

CHAPTER 5:

Waste Management Division

The Waste Management Division is comprised of two sections and one unit. These include the Waste Management Section, the Remediation Section, and the Planning and Aid Unit. Both Waste Management and Remediation sections share responsibilities for the hazardous waste, Superfund, voluntary remediation, and integrated waste management programs. Several waste-related grant programs are administered by the Planning and Aid Unit. Following is a summary of Waste Management Division programs.

Resource Conservation and Recovery Act (RCRA) Program

NDEQ was authorized in 1985 by EPA to administer portions of the Resource Conservation and Recovery Act (RCRA) program. RCRA regulations are incorporated in NDEQ Title 128 - Nebraska Hazardous Waste Regulations, which is updated as the Federal RCRA regulations change. There were no regulatory changes made in fiscal year 2010 to the Title 128 regulations.

The purpose of the RCRA program is to ensure proper management of hazardous wastes from the point of generation until final disposal. Activities performed under the RCRA program include:

- helping hazardous waste generators maintain compliance through a Compliance Assistance Program,
- performing compliance inspections and enforcement actions,
- investigating complaints,
- reviewing groundwater contamination monitoring and remediation systems,
- reviewing permit applications and determining whether permits should be issued for proposed treatment, storage, and disposal (TSD) facilities,
- reviewing/approving closure and post-closure plans for hazardous waste storage areas and disposal sites
- maintaining data systems to support decision-making and making information available to the public.

The Compliance Assistance Program helps Nebraska businesses, governmental entities, and private citizens comply with RCRA regulations in a non-enforcement mode. This program works with the regulated community in a partnership promoting hazardous waste minimization and pollution prevention to help waste generators actually reduce the amount of hazardous waste being generated in the state. An additional product of these efforts is ultimately reducing the amount of regulatory requirements on our industries by helping to bring hazardous waste generators into lower RCRA threshold levels.

Compliance and enforcement activities include investigating complaints and the inspection of hazardous waste generators and transporters, hazardous waste treatment, storage and disposal (TSD) facilities, and used oil marketers and burners. Other compliance and enforcement activities include conducting comprehensive groundwater monitoring evaluations and operation and maintenance inspections of sampling and analysis procedures at RCRA sites to ensure that useful and representative data is being collected.

The RCRA program also conducts extensive permitting and closure activities to minimize and eliminate the release of hazardous material into the environment. Closure actions are required for treatment, storage or disposal (TSD) facilities that are discontinuing operations or that have operated without a permit. Permits are required for operating TSD facilities. Post-closure permits are required for TSD facilities that have gone through closure and have remaining contamination.

There is one operating hazardous waste storage and treatment facility in Nebraska: the Clean Harbors Environmental Services, Inc. incinerator near Kimball. This facility has undergone annual performance test burns to demonstrate proper operation since hazardous waste treatment began in 1994. Operational and physical changes at the Clean Harbors incinerator have resulted in numerous permit modifications. These changes were made to improve the performance of the facility and ensure compliance with applicable regulations. In addition, Nebraska oversees two active hazardous waste storage facilities which do not treat hazardous waste.

Corrective action is an important part of the RCRA program that addresses past and present activities at RCRA facilities that resulted in hazardous waste and hazardous constituents being released into soil, groundwater, surface water, and air. Corrective action requires investigation and remediation of the release from regulated facilities. These regulations can make the former owner of a property responsible for mismanagement of hazardous waste if the current owner could not reasonably be expected to have actual knowledge of the presence of hazardous waste at the site. EPA presently operates the corrective action program in Nebraska, and is responsible for regulating cleanups at Nebraska facilities.

Program Funding

Funding for RCRA program activities is provided by an EPA grant, which requires a 25% state match. Additionally, the Department can charge proposed commercial hazardous waste management facilities a fee to cover expenses for facility siting committee activities. There were no new facilities proposed in FY10.

The RCRA program collects a yearly fee from commercial hazardous waste treatment and disposal facilities. Currently, one facility in Nebraska performs hazardous waste treatment and disposal. The fees are based on the total yearly volume or weight of hazardous waste treated or disposed. Fees are due March 1, and are remitted to the state general fund.

Currently, the RCRA Program oversees:

- 51 Large Quantity Generators (greater than 2200 pounds of hazardous waste generated per month) See Figure 1
- 410 Small Quantity Generators (between 220 and 2200 pounds generated per month)
- 1176 Conditionally Exempt Small Quantity Generators (less than 220 pounds generated per month)
 - 1 Hazardous Waste Incinerator Facility
 - 33 Treatment/Storage/Disposal Facilities (active and inactive)
 - 13 Hazardous Waste Transporters

Figure 1. Location of Large Quantity Generators in Nebraska Regulated under RCRA



Note: The number in each county indicates the number of Large Quantity Generators located in that county

Summary of FY2010 RCRA Activities		
Activity	State	EPA
Compliance Assistance		
On-site Visits	4	0
Direct Assistance Contacts	999	*
Public Outreach Presentations (total 338 in attendance)	12	*
Inspections		
Land Treatment Facilities	0	0
Treatment and Storage Facilities	1	2
Comprehensive Groundwater Monitoring Evaluations	0	0
Operation and Maintenance Inspections	2	0
Facility Self-Disclosure	1	0
Large Quantity Generator	15	1
Small Quantity Generator	3	8
Conditionally Exempt Small Quantity Generators	6	8
Transporters	0	0
Permitting		
Closure Plans Finalized	1	0
Permits Issued/Renewed	1**	1**
Modifications	21**	5**
EPA Corrective Action Orders	0	0
Record Reviews		
Financial Assurance	18	0
*Data not available **Joint State/EPA		

