

E-Mail from Director Bradley

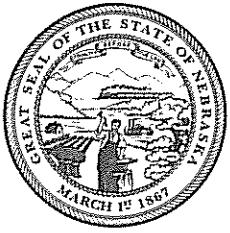
Hello Fellow Papio-Missouri NRD Board Members and Personnel,

I am hereby giving you all an advanced notice as possible about the Public Hearing for Abe's Trash Service, Inc. Construction and Demolition Waste Landfill request for expansion. There will be a public information session at 4:30 to 6:00p.m. at Bennington Legion Club, 15312 S 2nd Street, Bennington, NE on August 27, 2009. Then at 7:00p.m., a public hearing.

I do not want this e-mail to be terribly long. I will testify as the Minority Populations Representative of the Environmental Quality Council. The Papio-Missouri NRD Board will discuss their position at the August Board meeting. I will not be in attendance (vacation). I have explained my concerns before. The Washington County Board voted for the expansion of Abe's Trash Service to take place. In the State of Nebraska, Construction and Demolition (C&D) landfills do not need a liner, NDEQ Title 132-Integrated Solid Waste Management Regulations. I have more-than-once told you all how I feel about the State of Nebraska's lax environmental rules and enforcement. There are very real concerns with this issue. One) the local people near Abe's are very concerned about their drinking water. As I understand, there are monitoring wells in place, but Abe's has refused to get them up and running. If there is not any worry by NDEQ officials about potential contamination, then why not have the monitoring wells operating? Pass the cost to the customer. Two) down slope from the proposed expansion site is a feeder stream for Lake Cunningham. (That water should be officially tested all 4 seasons by NDEQ). There are wetlands areas within the stream watershed that precedes Lake Cunningham. Papio-Missouri NRD is allocating public tax dollars for Lake Cunningham that includes a Marina project. The City of Omaha and the Nebraska Game and Parks Commission are also allocating funding for Lake Cunningham. I will insure they have representation at the Public Hearing. Three) the geomorphology of the landfill site is very much the same as the closed landfill on nearby State street. As I understand, groundwater contamination took place because of no liner required by the State of Nebraska. Also, nearby Vickers site had a contaminated plume migrating downslope into neighborhoods close to Northwest High School. Same type of soils and geomorphology. Four) Abe's Trash Service is inspected by the NDEQ only once a year.

Of course we need C&D landfills in our state. Abe's has stepped up and provided the service. Abe's also will get a fair chance to explain themselves to a larger audience than was provided at the Washington County Board meeting. I am requesting that any members of the Papio-Missouri NRD Board attend the meeting, and/or have a staff member attend. I also am requesting the Papio-Missouri NRD Board vote to voice their concerns about the C&D landfill. It is our civic duty for the people to look into the matter at a greater depth than was previously done. Perhaps Abe's can install a liner and complete monitoring wells. Although the State Law does not dictate a liner and wells, the immediate geomorphology does. Will suburban sprawl reach that area one day? Abe's has a chance to be in the forefront of the Green Revolution of Nebraska. A good marketing tool I would think. Anyway, thank you for your time. If I in any way misrepresented the facts I apologize. I may forward this long e-mail to other governmental agencies and media outlets so I do not have to rewrite over and over.

Larry Bradley
Papio-Missouri NRD
(402)213-4282
District 3



Dave Heineman
Governor

STATE OF NEBRASKA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Michael J. Linder

Director

Suite 400, The Atrium

1200 'N' Street

P.O. Box 98922

Lincoln, Nebraska 68509-8922

Phone (402) 471-2186

FAX (402) 471-2909

website: www.deq.state.ne.us

JUL 15 2009

JUL 20 2009

Gary Bowen
Papio-Missouri River NRD
8901 South 154th St.
Omaha, NE 68138-3621

Re: Abe's Trash Service, Inc. Construction & Demolition Waste Landfill
Permit No. NE0204081
Facility ID No. 63341

Dear Mr. Bowen:

Enclosed is a copy of the legal notice announcing the intent of the Nebraska Department of Environmental Quality to conduct a public hearing regarding the permit decision for Abe's Trash Service, Inc. Construction & Demolition Waste Landfill in Washington County, Nebraska.

