

BEFORE THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF )  
The Village of Amherst )  
Buffalo County, Nebraska )  
F.I.D. #057881 )  
Respondent. )

CASE NO. 3002  
AMENDED  
CONSENT ORDER

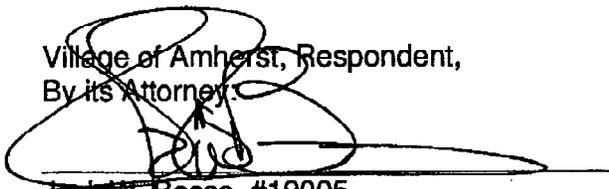
The Department of Environmental Quality (DEQ) and the Respondent, the Village of Amherst, voluntarily enter into this Amended Consent Order. The previously entered Consent Order in this case, signed August 18, 2010, shall stay in full force and effect, except paragraph 6, which is amended to the following:

- "6. The Parties agree as follows:
- a. By September 15<sup>th</sup>, 2012, Respondent shall complete calibration of water meters at all registered wells which feed into the Village wastewater system;
  - b. By September 15<sup>th</sup>, 2012, Respondent shall develop drawings and specifications to replace and/or install water service meters;
  - c. By October 1<sup>st</sup>, 2012, Respondent shall evaluate the use of any private wells in the community;
  - d. By October 1<sup>st</sup>, 2012, Respondent shall evaluate any significant leaks in the water distribution system;
  - e. By October 1<sup>st</sup>, 2012, Respondent shall evaluate the use of any commercial or residential heat pumps and any cooling systems that may discharge to the wastewater collection system;



- f. By October 1<sup>st</sup>, 2012, Respondent shall evaluate any other water use and wastewater discharge practices of businesses;
- g. By October 1<sup>st</sup>, 2012, Respondent shall evaluate the wastewater collection system via closed-circuit television inspection
- h. By October 1<sup>st</sup>, 2012, Respondent shall determine the sludge depth in the existing lagoons;
- i. By January 1<sup>st</sup>, 2013, Respondent shall complete installation of new water meters;
- j. By January 1<sup>st</sup>, 2013, Respondent shall develop a price structure to encourage water conservation;
- k. By January 1<sup>st</sup>, 2013, Respondent shall properly disconnect, or make other appropriate accommodations for, any commercial or residential heat pumps and any cooling systems that currently discharge to the Village wastewater collection system;
- l. By January 1<sup>st</sup>, 2014, Respondent shall submit to NDEQ construction plans, drawings, specifications, and all necessary permit applications, in order to make all necessary modifications to the wastewater system so that operation will comply with permit limits, prevent sanitary sewer overflow, and comport with all relevant laws and regulations.
- m. By October 1<sup>st</sup>, 2014, Respondent shall complete construction of the necessary modifications in accordance with the plans and specifications approved by NDEQ. Once construction is complete, Respondent shall operate its wastewater treatment facility in accordance with all relevant statutes and NDEQ rules and regulations.”

Village of Amherst, Respondent,  
By its Attorney:



Jack W. Besse, #19005  
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Marsh, P.C.,  
1323 Central Avenue, P.O. Box 10  
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Nebraska Department of Environmental  
Quality, Petitioner, By:



Lydia Fiedler, #24144  
Nebraska Dept. of Environmental Quality  
1200 N Street, Suite 400  
P.O. Box 98922  
Lincoln, NE 68509  
(402) 471-3173

BY THE NEBRASKA DEPARTMENT OF  
ENVIRONMENTAL QUALITY:



Michael J. Linder, Director, Nebraska

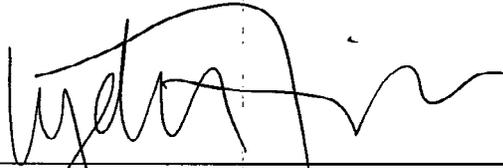
August 14 2012  
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Amended Consent Order was served by certified United States mail, postage prepaid, return receipt requested on the 15<sup>th</sup> day of August 2012, upon the following:

Mr. Alvin Bosshamer, Chairman  
Amherst Village Board  
P.O. Box 97  
Amherst, Nebraska 68812

Jack W. Besse  
Knapp, Fangmeyer, Aschwege, Besse & Marsh, P.C.  
P.O. Box 10  
Kearney, Nebraska 68848-0010



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Lydia Fiedler  
Attorney