

Title 194 - Department of Environmental Quality

Chapter 8 - TESTS AND INSPECTIONS; LANDOWNERS ADJACENT TO FACILITY

001 The licensee shall perform, or permit the department to perform, any tests the department deems necessary or appropriate, including but not limited to, tests of:

001.01 Wastes;

001.02 The facility used for the receipt, storage, treatment, handling, or disposal of wastes;

001.03 Radiation detection and monitoring instruments;

001.04 Other equipment and devices used in connection with the receipt, possession, handling, treatment, storage, or disposal of waste; and

001.05 Geohydrologic, hydrologic, soil, or other environmental conditions or parameters.

002 The licensee shall afford to the department at all reasonable times an opportunity to inspect waste not yet disposed of, and the premises, equipment, operations, and facility in which wastes are received, possessed, handled, treated, stored, or disposed.

003 The licensee shall allow the department to inspect records kept by it pursuant to this Title. Authorized representatives of the department may copy and take away copies of, for the department's use, any record required to be kept pursuant to this Title.

004 Sampling and analysis for landowners adjacent to facility.

004.01 Domestic water supplies.

004.01A Prior to the facility's receiving waste and for the purpose of establishing background values, the department shall offer to landowners directly adjacent to the facility's boundary, and at no cost to the landowners, a sampling and analysis of their wells and surface waters used for irrigation, livestock and human consumption. The parameters for testing shall be determined by the department. Background as used in 004 of this Chapter shall have the same meaning as that term is defined in Title 118.

004.01B After a facility receives waste, the department shall continue to offer such sampling and analysis on an annual basis and at no cost to the landowner.

004.02 Agricultural products.

004.02A Prior to the facility's receiving waste and for the purpose of establishing background values, the department shall offer to landowners directly adjacent to the facility's boundary, and at no cost to the landowners, a testing of agricultural products produced or raised on the landowners adjacent property for presence of radioactivity. Agricultural products include crops and livestock. The department shall develop a sampling plan for such testing.

004.02B After a facility receives waste, the department shall continue to offer to test agricultural products at no cost to the landowner.

Enabling Legislation: Neb. Rev. Stat. §§81-1599; and 81-15,100; 81-15,101.01 and 81-15,102.02

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