

# NEBRASKA

Good Life. Great Environment.

DEPT. OF ENVIRONMENTAL QUALITY  
CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Greencycle Solutions, LLC  
Tanner Shaw  
1344 County Road 10  
Mead, NE 68041

**NOTICE OF VIOLATION**  
**RE: FID # 111532**

Dear Mr. Shaw:

The Department of Environmental Quality conducted an inspection of the Greencycle Solutions, LLC (Greencycle) facility on July 13, 2018 and July 19, 2018, for the purpose of responding to a Notification of Environmental Concern and follow up inspection to determine compliance with Nebraska Air Quality Regulations – Title 129. A copy of the inspection report is enclosed.

Based on this inspection, your facility was found in violation of the following requirements:

1. Causing or allowing emissions from a source at an opacity equal to or greater than twenty percent (20%), as evaluated by an EPA-approved method [Title 129 – Chapter 20 – 004]. On July 13, 2018 opacity of emissions from Greencycle's biochar emission stack, which is operated by AltEn, were determined to have an average opacity of 30.4%, according to EPA Method 9 testing.
2. Causing or allowing an open fire without the written permission of the Director [Title 129 – Chapter 30]. The Department documented smoldering of biochar product during a facility tour on July 19<sup>th</sup>, 2018.

The Department has determined that the following action must be taken to correct these violations. You are required to complete the following tasks and provide written confirmation of completion to me **within 60 days of receipt of this letter.**

1. Submit a timeline for proposed emission testing for the biochar emission unit using test methodologies found in Title 129, Chapter 34, to determine emission rates for particulate matter with an aerodynamic diameter less than or equal to 10 micrometers (PM<sub>10</sub>), volatile organic compounds (VOC), and hazardous air pollutants (HAPs). Testing must be performed under worst-case conditions, which the Department believes to be while charging fresh wet cake into the biochar emission unit for all test runs.

Jim Macy, Director

Department of Environmental Quality

P.O. Box 98922  
1200 N Street, Suite 400  
Lincoln, Nebraska 68509-8922

deq.ne.gov

OFFICE 402-471-2186 FAX 402-471-2909  
ndeq.moreinfo@nebraska.gov

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A/R 155 00087

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2. Perform maintenance on the biochar unit and submit a record of corrective and preventive actions taken to ensure the emission unit is in compliance with Title 129 – Chapter 20 opacity limits.

These violations are being considered for further enforcement action. Enforcement action may include issuance of an administrative order or referral to the Attorney General seeking penalties of up to \$10,000 per day for each violation.

If you have any questions, please contact me at (402) 471-2189 or Todd Ellis at (402) 471-4561.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Stoner", written over a horizontal line.

Kevin Stoner  
Administrator  
Air Quality Division

Enclosure

copy: AltEn, LLC, Scott Tingelhoff, Legal & Regulatory Compliance/Plant Manager  
1344 County Road 10, Mead, NE 68041-4036