

This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

Coverage Under General Permits Fact Sheet

Construction of most onsite wastewater systems in Nebraska are authorized by the General Permits and do not require a construction permit from the State of Nebraska. Construction of an onsite wastewater system is authorized by the General Permits and no [construction permit](#) is required if all the following conditions are met:

- The design flow is 1,000 gallons per day or less;
- The wastewater is domestic wastewater;
- The system does not endanger human health or cause pollution; and
- The system meets all the provisions for design, setback distances and reserve area prescribed in [Title 124 - Onsite Wastewater Treatment Systems](#).

Construction of a mound system is not covered by the general permits except for a mound system designed and constructed under the direct supervision of a certified Master Installer with [Mound System Endorsement](#), a Professional Engineer, or a Registered Environmental Health Specialist in accordance with the requirements specified in [General Permit GMS220000 Mound System](#) for an endorsed mound system design.

The construction, reconstruction, alteration, or modification of an onsite wastewater system requires a [construction/operating permit](#) if any of the following conditions apply:

- The domestic wastewater design flow is more than 1,000 gallons per day;
- The design flow includes wastewater other than domestic;
- The system may endanger human health or cause pollution; and
- The system cannot meet all the provisions for design, setback distances and reserve area prescribed in the general permits, including:
 - Soil percolation rates slower than 60 minutes per inch;
 - There is less than 4-foot separation from bottom of trench to groundwater; and
 - Construction of a household lagoon on a lot with less than three acres.

Domestic wastewater does not include process waste from any industrial, agricultural, or commercial establishment, automotive or industrial chemicals or petroleum products, kitchen

waste or wastewater from a restaurant or food preparation facility, water carrying animal waste or commercial process water or wastewater. Examples of facilities that may need to obtain a [permit](#) as a result of the quantity and/or quality of wastewater generated include:

- Trailer Parks/Campgrounds;
- Laboratories;
- Restaurants;
- Dog Kennels/Veterinary Clinics;
- Wineries;
- Motor Vehicle and Equipment Repair and Maintenance Shops; and
- Churches

When an onsite wastewater treatment system requires a [permit](#) in accordance with Title 124 the owner must obtain a construction permit from the Department prior to start of the work and an operating permit from the Department prior to use of the system. The construction permit and the operating permit for a single system are covered by one application.

In addition to the requirements of Title 124 and General Permits, all subsurface disposal systems having the capability to accept sanitary waste generated by 20 or more persons, or the fluid flow of greater than 1,000 gallons per day, or onsite wastewater treatment systems receiving non- domestic wastes may be subject to [Title 122 - Rules and Regulations for Underground Injection and Mineral Production Wells](#).

Related information:

[Application and Instructions for Construction/Operating Permit](#)

[Owner Construction/Operating Permit Checklist Notification of Construction Completion](#)

[Fee schedule](#)