



# STATE OF NEBRASKA

Pete Ricketts  
Governor

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Jim Macy

Director

Suite 400, The Atrium  
1200 'N' Street  
P.O. Box 98922  
Lincoln, Nebraska 68509-8922  
Phone (402) 471-2186  
FAX (402) 471-2909  
website: <http://deq.ne.gov>

AUG 27 2015

Tanner Shaw  
AltEn, LLC  
1344 County Road 10  
Mead, NE 68041

Re: AltEn, LLC Solid Waste Compost Facility  
Permit No. NE0204447  
Facility ID No. IWM 84069

Dear Mr. Shaw:

Enclosed is a copy of the legal notice and draft permit announcing the intent of the Nebraska Department of Environmental Quality to approve the modification to the permit for AltEn, LLC Solid Waste Compost Facility in Saunders County Nebraska.

This draft permit includes conditions necessary to operate the AltEn, LLC Solid Waste Compost Facility in compliance with Title 132 - Integrated Solid Waste Management Regulations, and the Nebraska Integrated Solid Waste Management Act.

The draft permit and administrative record will be available for public view at the Mead Public Library as well as the Omaha and the Lincoln offices of the NDEQ.

If you have any questions, please contact Dave Johnson or William Gidley at (402) 471-4210.

Sincerely,

  
Candi Bazata  
Waste Management Division

Enclosure



NOTICE OF INTENT TO MODIFY PERMIT #NE0204447  
for AltEn, LLC Solid Waste Compost Facility  
under consideration by the  
**Nebraska Department of Environmental Quality**

**PUBLIC NOTICE** is given in accordance with Title 132 - *Integrated Solid Waste Management Regulations*, Chapter 2, §011, that the Nebraska Department of Environmental Quality (NDEQ) has received an application to modify the permit of AltEn, LLC Solid Waste Compost Facility, 1344 County Road 10, Mead, NE. After review of the permit application, a preliminary determination has been made to recommend modification of the permit.

**FACILITY DESCRIPTION.** The permit allows the operation of a solid waste composting facility under Nebraska's solid waste management laws and regulations. Composting shall mean the controlled aerobic, thermophilic, microbial degradation of solid organic material such as raw or treated sewage sludge, animal manure, paunch manure, plant or food residue or their mixtures, to a stabilized, humus like material.

**MODIFICATION.** The permit is being modified to allow for additional organic waste and bulking agents from 3<sup>rd</sup> party sources to be delivered to the site and incorporated into the compost windrows prior to going through the anaerobic digester at the on-site ethanol plant.

**FACILITY LOCATION.** The property is located approximately 1 ¼ miles south of Mead, NE on County Road 10. Facility is located on the east side of the road. The legal description of AltEn, LLC Solid Waste Compost Facility is SE ¼ SW ¼ Section 12 Township 14 North Range 8 East of the 6<sup>th</sup> Principal Meridian Saunders County Nebraska.

**OPPORTUNITY FOR PUBLIC COMMENT AND HEARING.** When a permit is modified, only the conditions subject to modification are reopened. All other aspects of the existing permit shall remain in effect for the duration of the unmodified permit.

The public may submit written comments and may also request a public hearing on the permitting decision. A request for a hearing must be made in writing and state the issues proposed for discussion and their relation to the proposed permit modification. Public comments and hearing requests shall be made to: David Haldeman, Waste Division Administrator, Nebraska Department of Environmental Quality, 1200 'N' Street, Suite 400, The Atrium, P.O. Box 98922, Lincoln, NE 68509-8922.

The NDEQ will make a final decision to modify the permit based on the permit application, the compliance status of AltEn, LLC Solid Waste Compost Facility, and public comment received. NDEQ will publish notice of the final decision and notify the applicant and other interested persons.

**COMMENT PERIOD.** All comments or requests for a hearing must be **postmarked** by October 2, 2015.

**RECORDS AVAILABILITY.** Copies of the draft permit, legal notice and administrative record are available at the Mead Public Library, 316 Vine, Mead, NE; at the Omaha Field Office, 8901 S 154<sup>th</sup> S., Ste. 5, Omaha, NE as well as NDEQ, 1200 N Street, Suite 400, The Atrium, Lincoln, NE between 8:00 a.m. and 5:00 p.m. on weekdays. Materials may be viewed online at <http://deq.ne.gov/> Select "Public Notices" and then "Waste Management".

**SPECIAL ACCOMMODATION.** Persons with a disability and needing accommodation should notify the Department by calling (402) 471-2186. TDD relay service users should call (800) 833-7352 and ask the relay operator to call the Department at (402) 471-2186.

**FURTHER INFORMATION.** Interested parties may obtain additional information from William Gidley, Waste Management Section Supervisor (402) 471-4210.

