NEBRASKA ADMINISTRATIVE CODE

Title 199 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 1 - DEFINITIONS

001 “Abatement” means the act or process of eliminating an existing scrap tire collection site.

002 "Agency" means any combination of two or more municipalities or counties acting together under the Interlocal Cooperation Act, a natural resources district acting alone or together with one or more counties and municipalities under the act or any joint entity as defined in Neb. Rev. Stat. Section 13-803.

003 "Applicant" means an entity applying for a grant from one of the funds pursuant to these regulations.

004 "Application" means an application for a grant under one of the funds on a form prescribed by the Department.

005 "Closure" means those actions which are taken upon the cessation of the disposal of solid waste at a disposal area, which prepare the solid waste disposal area for post- closure care, and assure that the area will remain stable in order to protect human health and the environment.

006 “Collection Site” means a site used for the temporary storage of more than one hundred scrap tires.

007 "Council" means the Nebraska Environmental Quality Council.

008 “Deconstruction” means the selective dismantlement of building components, specifically for re-use, recycling, and can be viewed as "construction in reverse". It differs from demolition where a site is cleared of its building by the most expedient means available.

009 "Department" means the Nebraska Department of Environmental Quality.

010 "Director" means the Director of the Nebraska Department of Environmental Quality.

011 "Equipment" means all personal property and fixed assets other than land and buildings purchased by a grant recipient with grant funds.

012 "Facility" means any site owned and operated or utilized by any person for the collection,

source separation, storage, transportation, transfer, processing, treatment, or disposal of solid waste and shall include a solid waste landfill.

013 "Grant" means funds allocated by the Director from one of the funds under conditions as prescribed by the Director.

014 "Grant Period" means the specific period approved by the Director to carry-out the grant funded activities.

015 "Grant Recipient" means a political subdivision or other entity or organization, public, private, or non-profit, receiving funds or equipment in the form of a grant to carry out activities approved by the Director based on the grant application and award.

016 "Matching Cash" means cash expenditures for products or services directly related to the proposed program.

017 "Matching In-Kind" means services, materials, labor or other items provided that are directly related to the proposed program.

018 "Monitoring" means the combination of activities designed to assess the impact of the solid waste disposal area upon the environment.

019 "Political Subdivisions" means a division of the State formed pursuant to proper authority for the purpose of carrying out governmental or public functions, and includes counties, townships, cities, villages, districts, authorities, and other public corporations and entities, whether organized and existing under direct provisions of the Constitution of Nebraska or statutes of this State, or by virtue of charters or other corporate articles or instruments executed under authority of such constitution or laws.

020 "Program" means a program, project or study incorporated in an application to be considered for receiving a grant from one of the funds.

021 "Scrap Tire" means a tire that is no longer suitable for its original intended purpose because of wear, damage, or defect.

022 "Solid Waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, and mining operations, and from community activities~~,~~. ~~but does~~ Solid waste shall not include slag, a product that is a result of the steel manufacturing process and is managed as an item of value in a controlled manner and not as a discarded material; solid or dissolved materials in industrial discharges which are point sources subject to permits under Section 402 of the

Federal Clean Water Act, as amended, 33 U.S.C. 1251 et seq.~~,~~; or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended, ~~68 Stat. 923~~42 U.S.C. 2011 et seq.

023 "Solid Waste Planning", "Solid Waste Management" and "Comprehensive Planning" means planning or management respecting resource recovery and resource conservation.

Enabling Legislation: Neb. Rev. Stat. §81-15,160; §81-15,161; §13-2042

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