations and appropriate enforcement actions. Compliance activities are included in the summary of activities for the Solid Waste Program.

Planning and Aid

Waste Planning and Aid includes the following programs: the Waste Reduction and Recycling Incentive Grants Program; the Litter Reduction and Recycling Grant Program; the Illegal Dumpsite Cleanup Program; and the Landfill Disposal Fee Rebate Program.

Main responsibilities of the Planning and Aid Unit include:

- Oversight and review – The Unit reviews grants submissions; performs compliance inspections; monitors the activities, budgets and equipment purchases of grantees; and conducts quarterly performance reviews.
- Outreach – The Unit promotes the availability of grant funding, coordinates the ranking process, coordinates grant awards and provides integrated waste management information to the public.

New Online Processes

A major initiative has been undertaken to convert two waste grant programs from paper-based to online paperless processes. In FY2014, the applications for the Waste Reduction and Recycling Incentive Grants Program and the Litter Reduction and Recycling Grant Program were converted to an online process. Through this new process, applications are filled out and submitted on NDEQ's website. The reporting and reimbursement functions for these two grant programs were converted to an online process in FY2015. These changes will result in time and material savings to both NDEQ and the grant program recipients. Online information can be found by going to NDEQ's web site at <http://deq.ne.gov>. Select the "Land and Waste" tab and then select the "Waste Planning and Aid Programs" tab.

Expected Service Life

The Planning and Aid Unit grant programs utilize an expected service life procedure for grant-funded equipment. The expected service life determines how long the grantee is responsible for reporting equipment status to NDEQ and how long NDEQ maintains an interest in the equipment.

An expected service life is assigned to all equipment purchased with grant funds (in whole or in part) that has a value of \$1,000 or more per item. Equipment costing less than \$1,000 can be assigned an expected service life on a case-by-case basis. Purchase of equipment is documented at the time of purchase. When the grant is closed out, the grantee is provided a sticker to properly identify the equipment and is notified of the length of the expected service life.

Waste Reduction and Recycling Incentive Grants Program

In 1990, the Nebraska Legislature passed Legislative Bill 163, the Waste Reduction and Recycling Act, which created the Waste Reduction and Recycling Incentive Grants Program.

There are three sources of revenue for this program:

- A business fee on sales of tangible personal property, which generates about \$500,000 annually.
- A \$1 per tire fee on the retail sale of new tires in Nebraska, which generates about \$1.9 million annually;
- Fifty percent of the \$1.25 per ton disposal fee on solid waste disposed of in permitted landfills, which generates approximately \$1.2 million annually for grant awards.

The Waste Reduction and Recycling Incentive Fund provides grants to assist in financing sound integrated waste management programs and projects. These programs and projects may include but are not limited to: recycling systems; market development for recyclable materials; intermediate processing facilities and facilities using recyclable materials in new products; yard waste composting and composting with sewage sludge; waste reduction and waste exchange; household hazardous waste programs; the consolidation of solid waste disposal facilities and use of transfer stations; and incineration for energy recovery. A portion of the grants is also obligated to fund scrap tire recycling or reduction projects and a portion of the grants are available to smaller cities and counties for abandoned building deconstruction.

Fund Summary

Waste Reduction and Recycling Fund

July 1, 2014 - June 30, 2015

Fund Balance June 30, 2014	\$	5,717,580
Revenues:		
New Tire Fees		2,124,388
Business Fees		478,173
Solid Waste Disposal Fee		1,376,575
Interest, Grant Returns		105,877
Net Collections for Year	\$	4,085,013
Expenditures:		
Administration		383,588
Grant Funds Expended*		4,300,178
Total Expenditures FY 2015	\$	4,683,766
Fund Balance June 30, 2015	\$	5,118,826

* Because grants funds are expended on a reimbursement basis, total grant funds expended in a fiscal year will differ from the amount of grants awarded in that fiscal year.

Summary of Activities - For FY2015, NDEQ awarded \$4,316,790 for Waste Reduction and Recycling Incentive Grants to 162 projects. This is an increase of over \$20,000 granted from the previous year. Sixteen of these grants were awarded from the Business Fee category (\$822,233), 20 were awarded from the Disposal Fee category (\$1,435,558), and 126 received grants from the funds prioritized for scrap tire projects (\$2,058,999). The following lists indicate the locations across Nebraska that received funds.