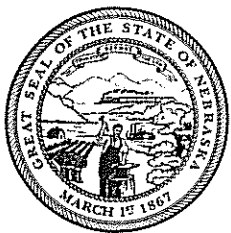
If you have any questions, please contact Dave Johnson or William Gidley at (402) 471-4210.

Sincerely,

Candi Bazata
Candi Bazata

Waste Management Division

Enclosure



Dave Heineman
Governor

STATE OF NEBRASKA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Michael J. Linder

Director

Suite 400, The Atrium

1200 'N' Street

P.O. Box 98922

Lincoln, Nebraska 68509-8922

Phone (402) 471-2186

FAX (402) 471-2909

website: www.deq.state.ne.us

PUBLIC NOTICE OF INTENT TO CONDUCT A PUBLIC HEARING FOR ABE'S TRASH SERVICE, INC CONSTRUCTION AND DEMOLITION WASTE LANDFILL

**Nebraska Department of Environmental Quality
1200 N Street, Suite 400, The Atrium
P.O. Box 98922
Lincoln, Nebraska 68509-8922**

Notice is hereby given pursuant to Title 132 - Integrated Solid Waste Management Regulations, Chapter 2, section 011, that the Nebraska Department of Environmental Quality (NDEQ) is conducting a public hearing regarding the decision to modify the permit to Abe's Trash Service, Inc., 8123 Christiansen Lane, Omaha, NE to operate a construction and demolition waste landfill in accordance with Title 132, the Integrated Solid Waste Management Act and Nebraska Environmental Protection Act (Reissue 1999, Cum. Supp. 2006). The site is generally described as the E ½, SW ¼ + W ½, SE ¼, Section 33, Township 17 North, Range 12 East of the 6th Principal Meridian, Washington County, Nebraska. The hearing will focus on environmental issues associated with the landfill, and other issues as outlined in State regulations and statutes within the jurisdiction of NDEQ.

The public hearing will be held on August 27, 2009 in the Bennington Legion Club, 15312 S 2nd Street, Bennington, NE and will start at 7:00 p.m. A public information session will be held at the same location from 4:30 to 6:00 p.m. The public information session is an open forum and the public is invited to come and visit with Nebraska Department of Environmental Quality staff about concerns with the requested modification to enlarge the permitted fill area of the construction and demolition waste landfill.

After the public hearing, the Director shall make a final decision. The applicant and other interested persons shall be notified of the decision.

Please notify the Nebraska Department of Environmental Quality if alternate formats of material are needed by August 12, 2009. Contact telephone number is (402) 471-2186. TDD users please call 711 and ask the relay operator to call us at (402) 471-2186. Further information may be obtained from Mr. William Gidley, Waste Management Section, (402) 471-4210.