Superfund Program

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) became federal law in 1980. CERCLA established what has commonly become known as Superfund to deal with known or suspected contamination at inactive commercial/industrial/military facilities or so called "uncontrolled hazardous waste or abandoned sites." The nation's most contaminated sites are listed on the National Priorities List (NPL). Nebraska currently has thirteen sites on the National Priorities List. One site, the Waverly Groundwater Contamination Site, was deleted from the NPL on November 20, 2006 as the cleanup goals for the site have been achieved. Eleven of the sites are in the cleanup phase; and two sites (Garvey Elevator in Hastings, and West Highway 6 & 281 in Hastings) are relatively new to the National Priority List and are in either the site studies or remedy selected stages. Numerous other non-National Priorities List sites with known or suspected releases of hazardous substances exist in the state, but are not being addressed through the full Superfund process.

The investigation and remediation of contaminated sites are the primary responsibility of the EPA and other federal agencies. NDEQ participates in the Superfund process by serving as a technical support agency to the EPA and as the environmental representative for the State of Nebraska. Activities in the Superfund Program include:

Site Assessment — The Superfund Site Assessment program identifies, assesses and characterizes sites where hazardous substances are known or suspected to pose a threat to public health and/or the environment. Currently, the sites investigated in Nebraska consist primarily of areas where groundwater contamination has been detected in municipal and private drinking water supply wells or where there is a significant potential for groundwater contamination.

The first site assessment step is called a pre-screening assessment. This step is a review of existing information on a potential site to determine whether a release has occurred that should be evaluated further through the Superfund process. The next site assessment step is called a preliminary assessment. This step involves the collection of background information such as property ownership, operational history, geology/hydrogeology, and performing a site reconnaissance. The third step is called a site investigation, which involves sampling environmental media, such as soil and groundwater. In some situations, the preliminary assessment step and the site investigation step are combined. For large and/or complex sites, an expanded site investigation may also be performed to collect additional soil and groundwater samples to further define the extent of contamination. In addition, some sites that have been investigated in the past may be reassessed if new information is obtained that indicates that a threat to public health and/or the environment may exist. During the past year, the Department has performed work on three preliminary assessments, two combined preliminary assessments/site investigations and one site investigation.

NPL Site Management Assistance — The Superfund Management Assistance program provides management and technical support to the EPA at priority sites in Nebraska. This assistance includes reviewing technical documents and participating in the Superfund remedy selection process. As the most heavily contaminated sites in the nation, Superfund National Priority List sites are generally large and complex, because they often involve more than one contaminated media and have multiple sub-units with varying contaminants. The investigation and cleanup activities at these sites are organized into several phases including remedial investigations, groundwater modeling, baseline risk assessments, feasibility studies/engineering cost evaluations, field-scale pilot studies, remedy design/construction, and remedy operation and maintenance. The Department also participates in public meetings with citizens and local officials in the development of cleanup plans. The table on the next page identifies completion of major phases of work at NPL sites in Nebraska.

Cleanup Progress at NPL Sites in Nebraska

Site	County	Removal Actions	Site Studies	Remedy Selected	Remedy Design	Remedy Construction	Cleanup
Cornhusker Army Ammo Plant (Grand Island)	Hall	X	X	X	X	X	Ongoing
Hastings Groundwater Contamination (Hastings)	Adams	X	X	X	X	X	Ongoing
Lindsay Manufacturing Co. (Lindsay)	Platte	•	X	X	X	X	Ongoing
Nebraska Ordnance Plant (Mead)	Saunders	X	X	X	X	X	Ongoing
10th Street Site (Columbus)	Platte	X	X	X	X	X	Ongoing
Cleburn Street (Grand Island)	Hall	•	X	X	X	X	Ongoing
Ogallala Groundwater Contamination Site (Ogallala)	Keith	X	X	X	X	X	Ongoing
Bruno Coop Association (Bruno)	Butler	X	X	X	X	X	Ongoing
Sherwood Medical (Norfolk)	Madison	X	X	X	X	X	Ongoing
Omaha Lead Site (Omaha)	Douglas	X	X	X	X	X	Ongoing
Parkview Well Site (Grand Island)	Hall	X	X	X	X	X	Ongoing
Garvey Elevator (Hastings)	Adams	Ongoing	Ongoing	X	X		
West Highway 6 & 281 (Hastings)	Adams	Ongoing	Ongoing				

Chart definitions:

Removal Actions: Short-term action intended to stabilize or clean up an incident or site that poses an imminent or substantial threat to human health or the environment.

Site Studies: Investigation of the nature and extent of contamination at a site, the potential long-term risks to human health and the environment posed by the contamination, and evaluation of a list of potential cleanup actions to address the contamination.

Remedy Selected: Preferred cleanup action selected from the list of potential cleanup actions.

Remedy Design: Completion of detailed engineering design plans for the cleanup system.

Remedy Construction: Status of the construction of the cleanup system.

Cleanup: Status of operation and maintenance of the cleanup system.

