



Hundredth Legislature - First Session - 2007
Introducer's Statement of Intent
LB 313

Chairperson: LeRoy Louden
Committee: Natural Resources
Date of Hearing: January 24, 2007

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The purpose of this bill is to exempt an applicant under the Livestock Waste Management Act that owns a small or medium animal feeding operation and who is required to obtain a construction and operating permit but is not required to obtain a National Pollutant Discharge Elimination System Permit from the requirements of the Engineers and Architects Regulation Act.

During amendments to the Livestock Waste Management Act in 2006, the reference to permit in existing statutes was clarified to indicate whether the reference applied to the Construction and Operating Permit or the National Discharge Elimination System Permit. The one reference to permit in the Act that was inadvertently missed involved the requirement for a professional engineer. The existing statute required the professional engineer only when a National Pollutant Discharge Elimination System Permit was required. Under the current language, both applications for the Construction and Operating Permit and the National Pollutant Discharge Elimination System Permit require certification by a professional engineer. This requires even the small and medium operations that submit applications for a Construction and Operating Permit to hire a professional engineer to complete an application for a permit.

Enactment of LB 313 would return the requirement that only applications for a National Pollutant Discharge Elimination System Permit need to be certified by a professional engineer.

Introducer:

LeRoy Louden, Chairperson
Committee on Natural Resources