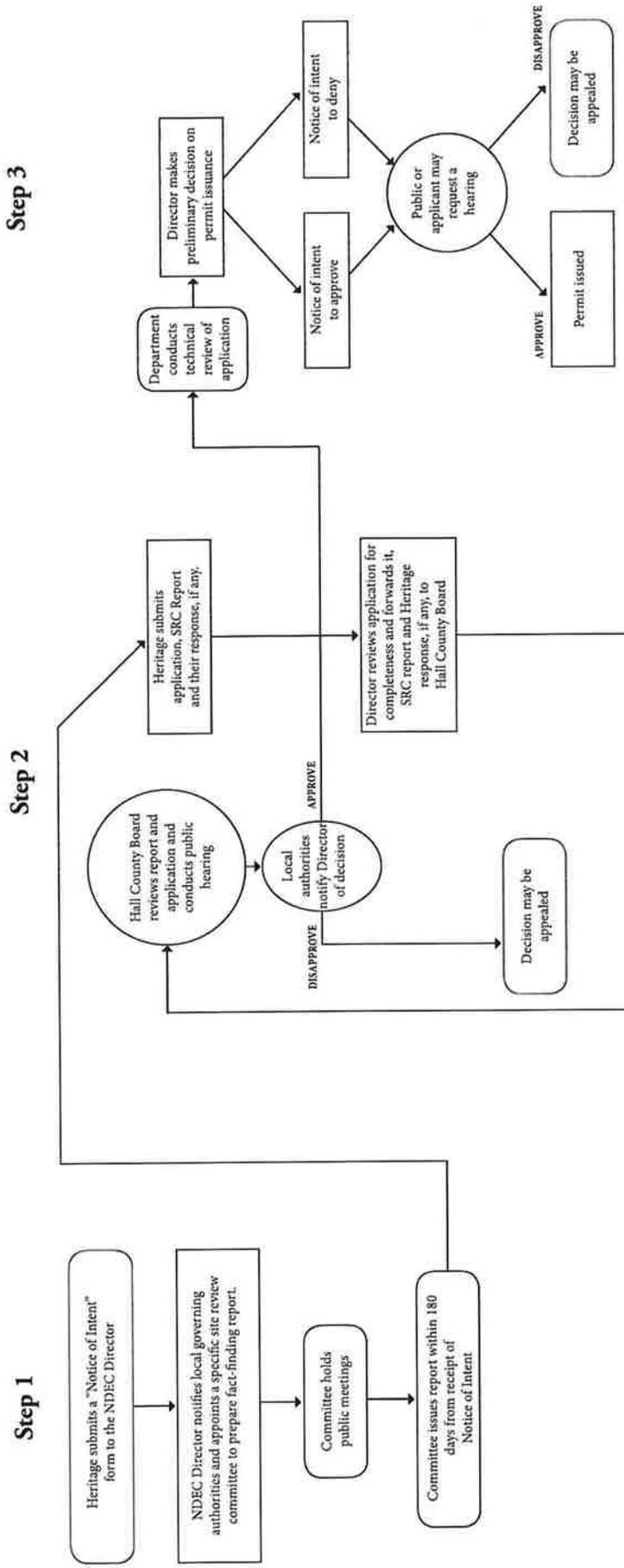
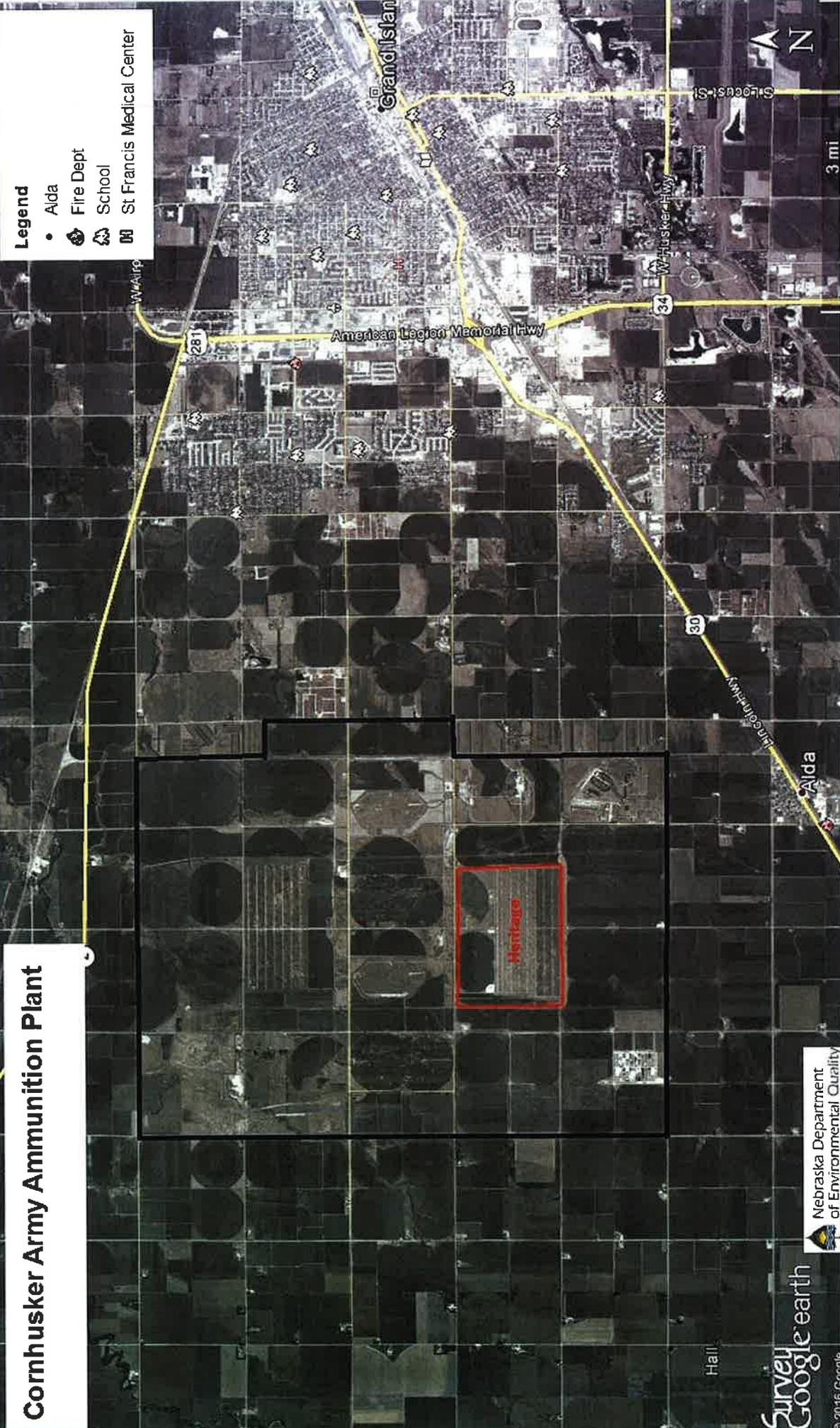


