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AUG 19 2010

LANCASTER COUNTY  
CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF AMENDING SECTION )  
XIII OF COUNTY RESOLUTION NO. 02-30, )  
PROCEDURES FOR THE REGULATION )  
OF ON-SITE WASTEWATER TREATMENT )  
SYSTEMS IN LANCASTER COUNTY, AS )  
PROVIDED IN ATTACHMENT "A" )

RESOLUTION NO. R-10-0067

WHEREAS, pursuant to Neb. Rev. Stat. §23-174.10 (Reissue 2007), the Lancaster County Board of Commissioners adopted procedures for the regulation of on-site wastewater treatment systems in Lancaster County on April 2, 2002, under County Resolution No. 02-30; and

WHEREAS, the Lincoln-Lancaster County Health Department has recommended an amendment to increase the fees for on-site wastewater treatment permits, as provided in Attachment "A," attached hereto and incorporated by this reference; and

WHEREAS, on August 24, 2010, the Board of Commissioners of Lancaster County, Nebraska, conducted a public hearing regarding the adoption of the amendments to Resolution No. 02-30, Regulation of On-Site Wastewater Treatment Systems, as provided in Attachment "A"; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, the amendments to Resolution No. 02-30, Regulation of On-Site Wastewater Treatment Systems, as provided in Attachment "A," are hereby adopted, and shall become effective September 28, 2010.

BE, IT FURTHER RESOLVED, that a copy of this resolution and said amendments be placed on file in the office of the County Clerk.

DATED this 24 day of August, 2010, in the County-City Building, Lincoln,

Lancaster County, Nebraska.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF  
LANCASTER COUNTY, NEBRASKA

APPROVED AS TO FORM

this 24 day of

August, 2010.



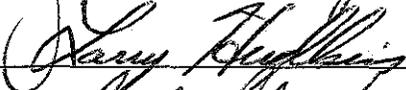
Deputy County Attorney

GARY E. LACEY

Lancaster County Attorney









Heier Absent

ATTACHMENT "A"

**CR 02-30 On-site Wastewater Treatment Systems**

Section XIII. FEES

The following fees for permits are required:

- (a) On-site wastewater treatment system construction permit fee:
  - Standard System ~~\$325.00~~ \$335.00
  - Non-standard System ~~\$465.00~~ \$480.00
  
- (b) On-site wastewater treatment system repair permit fee ~~\$180.00~~ \$185.00
  
- (c) Non-standard on-site wastewater treatment system annual operating permit fee ~~\$60.00~~ \$65.00
  
- (d) Cleaner's permit fee (annual) ~~\$370.00~~ \$380.00  
This permit is issued on an annual basis, expires on May 31 of each year, and is renewable on payment of the annual fee and demonstrated compliance with the requirements of this chapter.
  
- (e) Any person who secures a master installer or journeyman installer registration certificate pursuant to this chapter shall pay the following respective fee:
  - (1) Master Installer \$25.00
  - (2) Journeyman Installer \$25.00
  - (3) Inspector \$25.00
  - (4) Soil Evaluator \$25.00
  - (5) Multiple category \$25.00
  
- (f) Permit Extension Fee ~~\$90.00~~ \$95.00
  
- (g) Variance Fee ~~\$180.00~~ \$185.00
  
- (h) Reinstatement Fee ~~\$180.00~~ \$185.00
  
- (i) Development area review fees  
A base fee and a per lot fee shall be paid for Health Director review of any development area as follows:
  - Base fee ~~\$325.00~~ \$335.00
  - Per lot fee \$25.00
  - Maximum combined base fee and per lot fee ~~\$1,000~~ \$1,100.00
  
- (j) All fees are payable to the Lincoln-Lancaster County Health Department and shall be credited to the Health Fund. No fees will be refunded.

