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Community Solid Waste Management and Land Disposal Ban

The purpose of this environmental guidance document is to assist communities in managing their solid waste after the closure of their local dumps, and in light of statewide landfill bans on certain types of waste. The information provided here is based on commonly asked questions. If you need further clarification, please call the Waste Management Section of the Department of Environment and Energy (NDEE) at (402) 471-4210.

USE OF A CLOSED LANDFILL SITE

The use of a closed landfill site for the collection of recyclable materials 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 your closed landfill from any disturbance, erosion or standing water which may result from collection activities.

DEMOLITION WASTE DISPOSAL

Demolition wastes which results from land clearing, the demolition of buildings, roads or other structures should be disposed of at a landfill permitted by the Waste Management Section of the NDEE. There are several exceptions to this requirement, including:

- (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 collected materials must be *clean*. There cannot be any wood, plaster, paint cans, other materials, 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 prior permission by the director of NDEE; and
- (3) The disposal of farm building demolition waste. Farm buildings originating on agricultural property may be disposed (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 wastes from renovation or demolition projects cannot be burned at a community burn site. This waste must be disposed at a permitted landfill. [Title 129 - Nebraska Air Quality Regulations](#) also 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 your local fire department. See our guidance document on Fire Training Burns for more details.

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. The burn permit only allows the burning of tree branches and untreated wood. Burning such things as leaves and grass clippings, creosoted wood, treated lumber products, painted wood or building demolition materials is prohibited. A permit can be obtained from the NDEE by writing a letter of request to the Air Quality Compliance Section, Department of Environment and Energy, P.O. Box 98922, Lincoln, NE 68509. There is no fee for a burn permit. An additional permit or notification is required by the local fire department. Ash resulting from burning trees and untreated wood can be disposed of on-site.

YARD WASTE

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. From April 1st through November 30th, yard waste cannot be disposed of in a landfill. The exception is that 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 NDEE permit only if the quantity accepted at the site is greater than 100,000 cubic yards per year, 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. Contact the Waste Management Section at (402) 471-4210 with specific questions on composting or related regulations.

HOUSEHOLD APPLIANCES (WHITE GOODS)

The statewide landfill ban on discarded household appliances became effective on September 1, 1995. Household appliances are defined, for purposes of the ban, 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 statewide from landfills.

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 in order 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.

TIRES

The statewide landfill ban on tires in any form went into effect on September 1, 1998. Collection and storage of waste 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. See our Guidance Document on “Waste Tire Accumulation and Hauling” on the NDEE Home Page.

STATEWIDE LANDFILL BANS

The following items are banned from landfills statewide. Contact your landfill or hauler for details.

- Yard wastes (April 1 to November 30)
- Waste oil
- Lead acid batteries (car batteries)
- Household appliances
- Unregulated hazardous waste (except household quantities)
- Waste tires (in any form)

DEFINITIONS

"Yard waste" - grass and leaves. For purposes of composting, yard waste includes grass and leaves in combination with chipped trees and branches and other organic material collected as the result of the care of ornamental plants, lawns, shrubbery, vines, and gardens. (Title 132 - Integrated Solid Waste Management Regulations, Chapter 1).

"Discarded household appliances" - clothes washers and dryers, water heaters, heat pumps, air conditioners, dehumidifiers, refrigerators, freezers, trash compactors, dishwashers, conventional ovens, ranges, stoves and wood stoves. (Title 132, Chapter 1).

"Lead-acid batteries" - electrical storage batteries with cells that contain lead electrodes and an acidic electrolyte, such as those commonly used in motor vehicles. (Title 132, Chapter 1).

"Waste oil" - any oil that has been refined from crude oil or any synthetic oil, that has been used, and as a result of such use, is contaminated by physical or chemical impurities, or used oil as defined in Title 128 – Nebraska Hazardous Waste Regulations. (Title 132, Chapter 1).

"Waste tire or Scrap tire" - a tire that is no longer suitable for its original intended purpose because of wear, damage, or defect. (Title 132, Chapter 1).

"Unregulated hazardous wastes" - a hazardous waste generated by a conditionally exempt small quantity generator, which contains free liquids, or is in a solid form in a quantity greater in size or volume than 5 gallons or in a quantity greater in weight than 19.5 kilograms (43 pounds), provided, however, that these quantity limits are daily maximum values. For purposes of this definition, unregulated hazardous wastes are prohibited from land disposal. This provision does not apply to household waste. (Title 132, Chapter 1).

RESOURCES:

- NDEE Home Page: <http://dee.ne.gov/>

Contacts:

- NDEE Waste Management Section (402) 471-4210
- NDEE Toll Free Number (877) 253-2603
- NDEE Hazardous Waste Compliance Assistant (402) 471-8308
- Email questions to: NDEE.moreinfo@nebraska.gov

NDEE Publications:

- NDEE Guidance Document – Fire Training Burns
- NDEE Guidance Document – Waste Tire Accumulation and Hauling
Guidance Documents are available on the NDEE Home Page under “Publications & Forms”
- [Title 128 – Nebraska Hazardous Waste Regulations](#)
- [Title 129 – Nebraska Air Quality Regulations](#)
- [Title 132 – Integrated Solid Waste Management Regulations](#)
Titles are available on the NDEE Home Page under “Laws/Regs & EQC”, “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 <http://dee.ne.gov>.