

NEBRASKA

Good Life. Great Resources.

DEPT. OF ENVIRONMENT AND ENERGY

JUN 15 2021



Pete Ricketts, Governor

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mr. Scott Tingelhoff
AltEn, LLC
Capital Corporate Services, Inc.
Suite 800
1125 S, 103rd Street
Omaha, NE 68124

LETTER OF NONCOMPLIANCE

RE: AltEn, LLC Environmental Site Investigation

NDEE ID: 84069

Program ID: IWM NE0204447

Dear Mr. Tingelhoff:

This Letter of Noncompliance is being issued for documented violations of Nebraska Title-118 *Groundwater Quality Standards and Use Classification* and Title-126 *Rules and Regulations Pertaining to the Management of Wastes*. The violation was determined during a file review conducted on June 10, 2021.

The Nebraska Department of Environment and Energy documented the following:

AltEn, LLC has failed to submit a work plan for the required environmental site investigation activities outlined in the Department's letter of April 14, 2021. The compliance date provided by the Department to submit the work plan was June 7, 2021.

Regulations that have been referenced are available online at the Department's website at <http://dee.ne.gov>.

To cease and/or mitigate these violations the Department requests that you provide the following:

1. By **July 16, 2021**, submit the required investigation work plan for all the activities outlined in the Department's letter of April 14, 2021. The work plan is to be completed, as required in the April 14 letter, by a professional geologist (PG) licensed in the State of Nebraska. (In correspondence dated May 7, 2021, AltEn, LLC indicated that it had retained Coranco Great Plains, Inc. with Mr. Dan Blankenau, PG to prepare the required work plan.)

Department of Environment and Energy

P.O. Box 98922

Lincoln, Nebraska 68509-8922

Jim Macy, Director

OFFICE 402-471-2186 FAX 402-471-2187

ndee.moreinfo@nebraska.gov



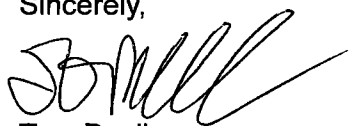
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This violation may be considered for further enforcement action. The Department will evaluate your prompt compliance and will consider your efforts to determine if enforcement action is warranted. Enforcement action may include issuance of an administrative order, requiring you to perform the stated work outlined in the Department's April 14, 2021, referral to the Attorney General for civil or criminal 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:

Jim Borovich
Superfund/VCP Section
245 Fallbrook Blvd.
P.O. Box 98922
Lincoln, NE 68509-8922
Phone (402) 471-2223
jim.borovich@nebraska.gov

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Buell', with a stylized, flowing script.

Tom Buell
Division Administrator
Monitoring & Remediation
Nebraska Department of Environment and Energy