Abe's Landfill Site

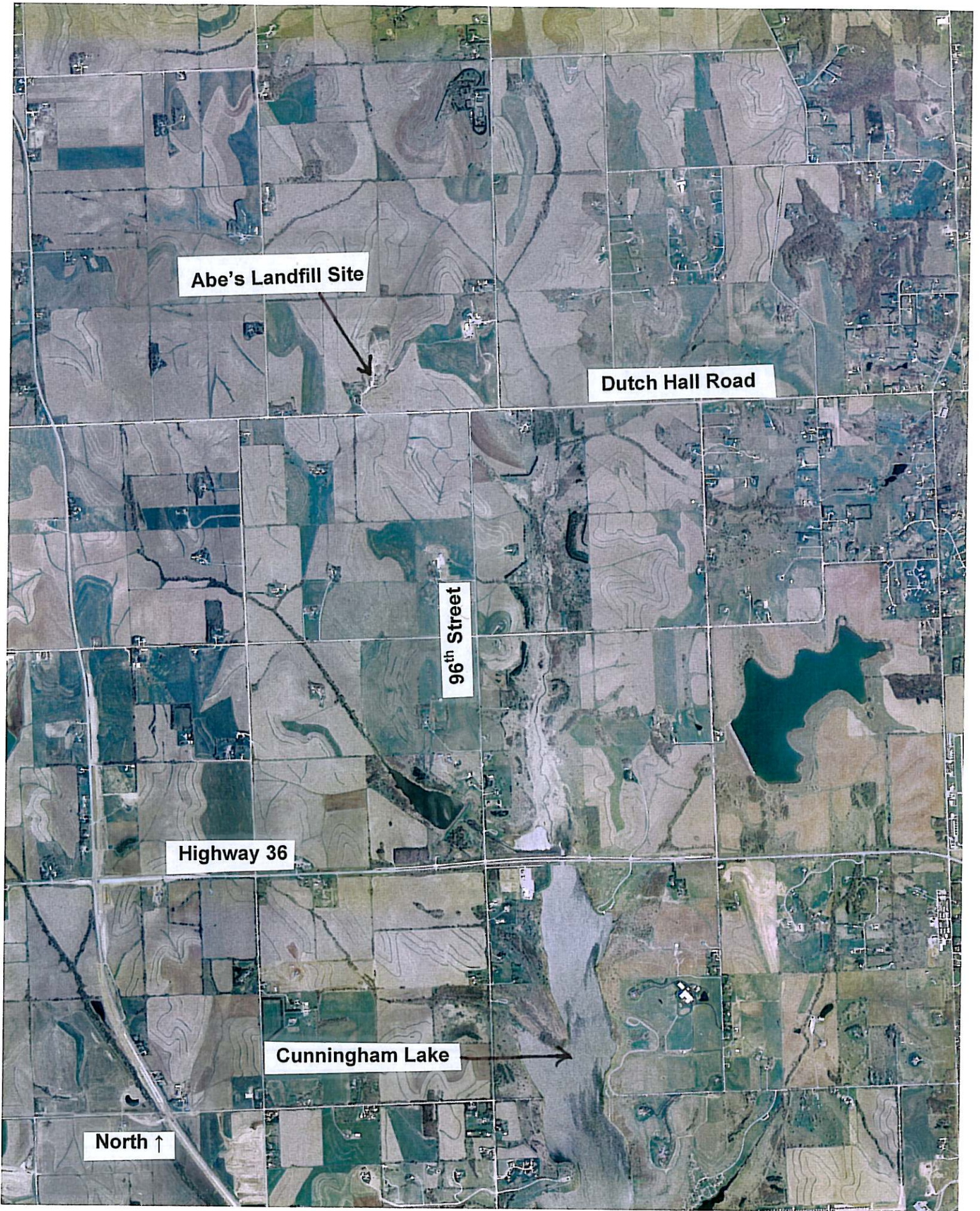
Dutch Hall Road

96th Street

Highway 36

Cunningham Lake

North ↑



From NDEQ Title 132 Chapter One - Definitions

"021 "Construction and demolition waste" shall mean waste which results from land clearing, the demolition of buildings, roads or other structures, including, but not limited to, fill materials, wood (including painted and treated wood), land clearing debris other than yard waste, wall coverings (including wall paper, paneling and tile), drywall, plaster, non-asbestos insulation, roofing shingles and other roof coverings, plumbing fixtures, glass, plastic, carpeting, electrical wiring, pipe and metals. Such waste shall also include the above listed types of waste that result from construction projects. Construction and demolition waste shall not include friable asbestos waste, special waste, liquid waste, hazardous waste and waste that contains polychlorinated biphenyl (PCB), putrescible waste, household waste, industrial solid waste, corrugated cardboard, appliances, tires, drums, and fuel tanks."

**Application for Major Modification
For
Construction and Demolition Waste Disposal Area Permit**

**Abe's Trash Service, Inc.
8123 Christensen Lane
Omaha, NE 68122**

Executive Summary

Abe's Trash Service, Inc. is requesting a lateral expansion of their existing Construction and Demolition Waste Disposal Area located in the E ½ SW ¼ and W ½ SE ¼, Section 33, T17N, Range 12E, Washington County, Nebraska. This site is within a farmed area north and west of the intersection of 96th Street and Dutch Hall Road near Fort Calhoun, Nebraska.

The site is operated by Abe's Trash Service, Inc. for exclusive use by Abe's Trash Service, Inc. Abe's Trash Service, Inc. is a locally owned and operated family business in Washington County with more than 50 employees. The site is owned by John H. Christensen. Materials to be placed in such disposal area shall be limited to construction and demolition debris. Future operation of the site is to be consistent with current operations including recycling and composting. There is no expected increase in daily traffic due to the expansion at this site.

The request is being made at this time to allow the fill sequence to proceed in a northerly manner and fill to the proposed plan while maintaining storm water drainage. Local siting approval for the proposed expansion was received from Washington County on October 30, 2008.

