

NEBRASKA ADMINISTRATIVE CODE

Title 122 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 3 - PROHIBITION OF UNAUTHORIZED INJECTION AND CONSTRUCTION

001 Any injection or mineral production well not authorized or permitted under this title is prohibited.

002 Any injection or mineral production well required to have a permit under this title is prohibited until the permit has been issued with final construction design as approved by the Director.

003 The construction of any Class IV well is prohibited. Any existing Class IV well must be closed and comply with the plugging and abandonment requirements of Chapter 35 of this Title.

004 The construction of any Class V agricultural drainage well (5F1) is prohibited. Any existing Class V agricultural drainage well (5F1) must be closed and comply with the plugging and abandonment requirements of Chapter 35 of this Title.

005 The construction of any Class V untreated sewage waste disposal well (5W9) is prohibited. Any existing Class V untreated sewage waste disposal well (5W9) must be closed and comply with the plugging and abandonment requirements of Chapter 35 of this Title.

006 The construction of any Class V cesspool (5W10) is prohibited. Any existing Class V cesspool (5W10) must be closed and comply with the plugging and abandonment requirements of Chapter 35 of this Title.

007 The construction of any Class V radioactive waste disposal well (5N24) is prohibited. Any existing Class V radioactive waste disposal well (5N24) must be closed and comply with the plugging and abandonment requirements of Chapter 35 of this Title.

008 The construction of any Class V motor vehicle waste disposal well (5X28) is prohibited. Any existing Class V motor vehicle waste disposal well (5X28) must be closed and comply with the plugging and abandonment requirements of Chapter 35 of this Title.

009 The construction or conversion of any Class V abandoned drinking water well used for disposal of waste (5X29) is prohibited. Any existing Class V abandoned drinking water well used for disposal of waste (5X29) must be closed and comply with the plugging and abandonment requirements of Chapter 35 of this Title.

010 The injection of hazardous waste into a Class I, Class III, Class IV, or Class V well as defined in Chapter 2 of this Title is prohibited.

011 The injection of contaminated ground water that may cause a violation of Nebraska Title 118 - Ground Water Quality Standards and Use Classification is not prohibited provided:

011.01 The ground water is being treated prior to injection,

011.02 The ground water is being injected into the formation from which it was extracted,

011.03 The Department has approved the contaminant levels being injected prior to injection,

011.04 The contaminant levels are not classified as a hazardous waste,

011.05 The injection activities are associated with a clean-up approved by the Department,

011.06 An individual permit is obtained from the Department prior to injection,

011.07 The permittee must demonstrate hydraulic control at the site, and

011.08 The injection does not adversely affect the health and safety of persons.

012 The injection of fluids that may cause a violation of Title 118 - Ground Water Quality Standards and Use Classification is not prohibited provided:

012.01 The Department has approved the contaminant levels being injected prior to injection,

012.02 The contaminant levels are not classified as a hazardous waste,

012.03 The injection activities are associated with a clean-up approved by the Department,

012.04 An individual permit is obtained from the Department prior to injection,

012.05 The permittee must demonstrate hydraulic control at the site, and

012.06 The injection does not adversely affect the health and safety of persons.

Enabling Legislation: Neb. Rev. Stat. §§ 81-1504(2)(11)(13)(20); 81-1505(9); 81-1506(1)(b)(2)(b)

Legal Citation: Title 122, Chapter 3, Nebraska Department of Environmental Quality