Waste Reduction & Recycling Grants for FY2015

Business Fee \$ 888,233 16 grants, including, 2 statewide, 3 regional
 Disposal Fee \$ 1,435,558 20 grants, including, 1 statewide, 2 regional

Business Fee

Chadron	Lincoln
Columbus	Oakland
Fremont	Omaha
Grand Island	Red Cloud
Gretna	Sidney
Kimball	

Disposal Fee

Bassett	McCook
Crawford	Minden
Fremont	Omaha
Hebron	Schuyler
Kearney	Scottsbluff
Lexington	South Sioux City
Lincoln	Verdigre
Lyman	Wayne

Deconstruction Grants for FY2015

There were no deconstruction grants applied for or granted in FY2015.

Scrap Tire Grant Awards for FY 2015

122 local grants and 4 regional grants for an award total of \$2,059,000.

Alliance, 2 local	Kearney
Amherst	Lawrence
Arlington, 1 regional	Lexington
Atkinson, 3 local	Lincoln, 7 local
Auburn, 2 local	Lyons
Aurora, 3 local	Madison
Bassett	McCook
Beaver City	Murray
Bloomfield	Nebraska City
Blue Hill	Neligh
Broken Bow	Nelson
Burwell	Norfolk
Cairo	North Platte
Center	Ogallala, 2 local
Chadron, 1 local, 1 regional	Omaha, 25 local
Columbus	Ord
David City	Oxford
Edgar	Papillion, 2 local
Elkhorn, 12 local	Pender
Elwood	Petersburg
Emerald, 1 regional	Pierce
Fairbury	Plattsmouth
Filley	Red Cloud
Firth	Scotia
Fremont	Seward, 2 local
Fullerton	Sidney
Gibbon	South Sioux City
Grand Island	St. Edward
Hartington	Tecumseh
Hastings	Trenton
Hickman	Valley
Holdrege, 2 local, 1 regional	Walthill
Hubbard	Wayne
Hyannis	Wilber, 2 local
Jackson	Wisner

Litter Reduction and Recycling Grant Program

The Litter Reduction and Recycling Grant Program has been in existence since 1979. Its purpose is to provide funds to support programs to reduce litter, provide education and promote recycling in Nebraska.

Funds from this program are provided from an annual fee assessed to manufacturers, wholesalers and retailers having gross receipts of at least \$100,000, on products that commonly contribute to litter. For manufacturers, the annual litter fee is equal to \$175 for each million dollars of products manufactured. The annual litter fee for wholesalers and retailers is equal to \$175 for each million dollars of sales made in the state. Approximately \$1.8 million is received annually.

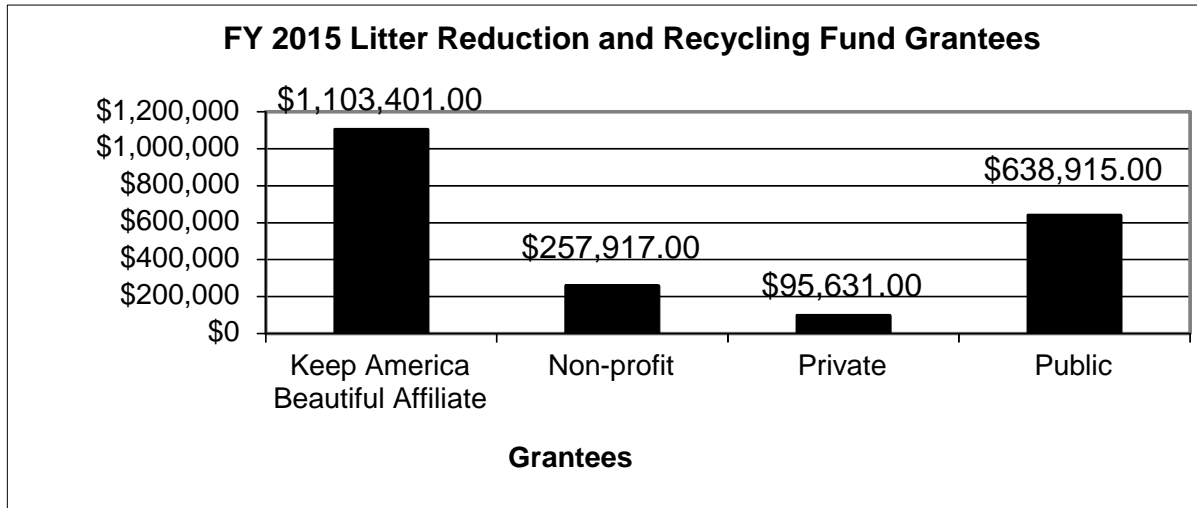
The annual litter fee is imposed on products in the following categories:

- Food for human consumption, beverages, soft drinks, carbonated water, liquor, wine, beer and other malt beverages, unless sold by retailers solely for consumption indoors on the retailer's premises;
- Food for pet consumption;
- Cigarettes and other tobacco products;
- Household paper and household paper products;
- Cleaning agents; and
- Kitchen supplies.

Fund Summary Litter Reduction and Recycling Fund July 1, 2014 - June 30, 2015

Fund Balance June 30, 2014	\$669,404
Revenues:	
Litter Taxes Collected	\$1,874,341
Interest, Grant Returns	\$75,913
Net Collections for Year	\$1,950,254
Expenditures:	
NDEQ Administration	\$314,911
Grant Funds Expended	\$772,600
Total Expenditures FY 2015	\$1,087,511
Fund Balance June 30, 2015	\$1,532,147

In FY2015 \$2,095,864 was awarded from the Litter Reduction and Recycling Grant Program. Grant funding is awarded to several types of programs, including non-profit groups, public and private entities, and over 20 Keep America Beautiful affiliates. Many of these programs utilize the Litter Reduction and Recycling Grant Program funds to leverage additional dollars for a comprehensive, statewide approach to litter reduction and recycling. Below is a chart reflecting FY2015 grantees.



FY 2015 Grant Allocations

Litter Reduction and Recycling Fund

In FY2015, NDEQ gave 58 Litter Reduction and Recycling Grant Program awards to organizations in Nebraska. The breakdown is as follows:

Public Education	(39%)	21 grants	\$ 821,346
Cleanup	(5%)	14 grants	\$ 97,938
Recycling	(56%)	23 grants	<u>\$ 1,176,580</u>
Totals	(100%)	58 grants	<u>\$ 2,095,864</u>

Public Education

In FY2015, 21 grants totaling \$821,346 were awarded under the category of Public Education. The Public Education programs educate citizens in the areas of litter reduction, cleanup and recycling through a variety of individual and community activities. The citizens of Nebraska are cultivating a greater awareness of their impact on the environment through their purchasing and disposal actions. The educational programs are an excellent means of providing information on proper waste disposal, recycling and available products that contain recycled material. Priority is given to programs that promote markets for recycled materials or purchasing products made from recycled materials. The following list indicates the locations that received funds.

FY 2015 Public Education Grant Awards

Total Awarded - \$821,346	21 total grants
3 Regional Grant Awards	1 Statewide Grant Award

Cities

Alliance	Norfolk
Beatrice	North Platte
Chadron	Ogallala (Keep Keith County Beautiful)
Fremont	Omaha
Grand Island	Schuyler
Kimball	Scottsbluff / Gering
Lexington	Sidney
Lincoln	
Louisville (Keep Cass County Beautiful)	

Regional Areas

Burwell – Regional Keep Loup Basin Beautiful / Loup Basin RC&D, (13 County area: Blaine, Loup, Garfield, Wheeler, Custer, Valley, Greeley, Sherman and Howard. Since 2013, added Holt, Rock, Boyd and Cherry counties.)

Plainview – Regional Keep Northeast NE Beautiful (9 County area:, Knox, Antelope, Pierce, Cedar, Dixon, Wayne, Dakota, Cuming, Thurston)

Statewide Areas

Product Stewardship Institute	Statewide
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Cleanup

In FY2015, fourteen (14) grants totaling \$97,938 were awarded under the category of Cleanup. The cleanup programs utilize Nebraska residents of all ages to pick up litter and debris along Nebraska's highways, waterways, recreation lands, urban areas and other public-use areas within the state. Not only are the public areas improved through the removal of litter and debris, but also much of the material collected during the cleanups is recycled. The recycling proceeds are often utilized to benefit the respective programs. The following list indicates the locations that received funds.