RESOLUTION NO. A- 85993

1 WHEREAS, the City Council adopted Resolution No. A-85496 on August 31, 2009,  
2 and is authorized under Chapter 8.32 of the Lincoln Municipal Code to establish and revise fees  
3 and minimum quantities for the issuance of Special Waste Permits; and

4 WHEREAS, the Health Director has re-evaluated the estimated costs and available  
5 resources to administer, operate and enforce the Special Waste Disposal provision of Chapter  
6 8.32, and has determined that certain revisions are appropriate.

7 NOW, THEREFORE, BE IT RESOLVED by the City Council of Lincoln, Nebraska:

8 Commencing on the effective date of this resolution, the following schedule of annual  
9 permit fees, special fees, and minimum quantities is hereby established:

10 A. Group 1: Wastes That May Contain Free Liquids

11 1. Cooking oil and grease. Any quantity going to the Theresa Street Wastewater  
12 Treatment Plant Dump Station requires a permit, which permit may be issued as a  
13 blanket permit covering multiple disposals as provided on the permit. Annual  
14 Permit Fees: None.

15 Waste in excess of one gallon per month or one pound per load disposed at a  
16 waste disposal site other than the Theresa Street Wastewater Treatment Plant  
17 Dump Station requires a Special Waste Permit. Annual permit fee: ~~\$170.00~~  
18 \$175.00.

19 2. Cooking grease trap waste. Any quantity requires a permit.

20 Disposal at the Theresa Street Wastewater Treatment Plant Dump Station.  
21 Annual permit fee: None.

22 For all other disposal sites. Annual permit fee: ~~\$170.00~~ \$175.00.

23 3. Mud or sand from sumps or traps. Any quantity requires a permit.

- 1 Disposal at the Theresa Street Wastewater Treatment Plant Dump Station.  
2 Annual permit fee: None.
- 3 For all other disposal sites. Annual permit fee: ~~\$170.00~~ \$175.00.
- 4 4. Septic tank waste. Any quantity requires a permit.
- 5 Disposal at the Theresa Street Wastewater Treatment Plan Dump Station - Annual  
6 permit fee: None.
- 7 For all other disposal sites - Annual permit fee: ~~\$170.00~~ \$175.00.
- 8 5. Chemicals and waste from portable or chemical toilets. Any quantity requires a  
9 permit.
- 10 Disposal at the Theresa Street Wastewater Treatment Plant Dump Station -  
11 Annual permit fee: None.
- 12 For all other disposal sites - Annual permit fee: ~~\$170.00~~ \$175.00.
- 13 6. Sewage or other organic residues or sludges. Any quantity requires a permit.
- 14 Disposal at the Theresa Street Wastewater Treatment Plan Dump Station - Annual  
15 permit fee: None.
- 16 For all other disposal sites - Annual permit fees: ~~\$170.00~~ \$175.00.
- 17 7. Sludges containing a liquid concentration of 80% or more by weight or material  
18 producing free liquids in a Standard Paint Filter Test. Any quantity requires a  
19 permit.
- 20 Disposal at the Theresa Street Wastewater Treatment Plant Dump Station -  
21 Annual permit fee: None.
- 22 For all other disposal sites - Annual permit fee: ~~\$170.00~~ \$175.00.
- 23 Group II: Petroleum-based Wastes
- 24 8. Petroleum type grease trap waste. Any quantity requires a permit. Annual permit  
25 fee: ~~\$285.00~~ \$295.00.
- 26 9. Sludges from petroleum tanks. Any quantity requires a permit - Annual permit  
27 fee: ~~\$285.00~~ \$295.00.

- 1           10. a. Used oil filters. Any quantity requires an annual permit - Annual permit  
2           fees:
- 3                   Less than 220 pounds per month - ~~\$60.00~~ \$65.00.  
4                   220 pounds or more a month - ~~\$285.00~~ \$295.00.
- 5           b. Petroleum contaminated soil and granular absorbents. Permitted Quantity:  
6           220 pounds per month or more - Annual permit fee: ~~\$285.00~~ \$295.00.
- 7           c. Petroleum contaminated refuse or other materials except oil filters, soil and  
8           granular absorbents. Any quantity requires a permit - Annual permit fee:
- 9                   Quantities up to 220 pounds per month - ~~\$60.00~~ \$65.00.  
10                  Quantities 220 pounds or more per month - \$285.00.
- 11          11. Petroleum contaminated water. Permitted quantity: 55 gallons per month or more  
12          - Annual permit fee: ~~\$285.00~~ \$295.00.
- 13          12. Oil, lubricants, hydraulic fluids, fuels, and other petroleum products. Any  
14          quantity requires a permit. Permit issued only for incineration in a used oil  
15          burning heating unit - Annual permit fee: ~~\$30.00~~ \$35.00.