Symbol key:

X = Activity Completed **•** = Activity Not Necessary **Blank** = Activity Not Started

Note: Various Operable Units at large sites may be at different stages.

Federal Facilities — The Superfund Federal Facilities program provides technical assistance and regulatory oversight to the U.S. Army Corps of Engineers in support of site assessment and cleanup activities and military munitions response activities at Department of Defense active facilities and formerly used sites. Active Federal installations include Offutt Air Force Base in Bellevue and Cornhusker Army Ammunition Plant in Grand Island. One hundred known formerly used defense sites exist in Nebraska that include small former defensive surface-to-air missile sites, bomber target sites, radar and communications sites and other formerly occupied Department of Defense properties. Under the current Defense-State Memorandum of Agreement, investigation and cleanup activities are being performed or planned to be performed at three active sites and seventeen formerly used defense sites. Military munitions response activities are being performed at nine sites. A military munitions response site is a site that may have the potential for unexploded ordnance, discarded military munitions, and munitions constituents in soil and groundwater that may pose an explosive hazard or threat to the environment.

Nebraska Voluntary Cleanup Program

The Remedial Action Plan Monitoring Act (RAPMA), initially created in 1995, established the Nebraska Voluntary Cleanup Program (VCP). The Voluntary Cleanup Program provides property owners and parties responsible for contamination with a mechanism for developing voluntary environmental cleanup plans that are reviewed and approved by the Department. The voluntary cleanup program provides an avenue for businesses to proceed with cleanup of property and an opportunity for regulatory review and oversight that may not be available at the federal level. In addition, the program serves as an alternative cleanup program to the more traditional federal cleanup programs like Superfund or RCRA.

The department has recently entered into a Memorandum of Agreement (MOA) with EPA Region VII, which provides federal approval of voluntary cleanup programs. Under this agreement, any site that joins the voluntary cleanup program and successfully completes the cleanup action is assured that EPA will not pursue federal enforcement under CERCLA.

To date, 27 sites have entered the voluntary cleanup program. Currently, seven sites are active in the voluntary cleanup program. Two of the seven active sites are expected to be completed in the upcoming year. Two sites have been deferred to the EPA Superfund program. Four sites withdrew from the program. Five sites have been terminated from the program due to lack of activity in completing the investigation and/or cleanup. Nine sites have successfully completed cleanup requirements and have received "No Further Action" letters from the Department.

The department anticipates a significant increase in applications to the voluntary cleanup program over the next several years. Likely new applicants include the City of Lincoln on the West Haymarket Arena redevelopment and two current EPA brownfield grantees (City of Fremont Target Range, Former PCS Nitrogen site in Sarpy County). The department has also been negotiating a multi-site Memorandum of Agreement with the U.S. Department of Agriculture (USDA) to enter several former grain bin sites into the program. In addition, several former manufactured gas plant (FMGP) sites have inquired about potentially joining the program.

The fee structure for this program was revised in 2008. The application fee to participate in the program was reduced from \$5,000 to \$2,000, and the initial deposit to pay for state oversight costs was reduced from \$5,000 to \$3,000.

Brownfield Assessments and Cleanups — A brownfield site is vacant or under-used industrial or commercial property where expansion or redevelopment is complicated by unresolved contamination concerns. The voluntary cleanup program performs assessments and cleanups at brownfield sites in Nebraska. These assessments and cleanups are performed by NDEQ at no cost to interested parties in Nebraska communities. A brownfield assessment is a preliminary investigation to evaluate the

environmental conditions at a property, similar to a Phase I and Phase II Environmental Site Assessment. Cleanups can involve a variety of measures that are implemented to contain and reduce contamination at a site. During the past year, the Department has performed nine brownfield assessments.

Voluntary Cleanup Program Sites and Status

Site	Location	Status	Date of Entry into RAPMA Program
KN Energy	Holdrege	Completed 5/01/97	4/3/95
Garvey Elevator	Hastings-West	Deferred to EPA Superfund	4/13/95
ASARCO	Omaha-Riverfront	Completed 10/11/01	1/8/96
BNSFRR	Lincoln-N. Havelock	Terminated 12/4/06	1/17/96
Union Pacific RR	Omaha-N. Downtown	Withdrawn 3/7/03	1/17/96
Farmland Industries	Scottsbluff	Completed 7/2/09	2/26/96
Lincoln Journal Star	Lincoln-Downtown	Terminated 1/28/09	2/26/97
Farmland Industries	Hastings-East	Completed 9/2/03	6/25/97
Hastings Area wide	Hastings	Withdrawn 6/23/00	12/17/97
Lincoln Plating Co.	Lincoln	Active	8/17/98
Witco Corporation	Omaha-North	Completed 6/29/99	1/20/99
BNSFRR	Lincoln-Lot 9 Havelock	Completed 2/20/01	4/28/99
Dana Corporation	Hastings-West	Deferred to EPA Superfund	9/27/99
Ballpark Complex	Lincoln-Haymarket	Completed 9/1/06	11/9/99
Progress Rail Services	Sidney-North	Completed 1/3/06	11/22/99
Brownie Manufacturing	Waverly-Highway 6	Withdrawn 7/19/01	4/25/00
BNSFRR	Lincoln-Havelock Yards	Terminated 12/4/06	10/26/00
New Holland	Grand Island-Southwest	Active	11/9/00
Owen Parkway East	Omaha-Abbott Drive	Withdrawn 11/26/02	12/13/00
Omaha Riverfront Redevelopment - 3 parcels	Omaha-Riverfront	Completed 6/18/03, 12/9/03, 11/9/04	5/18/01
Sanford & Son	Lincoln-North	Terminated 4/18/07	1/22/02
Union Pacific RR Child Development Center	Omaha-N. Downtown	Active	3/5/04
Vishay Dale Electronics	Norfolk	Terminated 4/20/09	11/13/06
Union Pacific RR Nebraska Solvent Site	Grand Island	Active	2/23/07
Archer Daniels Midland	Lincoln	Active	11/3/08
Plaza North Station LLC	Omaha	Active	7/14/09
Former Pfizer Facility	Omaha	Active	7/28/09

