



Good Life. Great Resources.

DEPT. OF ENVIRONMENT AND ENERGY



Pete Ricketts, Governor

April 6, 2021

Return Receipt Requested

Tanner Shaw, President
Capital Corporate Services, Inc.
Suite 800
1125 South 103rd Street
Omaha, NE 68124

Letter of Noncompliance

RE: AltEn, LLC

NDEE ID: 84069

Program ID: NE0137634

Dear Mr. Shaw:

This Letter of Noncompliance (LNC) is being issued to you for documented violations of Title 119 - *Rules and Regulations Pursuant to the Issuance of Permits under the National Pollutant Elimination System (NPDES)*. The violations were determined following a file review conducted April 5, 2021.

- A. Failure to comply with reporting requirements.** The annual land application report is not submitted. Part II.C of your NPDES permit requires the submission of an annual report for land applied effluent. This report is due March 1 of each year. This is a violation of Title 119, Chapter 14, Section 001.01.

Regulations that have been referenced are available online at the Department's website:

<http://dee.ne.gov>

In order to cease and/or mitigate these violations, the Department requests that you:

- 1. By April 15, 2021**, submit the annual report for effluent land applied during the 2020 calendar year.

The Department requests that you voluntarily comply with these corrective measures. These violations may be considered for further enforcement action. We will evaluate your prompt compliance and will consider your efforts to determine if enforcement action is warranted. Enforcement action may include issuance of an administrative order, or referral to the Attorney General for penalties of up to \$10,000 per day per violation, and/or injunctive relief.



Please direct all contacts and any written response to this LNC to:

Reuel S Anderson, Supervisor
NPDES Compliance Section
245 Fallbrook Blvd.
P.O. Box 98922
Lincoln, NE 68509-8922
Phone 402-471-1367
reuel.anderson@nebraska.gov

Sincerely,

A handwritten signature in black ink, appearing to read 'BP', followed by a long horizontal stroke.

Brad Pracheil
Division Administrator
Inspection and Compliance Division

BP/rsa