Commercial Hazardous Waste Management Facility Siting Process



Cornhusker Army Ammunition Plant



**Factors the Site Review Committee
is to Consider
Pursuant to Statute**

- 1. Economic considerations**
- 2. The functioning and management
of the facility**
- 3. Technologies that will be used**
- 4. Site characteristics**
- 5. Environmental implications**
- 6. Transportation implications**
- 7. Emergency response**
- 8. Enforcement and regulation**

Frequently Asked Questions

Heritage Commercial Hazardous Waste Management Facility Site Review Committee – Frequently Asked Questions

What is the purpose of the Heritage Site Review Committee?

The Site Review Committee (SRC) was formed to comply with the provisions of Nebraska statute sections Nebraska Rev. Stat. §81-1521.08 through 81-1521.23. Specifically, §81-1521.09 states, “The purpose of establishing the committee shall be to provide for early public involvement in the consideration of a proposed facility.” With few exceptions when a business applies for a permit from the Nebraska Dept. of Environmental Quality (NDEQ) there is no opportunity for public input until NDEQ has reviewed the application and public noticed intention to approve or deny the proposal.

How was the Site Review Committee formed?

The SRC is comprised of 12 individuals; six regional representatives selected by the Director of NDEQ, and six local representatives selected by a combination of local governments; one by the Mayor of the Village of Alda, one by the City Administrator or Mayor of Grand Island and four by the Chair of the Hall County Board. The six individuals selected by local governments represent the interests of the general citizens and the regional representatives have expertise in specific areas of interest: environmental, academic, industry, community planning, public interests and medical.

What are Site Review Committee members expected to do?

The SRC must submit a report to the Director of NDEQ within 180 days (October 19, 2016) of the receipt of the Heritage Notice of Intent. The report will summarize the discussions that occurred during SRC deliberations. The statutes require the SRC to consider the following factors: economic considerations, the functioning and management of the facility, technologies that will be used, site characteristics, environmental implications, transportation implications, emergency response, and enforcement and regulatory. It is important to note these are the factors statute specifies. The SRC may consider other factors as well. The final report will identify the issues that were raised and resolved, issues which were not resolved, and discuss unanswered questions and why they were not answered.

How long will the Site Review Committee be in existence?

The SRC will complete their work when the final report is issued. The goal is to issue the report by October 19th. It is possible, with agreement between the SRC and Heritage, that the deadline for the final report could be extended. However, the goal is to complete work within the statutory timeframe. If Heritage proposes changes to their facility application after the SRC has completed their work, the Director of NDEQ could ask the SRC to review those changes and amend their report as appropriate.

How many times will the meetings of the Site Review Committee be conducted and how often will they meet? What will be the time commitment?

These are questions that the SRC will have to decide. The Director of NDEQ serves as temporary chair for the first meeting. It is the responsibility of the SRC to elect a chair at the first meeting; decisions as to how meetings will be conducted and how often the SRC will meet will be decided by the SRC. NDEQ staff will serve as a resource for the SRC and will help facilitate the functioning of the SRC. Additionally, statutes require NDEQ to provide the services of a professional facilitator to assist the SRC in their deliberations including setting agendas, recording minutes of the meetings, and drafting the final report.

How often has this process occurred?

The statute was passed in 1987. It has only been used once, in 1991. Van Waters and Rogers, a company located in Omaha, intended to apply for a permit to operate a commercial hazardous waste storage facility and submitted their Notice of Intent. A SRC was formed and their report was submitted to the Director of NDEQ. However, before the company submitted their application for review, they elected to modify their method of operation and a permit was not required. Thus, the process was not followed to completion.

What happens to the Site Review Committee's final report?

Once the SRC submits their report to the Director, Heritage can then submit their permit applications to NDEQ which will review the applications for completeness. However, a technical review will not occur at that time. The Director submits copies of the applications and a copy of the SRC's final report to the Hall County Board. The Hall County Board must hold a hearing within 45 days of receipt from NDEQ of the applications and SRC report. The Hall County Board has 180 days to approve or deny the proposal by Heritage. If the Heritage proposal is approved by the Board, NDEQ will begin the technical review of the application. If the proposal is denied by the Board, NDEQ will take no further action.