

Title 122 - NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 16 - PERMIT CONDITIONS; GENERAL

The following conditions apply to all underground injection well and mineral production well permits.

001 The permittee must comply with all conditions of the permit. Any permit noncompliance constitutes a violation of Nebraska Environmental Protection Act, as amended and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal.

002 If the permittee wishes to continue an activity regulated by the permit after the expiration date of the permit, the permittee must apply for and obtain a new permit prior to the expiration date of the permit in effect. Any application for a new permit must occur at least 180 days prior to expiration date of the permit.

003 It shall not be a defense for a permittee in an administrative enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

004 The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit.

005 The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance.

006 The permit may be modified, revoked and reissued, or terminated for cause by the Department (Chapters 30 and 31) or upon filing of a request by the permittee.

007 The permittee shall furnish to the Director, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also furnish to the Director upon request, copies of records required to be kept by the permit.

008 The permittee shall maintain financial responsibility (Chapter 13 of this Title) to close, plug, and abandon the underground injection wells and/or mineral production wells and to restore the affected resources in accordance with the plan submitted under Chapter 35 (of this Title) requirements in a manner which has been approved by the Director. The permittee must show evidence of financial responsibility to the Director by the submission of a surety bond (or other adequate assurance, in accordance with Chapter 13 of this Title, acceptable to the Director) in an amount set by the Director.

009 When any injection well or mineral production well is no longer in use or it is deemed necessary by the Director, the permittee shall close, plug, and abandon the well(s) in accordance with Chapter 35 of the Title.

Enabling Legislation: Neb. Rev. Stat. §§ 81-1504(2)(11)(12)(13)(20); 81-1505(6)(14); 81-1506(3)(b)

Legal Citation: Title 122, Ch.16, Nebraska Department of Environmental Quality

For more information, contact
MoreInfo@NDEQ.state.NE.US

Nebraska Department of Environmental Quality
1200 "N" Street, Suite 400
PO Box 98922
Lincoln, NE 68509
(402)471-2186 fax: (402)471-2909