FY 2015 Cleanup Grant Awards

Total Awarded - \$97,938	14 total grants
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Cities

Beatrice	Omaha
Chadron	Schuyler
Lexington	Scottsbluff / Gering
Lincoln (2)	South Sioux City
North Platte	Steinauer
Ogallala	Wakefield

Regional Areas

Burwell – Regional Keep Loup Basin Beautiful / Loup Basin RC&D, (13 County area: Blaine, Loup, Garfield, Wheeler, Custer, Valley, Greeley, Sherman and Howard. Since 2013, added Holt, Rock, Boyd and Cherry counties.)

Recycling

In FY2015, 23 grants totaling \$1,176,580 were awarded under the category of Recycling. The recycling programs provide an alternative to the disposal of solid waste in Nebraska's landfills. The programs recycle more than just aluminum, paper, glass and plastic. Materials such as electronic computer components, paint, aerosol cans, fertilizer, pesticides and household hazardous waste are collected and either reprocessed to be used again or are disposed of in an environmentally friendly manner. Recycling conserves our natural resources, landfill space and energy. Jobs are created and revenue is generated through the opportunities that recycling provides. Recycling efforts that promote the purchase of recycled content products continue to receive priority for funding. This support helps to "close the loop" and enhance the recycling efforts in Nebraska. The following list indicates the locations that received funds.

FY 2015 Recycling Grant Awards

Total Awarded - \$1,176,580	23 total grants
6 Regional Grant Awards	2 Statewide Grant Award

Cities

Alliance	Lincoln
Chadron	Lyons
Columbus	Nebraska City
Holdrege	North Platte
Imperial	Ogallala
Kimball	Schuyler
	Wisner

Regional

Chadron	(Solid Waste Agency of Northwest Nebraska – SWANN)
Omaha	(Green Recycling Enterprises)
Red Cloud	(Trailblazer RC&D)
Tekamah	(Papio-Missouri NRD)
Valentine	(Mid-Niobrara NRD)
York	(4 Corners Health Dept.)

Statewide

Lincoln (2)	(Nebraska Farmers Union)
	(WasteCap NE)

Illegal Dumpsite Cleanup Program

The Illegal Dumpsite Cleanup Program, established in 1997, is a cleanup program that provides funding assistance to political subdivisions for the cleanup of solid waste disposed of along public roadways or ditches. Through this program, items such as household waste, white goods, construction and demolition waste and furniture are removed from the illegal site and disposed in a permitted facility or recycled.

Funding for this program is limited to five percent of the total revenue from the disposal fee collected from landfills in the preceding fiscal year. Approximately \$140,000 is available annually. NDEQ encourages municipalities, counties and other political subdivisions to submit applications for the reimbursement of cleanup efforts. NDEQ provided information to all of the counties in Nebraska in an effort to make the program known statewide and to utilize more of the available funds. In FY2015, the program provided 18 grants, totaling \$29,395 to six recipients. In FY2015, funds were provided to:

Otoe County	City of Omaha
Seward County	Lancaster County
Village of Otoe	Omaha Fire Department
City of Lincoln	

Landfill Disposal Fee Rebate Program

The Landfill Disposal Fee Rebate Program was created as an incentive to political subdivisions to support and encourage the purchasing of products, materials, or supplies that are manufactured or produced from recycled material. Funding for the program is from the Waste Reduction and Recycling Incentive Fund.

Under the program, which was created in 1994, any municipality or county may apply for a rebate if they have a written purchasing policy requiring a preference for purchasing products, materials or supplies that are manufactured or produced from recycled material. If the policy is approved by NDEQ, the applicant may receive a 10-cent rebate from the \$1.25 per ton disposal fee. Rebates are provided no more than quarterly and no less than annually.

In FY2015, the program provided \$94,271 to five counties and six cities participating in the program. In FY2014, NDEQ offered to provide letters and forms to the participants through email instead of the postal service. Eight of the eleven participants chose this option furthering our waste reduction efforts and increasing efficiency.

David City	\$141	Jefferson County	\$1,215
Lincoln	\$28,041	Seward County	\$1,572
Omaha	\$47,402	Saline County	\$2,834
Grant	\$114	Buffalo County	\$5,223
South Sioux City	\$547	Butler County	\$3,455
North Platte	\$3,727		