

NEBRASKA ADMINISTRATIVE CODE
NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Title 115 - Rules Of Practice And Procedure

Chapter 1 - Adoption of Model Rules

001 For any proceeding before the agency to which the Administrative Procedures Act, Neb. Rev. Stat. §84-901 et seq. is made applicable by statute, the following Model Rules of Agency Procedure promulgated as Title 53 NAC by the Nebraska Attorney General, are incorporated by reference except as specifically indicated.

001.01 53 NAC Chapter 1 – Negotiated Rulemaking.

001.02 53 NAC Chapter 2 – Petition for Rulemaking.

001.03 53 NAC Chapter 3 – Procedures Governing Declaratory Orders.

001.04 53 NAC Chapter 4 – Rules of Procedure for Hearings in Contested Cases Before an Agency.

001.04A When the action before the agency is initiated by an administrative order or permit decision issued by the director under Neb. Rev. Stat. §81-1507, the petition and request for a contested case hearing must be filed within thirty days of receipt of the administrative order or permit decision in accordance with Neb. Rev. Stat. §81-1507. The contested case proceeding commences on the filing of a petition and request for a contested case hearing by the recipient of the administrative order or permit decision.

001.04B When the action before the agency is initiated by an emergency order issued by the director in accordance with Neb. Rev. Stat. §81-1507, the emergency order is effective immediately and the filing of a petition and request for a contested case hearing does not stay its effectiveness.

Enabling Legislation: Neb. Rev. Stat. §81-1507; §84-901 et seq.; §81-1504(1)(7)(9)(13); §81-1507.