

NEBRASKA ADMINISTRATIVE CODE  
Title 198 – RULES AND REGULATIONS PERTAINING TO AGRICULTURAL CHEMICAL  
CONTAINMENT

Chapter 4 - SECONDARY CONTAINMENT FACILITY, LOADOUT FACILITY;  
LOCATION

001 A new secondary containment facility or loadout facility, except at an operation in existence prior to November 14, 1992, will not be allowed to be located:

001.01 Within 100 feet of a well used for domestic purposes;

001.02 Within a Class GA area as defined in Title 118 NAC; or

001.03 In an area or in such a manner that there is a substantial threat of beneficial use impairment to waters of the State as defined in Title 117 NAC and Title 118 NAC.

002 Other locational requirements may be applicable under the Water Well Standards and Contractors' Licensing Act and rules and regulations adopted pursuant to that act.

003 Construction or improvements in a designated 100-year flood plain are to comply with existing federal, state and local flood plain management regulations.

004 The facility is obliged to comply with local governmental zoning regulations. It is the responsibility of the owner or operator to determine whether any such zoning regulations exist.

005 Underground storage of bulk liquid pesticide and bulk fertilizer is prohibited. Temporary underground containment of pesticide or fertilizer rinsed or washed off material, runoff, or other accumulations is allowed under the following conditions:

005.01 A sump open to visual inspection; or

005.02 A container situated in a concrete or solid masonry lined vault open to visual inspection. The container is to be on or above the surface of the floor such that any leak from the container or appurtenances may be readily detected.

006 If plumbing within a secondary containment or loadout facility is directly connected to a public water supply pipeline servicing the facility, the operator must comply with the Title 179 NAC.

007 If plumbing within a secondary containment or loadout facility is directly connected to a water well, other than a public water supply pipeline, servicing the facility, a backflow prevention device is to be installed to protect the water source. Local plumbing codes or regulations may apply if more restrictive. All equipment is to be installed, operated and maintained in accordance with the manufacturer's recommendations. The minimum safety equipment will be one of the following:

007.01 A reduced pressure principle device which meets the American Water Works Association (AWWA) Standard C506-78 for backflow prevention devices; or

007.02 Air gap separation. Air gap is a physical separation between the discharge end of a water pipeline and an open or nonpressurized receiving vessel. To have an acceptable air gap, the discharge end of the pipe is to be at least two pipe diameters above the top rim of the receiving vessel. If the discharge pipe is in a secondary containment facility or loadout facility, the discharge end is to be at least two pipe diameters above either the topmost rim of the receiving vessel or the highest liquid holding capacity of the containment facility, whichever is higher.

Enabling Legislation: Neb. Rev. Stat. § 81-1505(8)(14)