16          Group III: Empty Containers

- 17          13. Pressurized containers or containers that may explode upon crushing. Empty  
18          containers meeting criteria for safe disposal at the City of Lincoln's Sanitary  
19          Landfill adopted according to §8.32.070 will not require a permit.
- 20                   For all other disposal sites: any quantity requires a permit - Annual Permit fee:  
21                   ~~\$170.00~~ \$175.00.
- 22          14. Containers over five gallons in size. Empty containers meeting criteria for safe  
23          disposal at the City of Lincoln's Sanitary Landfill adopted according to §8.32.070  
24          will not require a permit.
- 25                   For all other disposal sites: Any quantity requires a permit - Annual Permit fee:  
26                   ~~\$170.00~~ \$175.00.
- 27          15. Empty containers labeled "DANGER" or which once contained hazardous  
28          material. Empty containers meeting criteria for safe disposal at the City of  
29          Lincoln's Sanitary Landfill adopted according to §8.32.070 will not require a  
30          permit.
- 31                   For all other disposal sites: Any quantity requires a permit - Annual permit fee:  
32                   ~~\$170.00~~ \$175.00.

1 16. Fuel tanks. Empty containers meeting criteria for safe disposal at the City of  
2 Lincoln's Sanitary Landfill adopted according to §8.32.070 will not require a  
3 permit.

4 For all other disposal sites - Any quantity requires a permit - Annual permit fee:  
5 ~~\$170.00~~ \$175.00.

6 Group IV: Solvents, Absorbents, Filters, and Residues

7 17. Solvents, degreasers, strippers, thinners, and related products. Any quantity  
8 requires a permit. Annual permit fee: ~~\$170.00~~ \$175.00.

9 18. Refuse containing solvents, degreasers, strippers, or thinners. Any quantity  
10 requires a permit - Annual permit fee: ~~\$170.00~~ \$175.00.

11 19. Lime or other inorganic residues or sludges. Minimum quantities: twenty-five  
12 gallons or 43 pounds per month - Annual permit fee: ~~\$285.00~~ \$295.00.

13 20. Paint dry waste, filters, and paint contaminated material. Minimum quantities: 43  
14 pounds per month - Annual permit fee: ~~\$285.00~~ \$295.00.

15 21. Fly ash. Minimum quantities: 43 pounds per month - Annual permit fee: ~~\$285.00~~  
16 \$295.00.

17 22. Bottom ash. Minimum quantities: 43 pounds per month - Annual permit fee:  
18 ~~\$285.00~~ \$295.00.

19 Group V: Hazardous or Toxic Chemicals or Chemical Products

20 23. Antifreeze or treatment chemicals for boilers, heat exchangers, cooling towers,  
21 and similar uses. Minimum quantities: Five gallons or more per day - Annual  
22 permit fee: ~~\$170.00~~ \$175.00.

23 24. Chemicals labeled WARNING for toxics and pesticides: Minimum quantities:  
24 One pint or one pound per load or more - Annual permit fee: ~~\$285.00~~ \$295.00.

25 25. Pharmaceutical products. Minimum quantities: More than five gallons or 43  
26 pounds per month - Annual permit fee: ~~\$285.00~~ \$295.00.

27 26. Adhesives, sealants, coatings or catalysts. Minimum quantities: More than five  
28 gallons or 43 pounds per month - Annual permit fee: ~~\$285.00~~ \$295.00.

