

§NE537.01 SCS technical assistance for environmental engineering.

(c) State. The Department of Environmental Control (DEC), State of Nebraska, has assumed responsibility in the area of livestock waste control and management. It is the policy of the Soil Conservation Service to work cooperatively with ASCS, the Cooperative Extension Service, University of Nebraska, and the Nebraska Department of Environmental Control in carrying out livestock pollution abatement activities. The cooperators will be responsible for securing all necessary permits and/or approvals from regulatory agencies and complying with all state and local laws and/or ordinances.

The Soil Conservation Service normally will provide assistance to cooperators on livestock waste-control systems up to ten (10) acres in size. Only the area used for feed alleys, working alleys, feeding pens, sick pens, etc., shall be counted toward this ten (10)-acre limit. Area conservationists are authorized to reduce this acre limit in work units that are critically short of properly qualified personnel or have a very heavy workload with other practices.

For lots in excess of ten (10) acres, the cooperator shall attempt to obtain the services of a private engineer. The State Department of Environmental Control will furnish a list of qualified consulting engineers to each field office and ASCS county office. If the cooperator is unable to secure the services of a consulting engineer after having made a reasonable effort, the area conservationist may request authority from the state conservationist to service the application. This request must describe the complexity of the job and contain a statement that personnel are available to do the work without unduly disrupting normal operations.

For systems which SCS is authorized to provide technical assistance, the district conservationist also may assist the cooperator in completing the Data Sheet for Livestock Waste Control Facilities. The cooperator will be responsible for submitting the data sheet to the Nebraska Department of Environmental Control and obtaining their approval. This approval must be obtained prior to starting construction. The request for approval will be on State of Nebraska Forms WP-41 and WP-42, obtained from the Department of Environmental Control, P.O. Box 94877, 301 Centennial Mall South, Lincoln, Nebraska 68509. SCS also will provide the normal amount of layout and checking assistance for these practices.

For systems designed by private engineers and involving cost-share, the owner will furnish the SCS area engineer with the design to check for conformance with SCS criteria. It will be verified that the Nebraska Department of Environmental Control has given approval before construction is started. The consulting engineer shall be responsible for all field staking and construction checking on systems he has designed. He shall furnish the designated local technician a certified copy of "as-built" cross-sections, profiles, etc. and pay quantity computations. The designated local technician shall check these items and certify those eligible for government cost-sharing.

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For systems to be designed by consulting engineers, the SCS will make available to the consultant any basic data they have available, such as soil survey reports, storage data on previously constructed dams within the drainage area, etc. SCS also will furnish copies of technical standards for pertinent practices to consultants upon request.