Solid Waste Program

Solid Waste regulations are incorporated in NDEQ *Title 132 - Integrated Solid Waste Management Regulations*. The purpose of the program is to ensure proper management of solid waste. Solid waste includes municipal solid waste typically collected and disposed in municipal landfills and other non-hazardous waste. The regulations provide technical criteria for land disposal areas and solid waste processing facilities.

Duties assigned to this program include: 1) Permit issuance, renewal and modification; 2) Response to inquiries related to facility operations; 3) Compliance inspections and enforcement actions; 4) Investigation of citizen complaints; 5) Alternate waste management method approvals; 6) Groundwater investigations and groundwater/soil remediation projects for permitted and non-permitted facilities; 7) Gas emissions monitoring related to landfills and other permitted sites; 8) Closure inspections and monitoring of closure and post-closure activities; 9) Conducting public information sessions and hearings related to permits; 10) Financial assurance review and monitoring compliance; and 11) Assisting regulated facilities and the general public in recycling, re-use and proper management of waste-like materials.

The program regulates municipal solid waste disposal areas (landfills), construction and demolition debris sites, fossil fuel combustion ash disposal sites, industrial and delisted hazardous waste sites, and land application sites for repeated disposal or treatment of special wastes. In addition, solid waste processing facilities, such as compost sites, material recovery facilities, and transfer stations, are regulated by this program.

Permit modification requests are regularly submitted by permitted facilities. Response to the modification requests are particularly time critical since the facility may need to expand or construct new cells in order to meet their disposal capacity needs and continue operations.

The waste management program coordinates with other department divisions to ensure that permits issued include adequate protection of all environmental media. The requirements in solid waste permits include protection against excessive emissions of landfill gas to the atmosphere, storm water runoff controls, and restrictions on accepting hazardous waste for disposal at a landfill.

Currently, the Solid Waste Program oversees the following facilities, by type:

Total Permitted Facilities in FY 2010	
Municipal Solid Waste Disposal Areas (Landfills)	23
Industrial Waste	1
Solid Waste Compost Sites	8
Transfer Stations	37
Materials Recovery Facilities	5
Construction & Demolition Waste Disposal Areas	27
Delisted Waste Disposal Areas	1
Fossil Fuel Combustion Ash Disposal Areas	8
Total	110

The following chart indicates the number of inspections, complaints and permitting-related activities that the program was involved with in FY2010:

Summary of Activities: FY2010	
Compliance	
Facility Inspections (General)	111
Facility Inspections (Construction)	2
Complaints Received	142
Complaints Investigated	114
Complaints Closed	81
Permitting	
New Permits Issued	2
Permit Renewals	27
Major Permit Modifications	4
Transferred Permits	0
Public Hearings	2
Financial Assurance Reviews	194
Facilities Closed	0

Financial Assurance and Fees

All permitted solid waste landfills are required to provide financial assurance for closure and post-closure maintenance and monitoring. All privately-owned permitted solid waste processing facilities are required to provide financial assurance for closure.

The Waste Management Section collects permit fees and annual operating fees for all solid waste management facilities. Quarterly disposal fees based on cubic yards or tonnage are collected at all municipal solid waste landfills and transfer stations moving waste for disposal out of state. Fifty percent of the quarterly disposal fees are redistributed as grants and administration of the Waste Reduction and Recycling Incentives Grants Program and fifty percent of the quarterly disposal fees are utilized for administrative costs of the solid waste program and for investigation and remediation of contamination from solid waste facilities and for other statutorily authorized activities.

Waste Tire Management Program

The waste tire management program is also regulated under Title 132. Approved beneficial uses of waste tires are outlined in the regulations. Waste tire haulers are required to obtain individual permits annually and are required to post financial assurance. Financial assurance is designed to provide adequate funds to clean up any waste tires that are illegally disposed by the transporter.

Waste tire management facilities (except tire dealers) are allowed to accumulate up to 500 tires without further requirements, other than mosquito control and fire prevention measures. Speculative accumulation of more than 500 waste tires is prohibited.

Compliance assistance is an important aspect of this program. Program activities include responding to telephone inquiries, letters, and contacts from other states, developing guidance documents, conducting site visits and providing technical advice. The Department has developed guidance documents to explain the proper use of waste tires for blow-out and bank stabilization. Direct financial assistance is also available through the Waste Reduction and Recycling Incentives Grant program, which is described later in this chapter.

Waste Tire Permit Totals, FY2010	
Permitting	
Renewed Hauler Permits	18
New Permits Issued	1

The waste tire compliance assurance program includes facility inspections, complaint investigations and appropriate enforcement actions. Compliance activities are included in the summary of activities for the Solid Waste Program.