The expansion will serve to increase the site life of the existing Construction and Demolition Waste Disposal Area by more than 50 years based on current fill rates. The anticipated average amount of material received per year based on current acceptance is approximately 45,780 cubic yards. The future size of the permitted fill area is to be 47.78 acres (2,081,405 s.f.). This is an increase of the permitted fill area from 24.19 acres (1,053,775 s.f.). The lateral expansion is generally northerly and easterly from the existing permitted fill area. A small portion of the landfill adjacent to the existing high point will increase in height by two feet to maintain adequate drainage. The available air space volume will increase from 1,112,000 cubic yards to 3,118,000 cubic yards.

The existing site completed the local Washington County siting in 1997 and is currently permitted by the Nebraska Department of Environmental Quality (NDEQ) to operate through February of 2013. The site is currently operated in compliance with all NDEQ and Washington County regulations.

SCALE: AS SHOWN	DATE: 6-5-08	DRAWN BY: ASB	CHECKED BY: DAK
REVISIONS:			

EXHIBIT TO LEGAL DESCRIPTION

ATTACHMENT 1

ABE'S TRASH SERVICE, INC.

THOMPSON, DREESSEN & DORNER, INC.
 Consulting Engineers & Land Surveyors
 10930 OLD MILL ROAD OMAHA, NEBRASKA 68154
 EMAIL: TD2MAIL@TD2CO.COM
 WEBSITE: WWW.TD2CO.COM
 PHONE: 402.330.8860 FAX: 402.330.5866



975-107
 975107EX.DWG

LEGAL DESCRIPTION

THAT PART OF THE SOUTH 1/2 OF SECTION 33, T17N, R12E OF THE 6TH P.M., WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF SAID SOUTH 1/2; THENCE EAST (ASSUMED BEARING) 2640.00 FEET, MORE OR LESS, ON THE SOUTH LINE OF SAID SOUTH 1/2 TO THE SE CORNER OF THE SW 1/4 OF SECTION 33, T17N, R12E; THENCE NORTH 500.00 FEET TO THE POINT OF BEGINNING; THENCE WEST 400.00 FEET ON A LINE 500 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTH 1/2; THENCE NORTH 250.00 FEET; THENCE WEST 350.00 FEET; THENCE NORTH 1800 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SOUTH 1/2; THENCE EAST 2100 FEET ON SAID NORTH LINE; THENCE SOUTH 1240 FEET; THENCE WEST 300 FEET; THENCE S53°07'48"W 500 FEET; THENCE SOUTH 600 FEET; THENCE WEST 650.00 FEET ON A LINE 500.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTH 1/2 TO THE POINT OF BEGINNING.

BENCHMARK

DESCRIPTION: TOP OF THE SOUTHEAST CAP BOLT ON THE WELL 200'± NORTH OF THE CENTERLINE OF DUTCH HALL ROAD AND 40'± EAST OF THE HOUSE AT 10102 DUTCH HALL ROAD.

