

## LEGISLATIVE BILL 668

Approved by the Governor April 12, 1995

Introduced by Day, 19

AN ACT relating to solid waste; to amend section 13-2034, Revised Statutes Supplement, 1994; to change provisions relating to financial assurance for certain landfill activities; to provide severability; to repeal the original section; and to declare an emergency.  
Be it enacted by the people of the State of Nebraska,

Section 1. Section 13-2034, Revised Statutes Supplement, 1994, is amended to read:

13-2034. The council shall adopt and promulgate rules and regulations which shall include the following:

(1) A permit program for facilities providing for permits to be issued to owners and operators;

(2) Requirements for the collection, source separation, storage, transportation, transfer, processing, recycling, resource recovery, treatment, and disposal of solid wastes as well as developmental and operational plans for facilities. Regulations concerning operations may include waste characterization, composition, and source identification, site improvements, air and methane gas monitoring, ground water and surface water monitoring, daily cover, insect and rodent control, salvage operations, waste tire disposal, safety and restricted access, inspection of loads and any other necessary inspection or verification requirements, reporting of monitoring analysis, ~~record keeping~~ record-keeping requirements and other reporting requirements, handling and disposal of wastes with special characteristics, and any other operational criteria, location criteria, or design criteria necessary to minimize environmental and health risks and to provide protection of the air, land, and waters of the state; and

(3) Requirements for closure, postclosure care and monitoring, and investigative and corrective action with respect to landfills. Such rules and regulations shall require financial assurance for such activities after April 9, 1995, and 1996. Such rules and regulations shall impose any necessary requirements upon owners or operators in order to assure proper closure, care, monitoring, and investigative and corrective action with respect to landfills to minimize the need for future maintenance and eliminate, to the extent necessary to protect humans, animals, and the environment, releases or the threat of releases of contaminants or leachate.

Sec. 2. If any section in this act or any part of any section is declared invalid or unconstitutional, the declaration shall not affect the validity or constitutionality of the remaining portions.

Sec. 3. Original section 13-2034, Revised Statutes Supplement, 1994, is repealed.

Sec. 4. Since an emergency exists, this act takes effect when passed and approved according to law.