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Unregulated Hazardous Waste Land Disposal Ban

Land disposal of unregulated hazardous waste is prohibited in Nebraska. The ban went into effect on September 1, 1996. Many questions are still raised regarding the disposal of unregulated hazardous waste at permitted Municipal Solid Waste (MSW) landfills.

What is “unregulated hazardous waste”?

Title 132 – Integrated Solid Waste Management Regulations, Chapter 1, §140, states:

“**Unregulated Hazardous Waste**” shall mean hazardous waste generated by a Conditionally Exempt Small Quantity Generator (**CESQG**), which contains free liquids, or is in solid form in a quantity greater in size or volume than 5 gallons or in a quantity greater in weight than 19.5 kg (43 lbs), provided, however, that these quantity limits are daily maximum values. For purposes of this definition, unregulated hazardous wastes, except household waste, shall be prohibited from land disposal on and after September 1, 1996. This provision does not apply to household hazardous waste.”

What is banned from land disposal?

A CESQG can generate up to 100 kg (220 lbs) of hazardous waste in a calendar month. Previously this material could be disposed of in a MSW landfill. Following the unregulated hazardous waste land disposal ban a few key changes were applied to the unregulated waste.

1. All liquid hazardous waste generated by CESQGs is now banned from MSW landfills.
2. Solid hazardous waste, generated by a CESQG in excess of 19.5 kg (43 lbs) by weight per day, is banned from MSW landfills. (this is approximately a 5 gallon bucket in volume)

What can still be disposed of at the municipal solid waste landfill?

CESQGs may still dispose of *up to* 5 gallons/19.5 kg (43 lbs) of *solid* hazardous waste per day. This waste must not have a liquid component and be able to pass a paint filter test before allowed in a MSW landfill. CESQGs may dispose of up to 100 kg (220 lbs) of solid hazardous waste in a calendar month in this way.

Household hazardous waste continues to retain its exemption status under Title 128 – Nebraska Hazardous Waste Regulations, Chapter 2, §009.

NDEE recommends checking with your local MSW Landfill prior to disposal of hazardous waste, as local city or county ordinances may be more stringent.

RESOURCES:

- NDEE Home Page <http://dee.ne.gov/>

Contacts:

- NDEE Front Desk (402) 471-2186
- NDEE Toll Free Number (877) 253-2603
- NDEE Hazardous Waste Compliance Assistant (402) 471-8308
- Email questions to: NDEE.moreinfo@nebraska.gov

NDEE Publications:

- [Title 128 – Nebraska Hazardous Waste Regulations](#)
- [Title 132 – Integrated Solid Waste Management Regulations](#)
Titles are available on the NDEE Home Page under “Laws/Regs & EQC”, “Rules & Regulations”

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