

NEBRASKA ADMINISTRATIVE CODE

Title 195 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 4 - PERMITS; EXPIRATION, RENEWAL

001 Permits issued during the calendar year shall expire on June 1 of the following year, except as provided in Chapter 6.

002 A permit may be renewed each year upon payment of the annual renewal fee and completion of an application form providing all the information requirements of Chapter 2, 002.

003 Permits not renewed on or before June 1 shall not be reinstated without filing a new application containing the information prescribed in Chapter 2, 002, payment of the initial application fee (~~\$30.00~~), and an inspection which shows compliance with the Chemigation Act and these regulations.

004 Permits are not transferrable.

Enabling Legislation: Neb. Rev. Stat. §§ 46-1121(2) and 46-1136(2)

Legal Citation: Title 195, Ch. 4, Nebraska Department of Environmental Quality

NEBRASKA ADMINISTRATIVE CODE

Title 195 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 6 - PERMITS; EMERGENCY

001 A person may file an application with the district for an emergency permit. An emergency permit shall be issued in accordance with the conditions of Chapter 3, 002.

001.01 If the district has not denied an emergency permit within ~~forty-eight hours~~ two working days after the application is filed, the permit shall be deemed issued. Working day shall mean Monday through Friday but shall not include Saturday, Sunday, or a federal or state holiday. In computing two working days, the day of receipt of the permit is not included and the last day of the two working days is included.

001.02 An emergency permit shall be valid for a period of forty-five days from the date of issuance.

002 Any holder of an emergency permit or an applicator applying chemicals pursuant thereto who violates any of the provisions of the Nebraska Chemigation Act or standards, rules and regulations adopted under it, shall have such permit automatically revoked by the district or the Department, without a hearing and shall be guilty of a Class II misdemeanor.

Enabling Legislation: Neb. Rev. Stat. §§ 46-1119(1)(3)

Legal Citation: Title 195, Ch. 6, Nebraska Department of Environmental Quality

NEBRASKA ADMINISTRATIVE CODE

Title 195 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 7 - PERMITS; FEES

001 The fee for initial application for a permit or special permit shall ~~be thirty~~ not exceed one hundred and fifty dollars payable to the district. The district shall transfer five dollars of this fee to the Department.

002 The annual fee for renewal of a permit or special permit shall ~~be ten dollars~~ not exceed one hundred dollars payable to the district. Two dollars of the annual fee shall be transferred by the district to the Department.

003 The application for an emergency permit shall be accompanied by a fee ~~of one hundred dollars~~ not to exceed five hundred dollars payable to the district. The district shall transfer ten dollars of this fee to the Department.

004 The district shall forward the appropriate fees for the first half of the calendar year to the Department by September 1 of the calendar year and the fees for the last half of the calendar year by March 1 of the following year.

Enabling Legislation: Neb. Rev. Stat. §§ 46-1117.01, 46-1119(2), 46-1121, 46-1136(2)

Legal Citation: Title 195, Ch. 7, Nebraska Department of Environmental Quality

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Title 195 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 8 - DISTRICT RESPONSIBILITIES

001 The district may require additional information and adopt and promulgate rules and regulations as necessary to carry out its responsibilities under the Nebraska Chemigation Act (Secs. 46-1101 thru 46-1148). Such information requirements, and rules and regulations must be based on a justifiable need and are subject to approval by the Director.

002 Each district shall establish permit fees as required under the Nebraska Chemigation Act (Sec. 46-1121).

002 003 The district shall submit an annual report to the Department by March 1 of each year, which shall include the following information for the previous year:

002.01 003.01 The number of permit applications received by the district;

002.02 003.02 The number of permit applications approved by the district;

002.03 003.03 The number of chemigation system inspections made by the district at each permitted injection site and whether the inspections were initial inspections, for equipment replacement or repair, or routine monitoring; and

002.04 003.04 The name of all chemicals and estimated amounts used in chemigation systems within the district the previous year.

003 004 The district shall maintain each application or the information contained in the application for a period of five years and shall provide such information to the Department upon request.

Enabling Legislation: Neb. Rev. Stat. §§ 46-1117, 46-1123 and 46-1136(2)

Legal Citation: Title 195, Ch. 8, Nebraska Department of Environmental Quality