29 27. Material containing between 25 and 100 percent of the maximum concentration of  
30 any Toxic Characteristic Leaching Procedure (TCLP) listed chemical as

1 referenced in 30 CFR 261.24, Table 1 or that exceeds a concentration of 0.3  
2 mg/kg of nickel. Minimum quantities: More than five gallons or 43 pounds per  
3 month - annual permit fee; ~~\$285.00~~ \$295.00.

- 4 28. Hazardous or potentially hazardous waste or chemicals labeled "DANGER."  
5 Any quantity requires a permit - Annual permit fee: ~~\$285.00~~ \$295.00.

6 Group VI: Miscellaneous

- 7 29. Treated or untreated infectious waste from hospitals. Any quantity requires a  
8 permit - Annual permit fee: ~~\$285.00~~ \$295.00.

- 9 30. Treated or untreated infectious waste from other than hospitals. Any quantity  
10 requires a permit - Annual permit fee: ~~\$30.00~~ \$35.00.

- 11 31. Waste containing or likely to contain polychlorinated biphenyls (PCB). Any  
12 quantity requires a permit - Annual permit fee: ~~\$170.00~~ \$175.00.

- 13 32. Waste containing asbestos. Wastes from National Emission Standards of  
14 Hazardous Air Pollutants (NESHAP) and Nebraska Department of Health and  
15 Human Services (NDOH) permitted removal projects in Lincoln and Lancaster  
16 County do not require a Special Waste Permit.

17 All other asbestos waste material in any quantity requires a permit - Annual  
18 permit fee: ~~\$60.00~~ \$65.00.

- 19 33. Material other than asbestos that could create a health hazard if airborne. Any  
20 quantity requires a permit - Annual permit fee: \$175.00.

- 21 34. Wood that has been treated with hazardous or toxic chemicals. Quantities more  
22 than 43 pounds per month - Annual permit fee: ~~\$60.00~~ \$65.00.

- 23 35. Any other solid waste which, because of its physical, chemical or biological  
24 characteristics, requires special handling, treatment or disposal methodologies in  
25 order to protect public health, safety, and the environment. Any quantity requires  
26 a permit - Annual permit fee: ~~\$170.00~~ \$175.00.

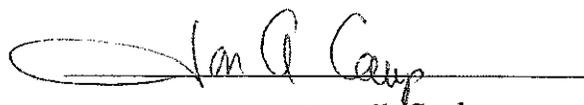
27 F. General

- 28 1. If the Health Department identifies a new special waste stream due to process  
29 changes or otherwise, such special waste stream shall require an additional  
30 application, permit, and permit fee even if the special waste generator has an  
31 existing permit for a separate waste stream, including an existing permit for the  
32 same waste or waste category.

- 1                   2.    New industries, commercial operations, or home occupations disposing special  
2                   wastes shall file a completed inventory/permit application with the Lincoln-  
3                   Lancaster cCounty Health Department within six months.
- 4                   3.    Inventory/permit applications from existing special waste generators must be filed  
5                   within 60 days of notification by the Health Director. If, after notice has been  
6                   sent, an inventory/permit application is received by the Lincoln-Lancaster County  
7                   Health Department after 60 days or if the application is postmarked after the 60-  
8                   day period, the resulting permit, if issued, will be assessed an additional ~~\$60.00~~  
9                   \$65.00.

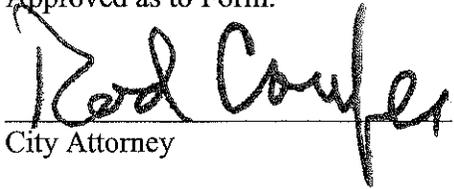
10                   BE IT FURTHER RESOLVED that City Council Resolution No. A-85496 shall be  
11                   superseded by the terms of this resolution.

Introduced by:



AYES: Camp, Carroll, Cook,  
Emery, Hornung, Snyder, Spatz;  
NAYS: None.

Approved as to Form:

  
City Attorney

Approved this 2nd day of Sept., 2010:  
  
Mayor

**ADOPTED**  
AUG 30 2010  
**BY CITY COUNCIL**