

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 498
Final Reading

Introduced by Louden, 49.

Read first time January 18, 2011

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to the Industrial Ground Water Regulatory Act; to
2 amend section 46-683.01, Reissue Revised Statutes of
3 Nebraska; to provide an exception for amendments for
4 permits for mineral exploration and production; and to
5 repeal the original section.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 46-683.01, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 46-683.01 If during construction or operation a
4 permit holder determines (1) that an additional amount of water is or
5 will be required for the proposed use set forth in a permit issued
6 pursuant to section 46-683 or (2) that there is a need to amend any
7 condition set forth in the permit, the permit holder may file an
8 application to amend the permit. Following a hearing conducted in the
9 manner prescribed by section 46-680, the director shall issue a
10 written order containing specific findings of fact either granting or
11 denying the proposed amendment in accordance with the public interest
12 considerations enumerated in section 46-683. An application to amend
13 a permit shall not be approved if the amendment would increase the
14 daily peak withdrawal or the annual volume by more than twenty-five
15 percent from the amounts approved in the original permit, except for
16 an amendment to increase the maximum daily volumetric flow rate or
17 annual volume to levels authorized under a permit issued by the
18 Department of Environmental Quality pursuant to section 81-1504 and
19 subsection (9) of section 81-1505.

20 Sec. 2. Original section 46-683.01, Reissue Revised
21 Statutes of Nebraska, is repealed.