

NEBRASKA ADMINISTRATIVE CODE

Title 123 - NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY

Chapter 4 – PROHIBITED NEW CONSTRUCTION

001 New construction of the following facilities is prohibited:

001.01 Combined sewers, except for modifications to existing combined sewers that are necessary to maintain service in the system or where a modification is an intermediate step in an overall program to separate existing combined sewer systems.

001.02 WWTF outfall structures designed to discharge directly to impounded surface waters listed in Title 117, Nebraska Surface Water Quality Standards.

001.03 Cross connections between potable water supplies and wastewater appurtenances that could allow wastewater to contaminate the potable water supply.

001.04 Inflow structures, including downspouts, piping systems, trenches and storage structures, that discharge water from roof drains, exterior storm water drains, ground water or foundation drains, or that discharge single-pass non-contact cooling water to a public sanitary sewer system, unless it is authorized by permit or regulation. This rule does not prohibit maintenance work, replacements, modifications or changes to existing inflow structures if no new areas or sources of inflow water are connected to the public sanitary sewer.

002 No person will be permitted to construct extensions to a sanitary sewer system if the receiving WWTF is not capable of meeting requirements imposed by a permit issued under Title 119, Rules and Regulations Pertaining to the Issuance of Permits Under the National Pollutant Discharge Elimination System, or where the WWTF is already loaded at or near its design capacity and cannot adequately treat or store the proposed additional flow, unless the person obtains an enforceable order from the Department authorizing the construction. This does not apply to interceptor sewers or relief sewers that will have no direct service connections.

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

Legal Citation: Title 123, Ch. 4, Nebraska Department of Environment and Energy