STATE OF NEBRASKA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SOLID WASTE MANAGEMENT PERMIT

**DRAFT**



Pursuant to the authority and the requirements of the Integrated Solid Waste Management Act, Nebraska Revised Statutes Sections 13-2001 through 13-2043, the Nebraska Environmental Protection Act, Nebraska Revised Statutes Sections 81-1501 through 81-1533, and regulations promulgated pursuant thereto by the Nebraska Department of Environmental Quality (hereafter referred to as NDEQ), a solid waste management permit (hereafter referred to as Permit) is hereby granted to the following owner and operator (hereafter referred to as Permittee):

OWNER: Mead Cattle Co, LLC  
1344 County Road 10, Mead, NE 68041

PERMIT NUMBER: NE0204447

OPERATOR: AltEn, LLC  
1344 County Road 10, Mead, NE 68041

to operate the AltEn, LLC Solid Waste Compost Facility in the area specified in the legal description submitted in the approved permit application (hereafter referred to as the Application). This Permit consists of the conditions contained herein, including those in any attachments, any applicable laws, including the Nebraska Environmental Protection Act and the Integrated Solid Waste Management Act, and applicable regulations contained in Title 132 – Integrated Solid Waste Management Regulations. Applicable regulations are those, which are in effect on the date of the issuance of this Permit. This solid waste management facility must be operated in accordance with all provisions of the Permittee's Application, which is hereby adopted and incorporated herein by reference. If a conflict exists between the Application and the Permit, the Permit shall govern. This Permit is based on the assumption that the information submitted in the Application, as modified by subsequent amendments is accurate and that the solid waste management facility has been and will be constructed and operated as specified in the Application. Any inaccuracies found in said Application may be grounds for the revocation, suspension, or modification of this Permit, in whole or in part during its term in accordance with Title 132, Chapter 2, Section 010. The Permittee must inform the NDEQ of any deviation from or change to the information in the Application, which would affect the Permittee's ability to comply with all applicable laws, regulations, or Permit.

This Permit is issued for the specified period, and shall remain in effect unless revoked, modified, or suspended.

This Permit shall become effective on August 9, 2012 (modified date will go here)

This Permit shall expire at midnight v August 8, 2022

The undersigned issues this document on behalf of the Director in accordance with Title 132 – Nebraska Integrated Solid Waste Management Regulations.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 2014

\_\_\_\_\_  
David B. Haldeman, Division Administrator  
Waste Management Division

**PERMIT CONDITIONS FOR ALTEN, LLC**  
**SOLID WASTE COMPOST FACILITY**

**I. GENERAL PERMIT CONDITIONS**

1. For the purpose of this Permit, terms used herein shall have the same meaning as those in Nebraska Statutes and Title 132 unless this Permit specifically provides otherwise. When the same word is defined in the Nebraska Statutes or regulations and in the federal regulations and the definitions are not identical, the definition in the Nebraska Statutes or regulations shall control. Where terms are not defined in the regulations or this Permit, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.
2. The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this Permit shall not be affected thereby.
3. The Permittee shall furnish to the NDEQ, within a reasonable time, any relevant information, which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this Permit. The Permittee shall also furnish to the NDEQ, upon request, copies of any records, that are required to be kept by this Permit.
4. The Permittee shall meet any compliance schedule imposed under its Permit and shall fulfill all reporting requirements of the Permit.
5. The Permittee shall maintain an operating record at the facility or in an alternate location approved by the Department. The operating record shall include all information required by the regulations.
6. The Permittee shall notify the NDEQ, within **five (5) working days**, of any planned or unplanned changes in the permitted facility or activities, which may result in noncompliance with permit requirements or the Application. A written submission shall also be provided within **ten (10) days** of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period(s) of noncompliance, including exact dates and times; whether the noncompliance has been corrected; and if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. If requested, NDEQ may waive the **ten (10) days** written notice requirement in favor of a written report within **thirty (30) days**.
7. The Permittee shall allow NDEQ full access to existing and available facility records and shall allow Department inspectors, entry and access, during reasonable hours, to any building, area, or place for inspection purposes (except a building designed for and used exclusively as a private residence).
8. The Permittee shall not commence construction until written permission to construct has been received from the NDEQ in accordance with Title 132, Chapter 2, Section 009.05. The Permittee must supply all necessary documentation needed to verify that the facility was constructed in accordance with the approved Permit Application.
9. The Permittee shall meet all the design criteria specified in the Application and Title 132, Chapter 6, Section 003 for solid waste processing facilities.

**PERMIT CONDITIONS FOR ALTEN, LLC**  
**SOLID WASTE COMPOST FACILITY**

10. The Permittee shall operate this site in accordance with the Application and Title 132, Chapter 6, Section 004.
11. The Permittee shall submit any proposed Permit modifications to the NDEQ for approval as revised pages to the Application, and must include a revision date on each page. The Permittee must incorporate all revised pages approved by the NDEQ into the approved Permit Application.
12. The Permittee shall not cause a discharge of pollutants into waters of the State, including wetlands, that violate any requirements of Title 119 – Rules and Regulations Pertaining to Issuance of Permits Under the National Pollutant Discharge Elimination System.