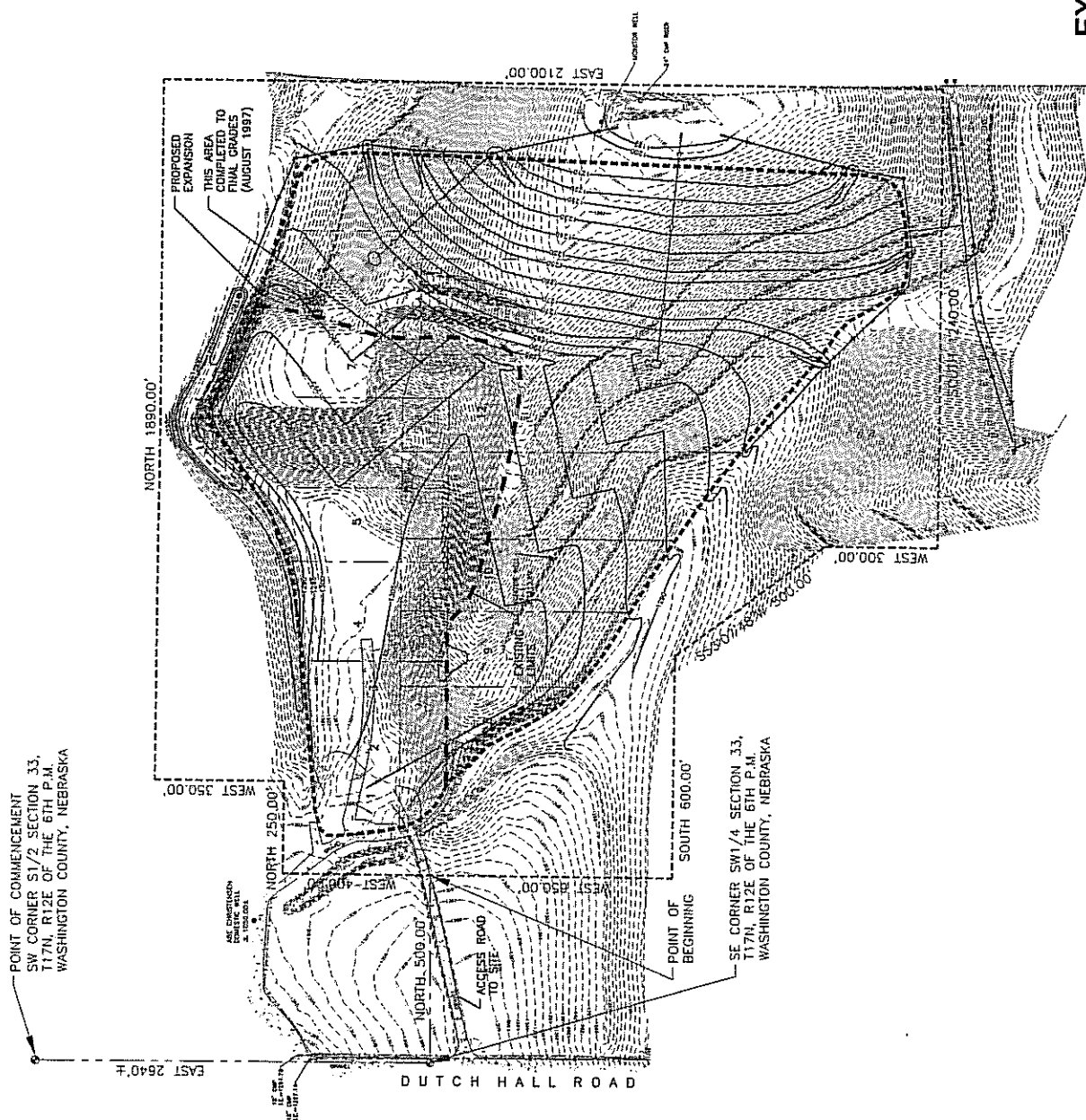
ELEVATION: 1304.77 (NGVD 1929 DATUM)

LEGEND

- ⊕ STORM SEWER INLET
- WIRE FENCE
- GAS LINE
- M
- M MALEBOX



EXHIBIT TO LEGAL DESCRIPTION
 PAGE 2 OF 2





THOMPSON, DREESSEN & DORNER, INC.
Consulting Engineers & Land Surveyors

June 9, 2008

Mr. Doug Cook
Washington County Planning Department
1555 Colfax Street
Blair, NE 68008

ROBERT E. DREESSEN, P.E.
NELSON J. HYMAN, P.E.
JAMES D. WARNER, L.S.
CHARLES E. RIGGS, P.E.
KA "KIP" P. SQUIRE III, P.E., S.E.
JOHN M. KOTTMANN, P.E.
ARTHUR D. BECCARD, P.E.
DOUGLAS S. DREESSEN, P.E.
DEAN A. JAEGER, P.E.
RICHARD M. BROYLES, L.S.
DAVID H. NEDE, L.S.
RONALD M. KOENIG, L.S.
CHRIS E. DORNER, L.S.

TIMOTHY T. PARSTEIN, P.E.
MICHAEL J. SMITH, L.S.
TROY J. NISSEN, P.E., S.E.
DOUGLAS E. KELLNER, P.E.
GARY A. NORTON, P.E.
BRIAN L. LODES, P.E.
KURTIS L. ROHN, P.E.
JEFFREY L. THOMPSON, P.E.
DAREN A. KONDA, P.E.
MICHAEL T. CANIGLIA, L.S.
JEREMY T. STEENHOEK, P.E.
JOSHUA J. STORM, P.E.

