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State of Nebraska, Department of Environmental Quality

Letter of Warning

Jim Stewart, Plant Manager
AltEn, LLC
1344 County Road 10
Mead, NE 68041

President
Mead Cattle Company
1344 County Road 10
Mead, NE 68041

RE: AltEn, LLC Solid Waste Compost Facility
NDEQ ID: 84069
Program ID: NE0204447

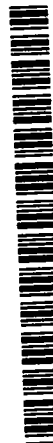
Dear Mr. Stewart,

This Letter of Warning (LOW) is issued to the AltEn, LLC Solid Waste Compost Facility based upon violation of Title 132- Integrated Solid Waste Management Regulations of the Nebraska Department of Environmental Quality (NDEQ). The violation was determined as a result of a site visit conducted on November 14, 2017, at the referenced compost facility. The specific violation is as follows:

1. Disposal of solid waste after October 1, 1993, at a location other than a solid waste management facility holding a current permit issued by the department pursuant to the Integrated Solid Waste Management Act (Neb. Rev. Stat §81-1506(3)(d)).

On January 20, 2017, Waste Management Section Staff visited the facility to observe operational practices in accordance with Title 132. During this visit, it was determined that approximately 26,062 cubic yards (CY) of compost material (compost) was being stored in a secondary storage area located north of the office building. Facility representatives explained that the compost was being stored in this location until it could be land applied. You indicated in your letter received by the department on January 24, 2017, that AltEn would start land applying as soon as field and weather conditions allowed with the intent of having all compost removed prior to spring planting. You also indicated that any compost unable to be land applied during the spring would be applied after harvest in the fall. The department responded on January 26, 2017, requesting all compost be land applied in the spring and that land application be completed within 60 days receipt of their letter.

After requesting an update, the department received a letter from you on June 8, 2017, indicating that no compost was land applied during the spring due to unfavorable field conditions. You said



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that area land owners indicated compost would be able to be land applied after harvest. Department staff visited AltEn on July 24, 2017, and spoke with Mr. Craig Gubbels. Mr. Gubbels explained that the facility has been working with Nutrient Advisers on securing fields for land application with the hope that most of the compost would be land applied in the fall. NDEQ staff reiterated the department's request for land applying all compost currently being stored in the secondary storage area.

On August 10, 2017, the department sent a letter requesting confirmation on the amount of compost currently being stored in the secondary storage area as well as requesting notification once the initial load of compost was taken for land application and monthly thereafter. Having not received a response from AltEn to this request, department staff conducted another site visit on November 14, 2017. After speaking with you, it was determined that no compost had yet been land applied. You said the facility determined the compost could be utilized in the Biochar process and that you were also working with the University in securing some fields for land application. Department staff requested you submit a letter to the department explaining the facility's plan in managing and ultimately removing the compost from the secondary storage area. You indicated you would do this after consulting with Tanner Shaw, AltEn President. As of the date of this letter, no response has been received by you.

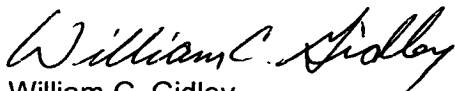
The department has determined that this material is being managed as a solid waste pile. The following action must be taken to correct this violation:

1. The facility shall submit a written response explaining the proposed management plan of the stockpiled compost. The plan should, at a minimum, include the following: total CY of compost currently stockpiled, exact start-up time of the Biochar process, daily CY of stockpiled compost being processed into Biochar, and a timeline when all of the compost can be expected to be removed from the secondary storage area. In addition, provide amounts for any compost land applied. Amounts should be reported in CY/acre, keeping in mind allowable agronomic rates. This written response should be received by the department **no later than January 15, 2018.**

In addition, because there is currently no compost being stored on the compost pad and operations generating waste requiring composting have temporarily ceased; the department requests the facility provide a 30-day notice **prior to** compost being delivered to the compost pad.

This is an attempt to gain compliance voluntarily. Failure to adequately address this matter may result in referral to the legal section for possible enforcement. If you have any questions regarding this matter, please feel free to contact Jason Holsten at (402) 471-4218.

Sincerely,



William C. Gidley
Waste Management Section Supervisor

WCG/jph

Document Approval Form

Document Type Letter of Warning

Facility Name ATTEN, LLC Solid Waste Compost Facility

Facility ID/IIS# 84069 Program ID# NE0204447

Drafter Jason Holsten Draft Date 12-5-17

Reviewed by:	Initials	Date
Dave Johnson	<i>[Signature]</i>	12-5-17
Teff Edwards	<i>TE</i>	12-13-17
Bill Gidley	<i>BG</i>	12-15-17
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