

## NEBRASKA ADMINISTRATIVE CODE

### Title 123 - NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY

#### Chapter 3 – CONSTRUCTION PERMITS

001 No person shall construct, install, modify, or make additions to a wastewater works until a construction permit is issued authorizing the project. A construction permit will be issued after review and approval of the construction plans, specifications, and other required planning and design information.

002 The following types of projects are exempt from the construction permit requirements of this title:

002.01 The replacement of sanitary sewer sections with sewers of the same diameter, elevation, slope, and alignment, if the replacement sewer meets all applicable setback requirements to water wells, water mains, and other water utility structures, including those stated in Chapter 5.

002.02 The replacement of electric service lines, meters, electrical panels and controls, circuit breakers, and the electrical wiring serving a wastewater works.

002.03 The replacement of mechanical equipment with equivalent equipment of the same size, type, and capacity such that all treatment units and processes remain unchanged.

002.04 The performance of routine plant maintenance, including replacing worn parts, making structural repairs, and rebuilding existing equipment.

002.05 The construction of on-site wastewater treatment systems governed by Title 124, Rules and Regulations for the Design, Operation, and Maintenance of On-Site Wastewater Treatment Systems.

002.06 The construction of livestock waste control facilities governed by Title 130, Livestock Waste Control Regulations.

002.07 The installation of supervisory control and data acquisition (SCADA) control systems.

002.08 The construction of separate municipal storm sewers.

002.09 The construction of sanitary sewer service connections for individual buildings.

002.10 The construction of commercial or industrial WWTF if the following three conditions are met:

002.10A The treated wastewater discharges to a municipal sanitary sewer system,

Title 123  
Chapter 3

002.10B The facility is not required to obtain a NPDES permit under the Clean Water Act, 33 U.S.C. 1251 et seq., and

002.10C The treatment facilities do not include earthen wastewater lagoons or other earthen structures.

003 A construction permit will be valid only if construction is started within one year and is completed within three years from the date of approval. Written requests may be submitted for reauthorization or time extensions and may be subject to any additional requirements of these or such future regulations as are in effect on the date of reauthorization.

Enabling Legislation: Neb. Rev. Stat. §81-1505(8)

Legal Citation: Title 123, Ch. 3, Nebraska Department of Environment and Energy