RE: Abe's Trash Service, Inc.
Washington County C & D Landfill
Conditional Use Permit Application / Local Siting
TD² File No. 975-107.6

Mr. Cook:

Enclosed please find the Application for a Conditional Use Permit (CUP) for an increase in size of the Construction and Demolition Waste Disposal Area for John H. Christensen. This application includes a check in the amount of three hundred dollars (\$300.00) as required in ARTICLE 11 FEES AND SIGN DEPOSIT – 11.01 C&D Waste Disposal Area CUP Washington County Nebraska Zoning Regulations. Also included is a separate check in the amount of one hundred dollars (\$100.00) as required for the refundable sign deposit. Twenty copies of this submittal letter and attachments are being provided as requested.

- a. **Signatures of the owner of record and operator (if different from owner);**

These signatures are provided on the CONDITIONAL USE PERMIT (CUP) APPLICATION form.

- b. **Owner and operators name, address, daytime phone number and ownership status;**

The owner and operator of the property on which the construction and demolition waste disposal area is located is John H. Christensen. His address is 8123 Christensen Lane, Omaha, Nebraska 68122. His daytime phone number is (402)571-4926. The ownership status as listed in the Washington County Tax statements is currently being transferred from Arlene Christensen, trustee (deceased) to John H. Christensen.

- c. **The legal description of the land on which the disposal is proposed;**

The legal description is 88± acres in the south ½ half of Section 33, T17N, R12E, Washington County, Nebraska. Attachment 1 shows the limits of the legal description of the area included in the site and the approximate 48 acre maximum extent of the landfill footprint.

d. A description of the sequence and plan of operation;

Attachment 2 outlines the current sequence and plan of operations to continue the disposal on the westerly portion of the site from south to north. Fill operations will be confined to areas of 1 to 4 acres at any one time. Earthwork activities will consist of covering filled portions with soil from the next new area to be prepared. Excess soil will be stockpiled for cover soil, used on site to construct diversion berms, construct access roads, or used for other purposes. The long-term sequence will be to construct fill areas on the easterly portion of the site from south to north in a manner that will allow adequate control of surface water drainage. The final fill area will be contained in the southeast portion of the site.

Recycling and composting will be performed adjacent to the current fill area. Steel and other metals will be removed from the debris to be placed as fill and loaded into containers temporarily stored on-site. These containers will then be transported for further processing. Compost operations will be performed on top of the filled cells where three feet of cover soil has been placed. The compost will be used as a soil amendment and placed on the final cover surface and adjacent farm fields. Wood waste processing will be conducted to the south of the current fill area in an area that allows the efficient processing of wood waste products. The ground wood chips will be used as a compost amendment, or further screened to be utilized as landscaping mulch, or other suitable industrial or landscaping use.

e. Type and capacity of equipment to be used for operations;

The primary machines are a Caterpillar 826 compactor, John Deere 624 wheel loader, Cat 955 track loader, Cat 977 track loader, Bobcat 751 loader, John Deere 8400 with scraper, and a John Deere 4320 with box blade. Major earthmoving activities will be done with leased equipment or on a contract basis with local earthmoving contractors on an as-needed basis. A Bandit Beast 8360 grinder is used to grind up materials suitable for composting or mulching. Attachment 3 includes photos of main line equipment used at the site.

f. Plans for dust and blowing trash control;

Dust will be controlled by wetting access roads and applying rock when needed. Blowing trash is controlled by the use of temporary fences that are moved as needed to accommodate site operations. Each lift of waste material subject to blowing is covered with roofing materials or soil to control blowing. The trash on the litter fences and blowing trash that escapes the immediate fill area is picked up on an as-needed basis and disposed of properly.

g. Existing and proposed roadways and easements;

The existing gravel access road to the fill site is shown on the site topographic map provided as Attachment 4 to this documentation. This roadway will be maintained through the final fill and closure sequence. Temporary roadways will be constructed as needed to access fill areas that are not adjacent to the existing roadway. There is a currently family agreement to access the site on the existing gravel access road from Dutch Hall Road. Alternate access is available to the site from public roads on property owned by the applicant.

h. Existing topography and water courses, including floodplain;

Existing site topography as of May 16, 2007 is shown on the site topographic map provided as Attachment 4 to this documentation. The site area consists of the currently permitted Construction and Demolition Disposal Area and terraced farmland which drains into a waterway that is adjacent to the east side of the current fill area. There are no creeks or other significant water courses within the proposed maximum fill area (landfill footprint). This site is in an upland area and not within a floodplain. A floodplain map which shows the proposed maximum extent of the landfill is provided as Attachment 5. A surface water bodies map, which shows grass waterways, is provided as Attachment 6.