Planning and Aid

Waste Planning and Aid includes the following programs: the Waste Reduction and Recycling Incentive Grants Program; the Litter Reduction and Recycling Grant Program; the Illegal Dumpsite Cleanup Program; and the Landfill Disposal Fee Rebate Program.

Staffing

The grant programs of the Planning and Aid Unit are administered through the cooperative effort of three Program Specialists and a Unit Supervisor. Duties include promoting the availability of grant funding, reviewing all grant applications, arranging for the Citizen Advisory Committee ranking, announcing grant awards, networking among all grant-funded programs, contributing to the development of the Nebraska Recycling Resource Directory, performing compliance inspections, and providing integrated waste management information to the public.

The Program Specialists also are responsible for monitoring each grantee's program activities, budget status, and equipment purchases. Quarterly performance reports on each grant-funded program are reviewed and direction is provided as needed.

The program staff gain feedback from the public regarding their grant-funded projects and activities, verify that activities are in line with the approved application, and inspect equipment during on-site inspections. Field office staff assist with on-site inspections.

In addition to the on-site compliance inspections, the Department conducts financial reviews of grant recipients. Staff review quarterly reporting records, ledgers, checkbook entries, bank statements, canceled checks, invoices, receipts, budget statements, and other appropriate documents to ensure grant funds are spent as approved by the Department.

Review Process

The Litter Reduction and Recycling Grant Program and the Waste Reduction and Recycling Grants Incentive Program both utilize a Program Priority System to rank applications received annually by the Department. Applications for funding assistance are prioritized by evaluating the following factors:

- Program Design and Implementation
- Program Impact
- Demonstrated Ability
- Matching Contributions

Each year, grant requests exceed the available funding. The NDEQ Director created the 24-member Citizen Advisory Committee to review all grant applications and rank them according to the Program Priority System. The Director relies heavily on the Citizen Advisory Committee's rankings when making grant awards.

Expected Service Life

The Planning and Aid Unit grant programs utilize an expected service life procedure for grant-funded equipment. The expected service life determines how long the grantee is responsible for equipment status reports to the Department and how long the Department maintains an interest in the equipment.

An expected service life is assigned to all equipment purchased with grant funds (in whole or in part) that has a value of \$1,000 or more per item. Equipment costing less than \$1,000 can be assigned an expected service life on a case-by-case basis. Purchase of equipment is documented at the time of purchase. When the grant is closed out, the grantee is provided a sticker to properly identify the equipment and is notified of the length of the expected service life.

Waste Reduction and Recycling Incentive Grants Program

In 1990, the Nebraska Legislature passed Legislative Bill 163, the Waste Reduction and Recycling Act, which created the Waste Reduction and Recycling Incentive Grants Program.

There are three sources of revenue for this program:

- A business fee on sales of tangible personal property, which generates about \$500,000 annually.
- A \$1 per tire fee on the retail sale of new tires in Nebraska, which generates about \$1.9 million annually;
- Fifty percent of the \$1.25 per ton disposal fee on solid waste disposed of in permitted landfills, which generates approximately \$1.2 million annually for grant awards.

The Waste Reduction and Recycling Incentive Fund provides grants to assist in financing sound integrated waste management programs and projects. These programs and projects may include, but are not limited to: recycling systems; market development for recyclable materials; intermediate processing facilities and facilities using recyclable materials in new products; yard waste composting and composting with sewage sludge; waste reduction and waste exchange; household hazardous waste programs; the consolidation of solid waste disposal facilities and use of transfer stations; and incineration for energy recovery. A portion of the grants is also obligated to fund scrap tire recycling or reduction projects.

LB 592, passed in 1999, provides for multi-year renewable grants to political subdivisions. Priority for multi-year grants is given to applicants who address the first component of the solid waste hierarchy, waste reduction, which also includes reducing the toxicity of waste. Additionally, priority is given to those that indicate regional participation. Multi-year grants are limited to 50 percent of the fees available in the Waste Reduction and Recycling Incentive Fund after rebates, and can be renewed for a period of up to five years. Applicants for multi-year grants must submit an updated integrated solid waste management plan.

