

NEBRASKA

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Wastewater Unit

Or

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Title 124 – Rules and Regulations for the Design, Operation and Maintenance of Onsite
Wastewater Treatment Systems, Effective December, 2003

Onsite regulations for the state of Nebraska can be accessed online at the link listed
above, and by performing the following:
(click on “Rules and Regulations,” then Title 124”)

As of June 1, 2006, regulations for the state of Nebraska primary changes contemplated are to add endorsements to allow for certified installers to install mound systems under the “authorization by rule” provision and to allow certified professionals to use soil characteristics for onsite wastewater system design. Current regulations require a NDEQ approved permit for mound systems (requires engineer designed plans) and mandate percolation testing for all systems with drainfields. Our target effective date is to propose amendments to the Environmental Quality Council at the December 2006 meeting. If changes are proposed and approved then, the changes could be effective in early 2007.

With regards to performance based standards, Title 124 allows certified professionals to design and install systems meeting the prescribed requirements under the “authorization by rule”. If these requirements can’t be met, then a permit application is required and a registered professional engineer must design the system and prepare the application documents. Any alternative/experimental systems would require a construction permit for NDEQ. To apply for a construction permit, the system must be designed by a professional engineer licensed to practice in the state of Nebraska. Systems conforming to prescriptive rules are authorized by rule.

Nebraska Code does not recognize management programs or districts to monitor and maintain onsite systems or individual liquid waste systems, and there are no plans to develop such programs. The state does require perpetual maintenance on mechanical systems. The state requires operation in accordance with approved operation and maintenance manuals for those systems that are required to have them. There are no requirements to have a maintenance contract with a provider.

Anyone doing work related to the onsite system is required to be certified by exam. The certification categories are Master/Journeyman Installer, Master/Journeyman Pumper, Inspector, and Soil Evaluator. The Certified Installer, Professional Engineer, or Registered Environmental Health Specialist that will design the system. The master and journeyman exams are the same – differences between the master and journeyman are in the fees and the requirement that a journeyman must be supervised by either a master in the same category, Nebraska registered engineer, or registered environmental health specialist. Certification is for a fixed two-year cycle – the current cycle runs from January 1, 2006 through December 31, 2007. So a certification issued in 2007 is somewhat limited, as it will also expire December 31, 2007. The certification is renewable by obtaining 12 professional development hours (i.e. continuing education) and submitting the renewal application with the appropriate fee. A certification thus renewed will be good for the next two-year cycle (January 2008 through December 2009). Percolation tests are currently required. We are working to add soil characterization as an endorsement option as noted above. This will require a change to the Title 124 regulations. If an inspection is requested by the homeowner an employee from the Nebraska Health & Human Services System, Regulation & Licensure has a well and onsite wastewater inspection program available for a fee of \$100. Onsite inspectors must be certified by the Nebraska Department of Environmental Quality, unless they are a professional engineer or a registered environmental health specialist. The state will consider third party certification.

Permits are required from state and local governments in some instances as a few local governments have their own inspection and permit program, which is separate from the state permit requirement. The local inspection or permit does not act as a substitute or replacement for any state required permit. If a permit is required under Title 124, then an application must be made to the NDEQ. In any event, all onsite systems once constructed are required to be registered with the state whether there is a local requirement or not and the registration is a separate requirement from any permit. Numbers of permits for new construction and upgrade or modification are not kept tracked of, however repair permits are tracked. Contact Gary Buttermore (above) for more information.

Currently, there is no state-provided funding or financing options for individual homeowners in Nebraska.

For more information on the current onsite wastewater demonstration, research, or testing projects ongoing in Nebraska contact:

Dr. Wayne Woldt
University of Nebraska
253 LW Chase Hall
Lincoln, **Nebraska** 68583
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For information regarding training programs available throughout the state of Nebraska please contact:

Ms. Jan Hygnstrom
Biological Systems Engineering
University of Nebraska, Lincoln
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Nebraska Onsite Wastewater Association
Mr. Lee Orton, Executive Director
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To contact Nebraska's environmental health organization:

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