i. A diagram and written statement explaining the extent of earthwork and fill operations;

Excavation activities will be done to prepare each new 1 to 3 acre area and the excavated soil will be placed in stockpile or as cover soil. Attachment 7 is provided to show the total excavation plan. A final grading plan is attached as Attachment 8 that shows the proposed maximum extent of earthwork and fill operations. Sufficient soil will be stockpiled during the preparation of the final disposal areas to provide the final cover over the last area to be completed. The owner will allow borrow from other areas of his property within the legal description of the landfill site to ensure that sufficient cover soil is available.

j. A diagram and written statement of proposed measures to control storm drainage;

Proposed final grades and the surface water control system are shown on the plan provided as Attachment 9. Surface water controls include use of the existing terraces, construction of diversions and waterways to prevent run-on to the active area of the Construction and Demolition Waste Disposal Area. Areas completed to final grades will have surface water drainage away from the active fill area to a proposed storm sewer located outside of the fill limits along the westerly, northerly and easterly edges of the site. Filled areas will have a minimum 3% slope to provide positive drainage and a maximum of 5:1 side slopes. The site is designed to transport storm water to the drainage way at the northerly limits of the site in the path of original flow. Storm water will pass through a sediment basin north of the fill area. This basin is located on the downstream limit of the waterway and will function over the entire life of the site. Any accumulated sediment will be removed as necessary for the basin to function properly. The site is currently operated with a storm water pollution prevention plan under the National Pollutant Discharge Elimination System (NPDES) utilizing best management practices to reduce sediment transport and pollutants in storm water prior to discharge from the site.

k. A certification that all information submitted is true, accurate, and complete;

	<p>I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Nebraska. The information is true, accurate, and complete.</p> <p><i>Daren A. Konda</i> _____ Daren A. Konda, P.E.</p> <p>My license renewal date is December 31, 2009</p>
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- l. Information demonstrating that the facility or operation will comply with all applicable requirements of the County.**

The facility received a Washington County Special Use Permit and completed the local and state siting process in 1997 and is currently permitted by the Nebraska Department of Environmental Quality (NDEQ) to operate through February of 2013. The site is currently operated in compliance with NDEQ and Washington County Regulations. Future operation is to be consistent with current operations. The response letter from NDEQ for the submittal of the Financial Assurance Annual report is included as Attachment 10. Additional information will be provided upon specific request by Washington County.

- m. The property shall be fenced as shown on approved plans with an entrance gate that can be locked. A temporary inner fence shall be installed bordering the active area of the landfill to reasonably control or stop blowing paper or other materials;**

The Perimeter Fence Plan which identifies the location of the perimeter fence and access control gates for the site is included as Attachment 11. Temporary inner fences will be used as needed for control of blowing materials near the active areas of the site. These temporary fences will be moved as necessary to accommodate the site operations and reasonably control or stop blowing paper or other materials.

- n. A plan or drawing shall be provided detailing the screening for neighbors and passers-by within 1000 feet of the Construction and Demolition Waste Disposal Area. Means of doing this may include the planting of trees or shrubs, fencing, or other measures;**

The existing and future fill areas are already screened from view of neighbors and passers-by within 1000 feet by the natural grade of the land adjacent to the site. Attachment 8 shows the existing screening berm on the south west portion of the site. When area 10 is excavated an additional screening berm will be constructed along the south easterly portion of the site.

- o. A comment letter from the County Highway Superintendent.**

Washington County Highway Superintendent Cheryl K. Parsons has provided a comment letter indicating the expansion plans will not impact Dutch Hall Road to the extent of changing road maintenance in the area. This comment letter is included as Attachment 12.

Additional information provided

- p. A comment letter from the County Sheriff.**

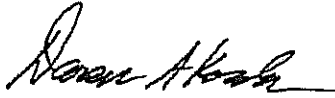
Washington County Sheriff Michael Robinson has provided a comment letter indicating no objection to the expansion of the site. This comment letter is included as Attachment 13.

Mr. Doug Cook
June 9, 2008
Page 5

We trust the attached documentation provides you with the data that is needed at this time. Please contact us if you need any additional information.