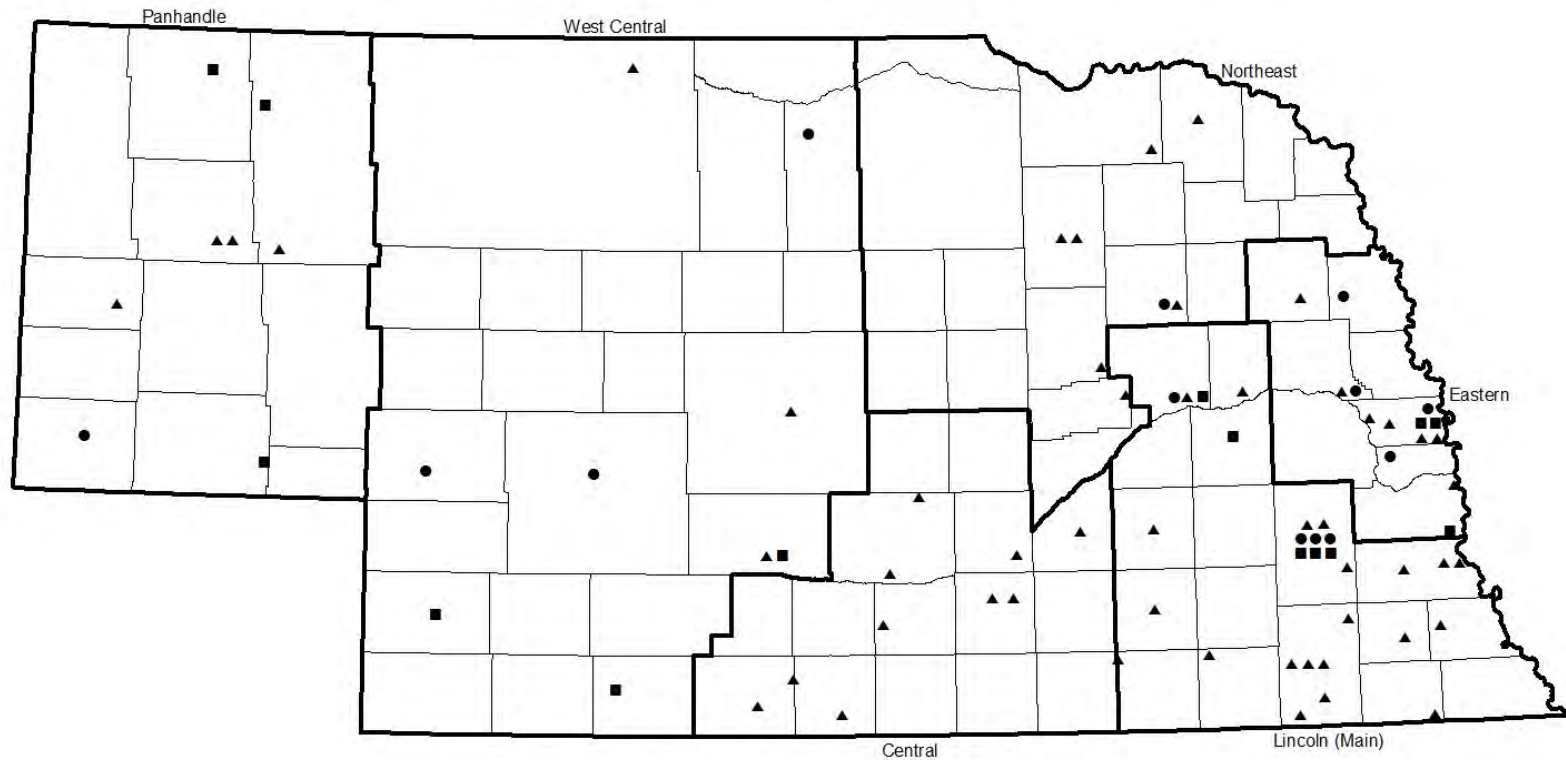
The Deconstruction Grants Program was created by LB 180, passed in 2009. Through this bill, the Waste Reduction and Recycling Act was expanded to include grants for the reimbursement of costs of smaller counties and cities for the deconstruction of abandoned buildings, and to encourage the reuse and recycling of the building's materials.

Fund Summary**Waste Reduction and Recycling Fund
July 1, 2009 - June 30, 2010**

Fund Balance June 30, 2009	\$ 5,422,690
Revenues:	
New Tire Fees	1,795,340
Business Fees	482,793
Solid Waste Disposal Fee	1,188,740
Interest, Grant Returns	233,453
Net Collections for Year	\$ 3,700,326
Expenditures:	
Administration	304,367
FY 2010 Grant Funds Expended	3,514,132
Legislative Reduction in Fund	1,608,863
Total Expenditures FY 2010	\$ 5,427,362
Fund Balance June 30, 2010	\$ 3,695,654

Summary of Activities - For FY2010, the Department awarded \$2,442,902 for Waste Reduction and Recycling Incentive Grants to 79 projects. Thirteen of these grants were awarded from the Business Fee category (\$423,075), 14 were awarded from the Disposal Fee category (\$1,019,827), and 52 received grants from the funds prioritized for scrap tire projects (\$1,000,000). The following map shows the locations across Nebraska that received funds.

Waste Reduction and Recycling Incentive Grants Program 2010 Grant Awards



■ Disposal Fee	\$1,019,827	14 grants, including 5 regional
● Business Fee	\$423,075	13 grants, including 1 statewide
▲ Tire Projects	\$1,000,000	52 grants, including 3 regional
Total	\$2,442,902	79 grants

October 2010

Litter Reduction and Recycling Grant Program

The Litter Reduction and Recycling Grant Program has been in existence since 1979. Its purpose is to provide funds to support programs to reduce litter, provide education, and promote recycling in Nebraska.

Funds from this program are provided from an annual fee assessed to manufacturers, wholesalers, and retailers having gross receipts of at least \$100,000, on products that commonly contribute to litter. For manufacturers, the annual litter fee is equal to \$175 for each million dollars of products manufactured. The annual litter fee for wholesalers and retailers is equal to \$175 for each million dollars of sales made in the state. Approximately \$1.8 million is received annually.

The annual litter fee is imposed on products in the following categories:

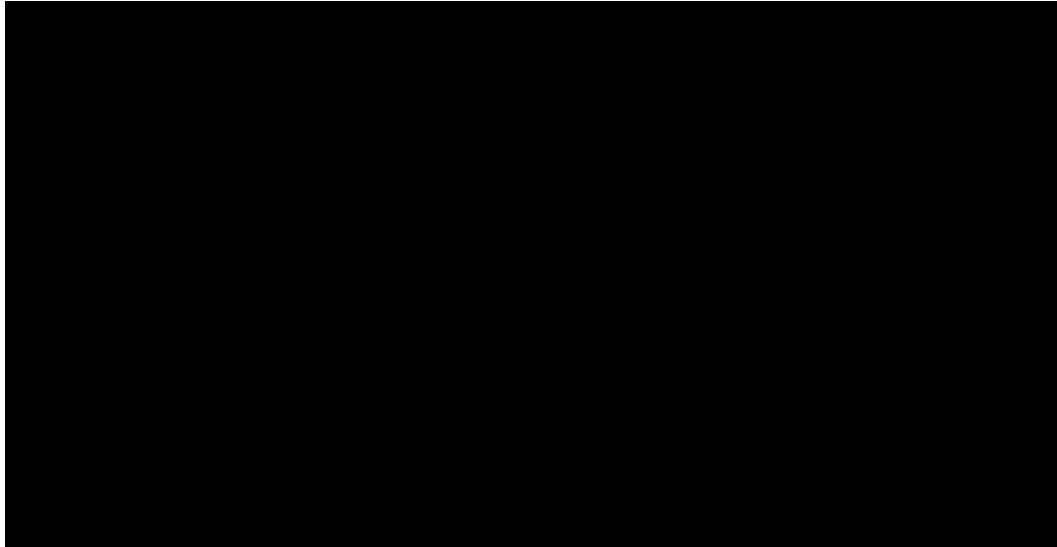
- Food for human consumption, beverages, soft drinks, carbonated water, liquor, wine, beer, and other malt beverages, unless sold by retailers solely for consumption indoors on the retailer's premises;
- Food for pet consumption;
- Cigarettes and other tobacco products;
- Household paper and household paper products;
- Cleaning agents; and
- Kitchen supplies.

Fund Summary

Litter Reduction and Recycling Fund July 1, 2009 - June 30, 2010

Fund Balance June 30, 2009	\$	556,614
Revenues:		
Litter Taxes Collected		1,799,257
Interest, Grant Returns		96,779
Net Collections for Year	\$	1,896,036
Expenditures:		
Department of Environmental Quality Administration		270,886
FY 2010 Grant Funds Expended		1,815,443
Total Expenditures FY 2010	\$	2,086,329
Fund Balance June 30, 2010	\$	366,321

In FY2010, \$1,893,244 was awarded from the Litter Reduction and Recycling Grant Program. Grant funding is awarded to several types of programs; Keep America Beautiful affiliates, non-profits, private businesses, and public entities. Many of these programs utilize the Litter Reduction and Recycling Grant Program funds to leverage additional dollars for a comprehensive, statewide approach to litter reduction and recycling. Below is a chart reflecting 2010 grantees.



2010 Grant Allocations

In FY2010, the Department gave 68 Litter Reduction and Recycling Grant Program awards to organizations in Nebraska. The breakdown is as follows:

Public Education	(29%) 21 grants	\$ 547,595
Cleanup	(4%) 14 grants	\$ 76,575
Recycling	(67%) 33 grants	<u>\$ 1,269,074</u>
		\$ 1,893,244

Public Education

In FY2010, 21 grants totaling \$547,595 were awarded under the category of public education. The Public Education programs educate citizens in the areas of litter reduction, cleanup, and recycling through a variety of individual and community activities. The citizens of Nebraska are cultivating a greater awareness of their impact on the environment through their purchasing and disposal actions. The educational programs are an excellent means of providing information on proper waste disposal, recycling, and available products that contain recycled material. Priority is given to programs that promote markets for recycled materials or purchasing products made from recycled materials.