Submitted by,

THOMPSON, DREESSEN & DORNER, INC.

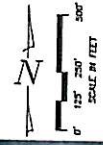
A handwritten signature in black ink, appearing to read "Daren A. Konda".

Daren A. Konda, P.E.

DAK/jlf

Attachments

cc: w/attachments: Abe's Trash Service, Inc. — John Christensen
Sedlacek Law Office — Jon Sedlacek



PAGE 1 OF 3

975-107

THOMPSON, DRESSSEN & DORNER, INC.
 Consulting Engineers & Land Surveyors
 1833 S.W. 2nd Ave., Suite 200, Fort Lauderdale, FL 33304
 PHONE: (954) 571-1100 FAX: (954) 571-1101
 WEBSITE: WWW.TDDINC.COM

ABE'S TRASH SERVICE, INC.

ATTACHMENT 2

SITE EXHIBIT

DATE	10-20-08
BY	AS-DON
CHK	
APP	
DATE	10-18-08

From: O'Brien, Patrick [mailto:patrick.o'brien@nebraska.gov]
Sent: Thursday, August 06, 2009 3:45 PM
To: Winkler, John; Petermann, Marlin
Cc: Link, Marty; Johnson, Dave; Haldeman, David
Subject:

John and Marlin:

The following is being provided to the NRD and the board to assist with reviewing the draft permit that has been prepared for Abe's Trash Service, Inc. Construction and Demolition (C&D) waste landfill.

The rules and regulations that the C&D landfills fall under came into effect in 1993 with the first permit being issued to Abe's in 1998. Permit duration for these facilities is five years and thus the Abe's permit has been re-issued twice (2003 and 2008). The current Department action is for an expansion of the facility.

Title 132 is the rules and regulations that govern Integrated Solid Waste with Chapter 5 being dedicated to C&D waste disposal areas. These regulations can be found at www.deq.state.ne.us under the *Rule and Regulation* tab. It should be noted that these are the standard for the various waste sites however, give proper cause and justification the Director may require more stringent controls, limitations or permit conditions. Changes to these regulations are either initiated by the NDEQ or could occur as a result of a petition by a citizen.

Because the area will be receiving only C&D waste a liner or groundwater monitoring has not been required. The disposal of any material that is not defined as C&D waste is prohibited. Should the facility receive prohibited material, the permit can be re-opened and modified, suspended, or revoked.

According to the Nebraska Department of Resources Data Bank there are two active wells that are registered to Abe's Trash Service. The wells have been registered as Observation wells to be used to measure ground water levels. In order to use these wells for water quality monitoring, a review would have to be conducted to ensure the wells meet the appropriate standards of construction for monitoring wells. This review and modification would be a combined effort of the Department of Health and Human Services and the Department of Natural Resources.

For point source issues – where the evaluation of specific facility is in question – the NDEQ will not conduct the monitoring rather the requirement will be included in the permit and should be completed by the facility with the results being submitted periodically to the Department.

Similar to the liner, groundwater monitoring is not required for C&D facilities. However, the Department will review this given the NRD or other entity demonstrates that there is a reasonable potential to impact groundwater. This would trigger a review by Department geologists to determine if monitoring is necessary.

There is also the opportunity for the NRD to conduct ground water quality monitoring as part of the ground water management plan.

In regards to surface water, Title 132 prohibits the discharge to surface water in violation of a water quality standard or outside of the scope of an NPDES permit. Abe's Trash Service has been issued an industrial (NPDES) storm water permit that contains limitation and requirement.

Surface water monitoring on Little Papillion Creek and Glen Cunningham Lake is conducted by the United State Army Corps of Engineers under agreement with the NDEQ. The lake is monitoring monthly from May-September and the stream is monitoring several times to obtain run-off or precipitation induced samples. The data is reviewed at least every two years by the Department to determine if the stream is impaired or not. The recent assessments indicate Little Papillion Creek support all uses (not impaired). Monitoring is anticipated to continue.

I hope this information is useful to you in understanding the process. If you have questions feel free to call or email.

Pat

Patrick A. O'Brien
NRD/NDEQ Liaison
Nebraska Association of Resources Districts
Office 402/471-2219
Cell 402/480-1122
po'brien@nrdnet.org
patrick.o'brien@nebraska.gov

Nebraska's NRDs - Protecting Lives, Protecting Property and Protecting the Future