Cleanup

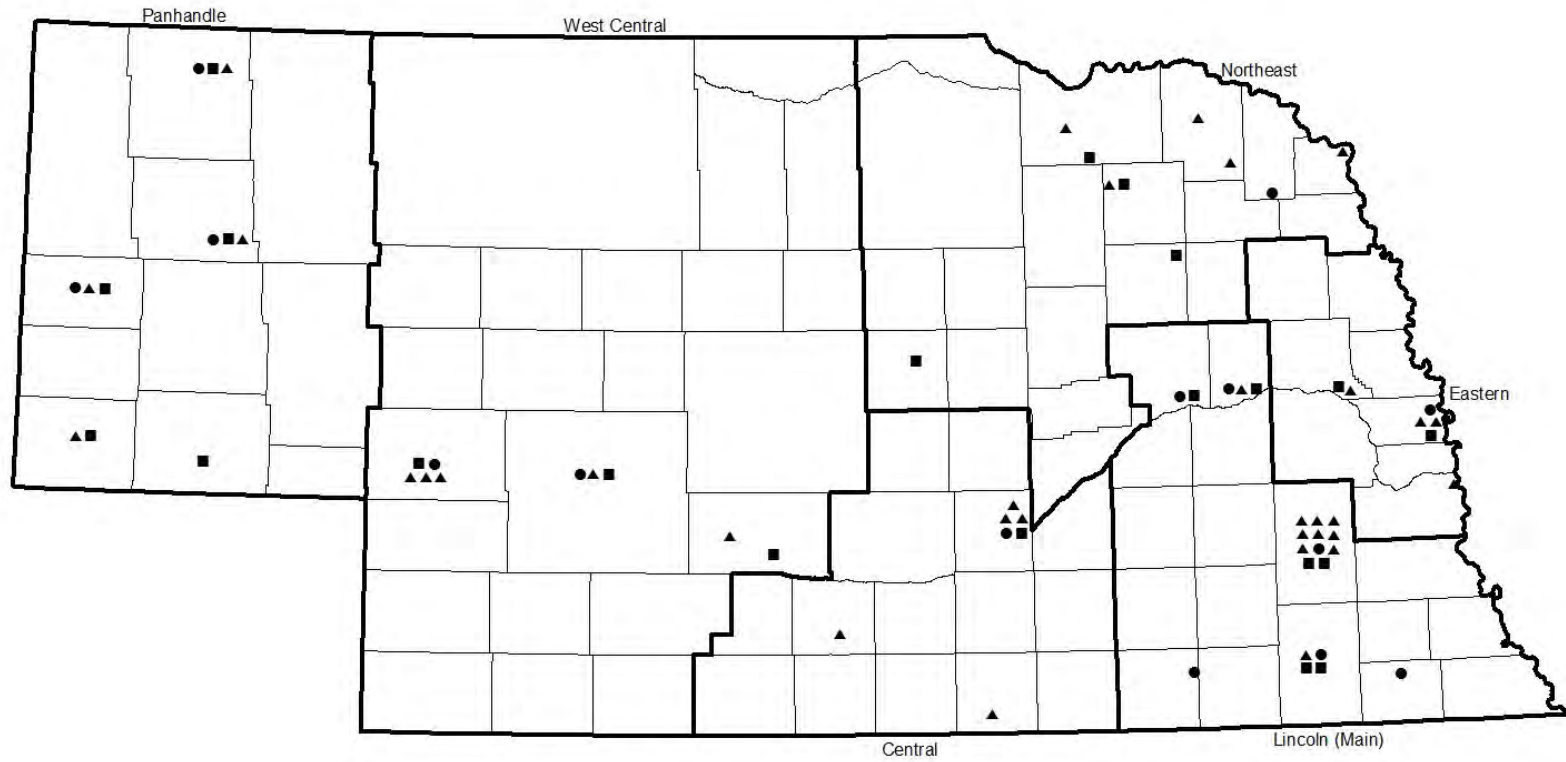
In FY2010, 14 grants totaling \$76,575 were awarded under the category of cleanup. The cleanup programs utilize Nebraska residents of all ages to pick up litter and debris along Nebraska's highways, waterways, recreation lands, urban areas, and other public use areas within the state. Not only are the public areas improved through the removal of litter and debris, but also much of the material collected during the cleanups is recycled. The recycling proceeds are often utilized to benefit the respective programs.

Recycling

In FY2010, 33 grants totaling \$1,269,074 were awarded under the category of recycling. The recycling programs provide an alternative to the disposal of solid waste in Nebraska's landfills. The programs recycle more than just aluminum, paper, glass, and plastic. Materials such as electronic computer components, paint, aerosol cans, fertilizer, pesticides, and household hazardous waste are collected and either reprocessed to be used again or are disposed of in an environmentally friendly manner. Recycling conserves our natural resources, landfill space, and energy. Jobs are created and revenue is generated through the opportunities that recycling provides. Recycling efforts that promote the purchase of recycled content products continue to receive priority for funding. This support helps to "close the loop" and enhance the recycling efforts in Nebraska.

A map showing the location of the recipients follows on the next page.

Litter Reduction and Recycling Grant Program 2010 Grant Awards



■ Public Education	\$547,595	21 grants, including 1 statewide and 1 regional
● Cleanup	\$76,575	14 grants
▲ Recycling	\$1,269,074	33 grants, including 3 statewide and 2 regional
Total	\$1,893,244	68 grants

Illegal Dumpsite Cleanup Program

The Illegal Dumpsite Cleanup Program, established in 1997, is a cleanup program which provides funding assistance to political subdivisions for the cleanup of solid waste disposed of along public roadways or ditches. Through this program, items such as household waste, white goods, construction and demolition waste, and furniture are removed from the illegal site and disposed in a permitted facility or recycled.

Funding for this program is limited to five percent of the total revenue from the disposal fee collected from landfills in the preceding fiscal year. Approximately \$130,000 is available annually. The Department is encouraging municipalities, counties, and other political subdivisions to submit applications for the reimbursement of cleanup efforts. In FY2010, the program provided \$60,065 to 6 recipients.

Landfill Disposal Fee Rebate Program

The Landfill Disposal Fee Rebate Program was created as an incentive to political subdivisions to support and encourage the purchasing of products, materials, or supplies that are manufactured or produced from recycled material. Funding for the program is drawn from the Waste Reduction and Recycling Incentive Fund.

Under the program, which was created in 1994, any municipality or county may apply for a rebate if they have a written purchasing policy in effect requiring a preference for purchasing products, materials or supplies which are manufactured or produced from recycled material. If the policy is approved by NDEQ, the applicant may receive a 10-cent rebate from the \$1.25 per ton disposal fee. Rebates are provided no more than quarterly and no less than annually. In FY2010, the program provided \$74,772 to 11 recipients.