NEBRASKA

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DEPT. OF ENVIRONMENT AND ENERGY

Pete Ricketts, Governor

July 27, 2020

EPA Region 7
Administrator Jim Gulliford
11201 Renner Boulevard
Lenexa, KS 66219

Dear Administrator Gulliford:

We are contacting you concerning the processing of unused treated seed corn. The Nebraska's Department of Environment and Energy (NDEE) and Department of Agriculture (NDA) have both been dealing with a facility in Nebraska that has been processing treated seed corn into ethanol. The use, storage and disposal of the resulting distillers grain, also referred to as wet cake, has been a problematic issue and potential environmental concern. The company's intent was to apply the wet cake as a soil conditioner and was permitted as such. However, as we followed up on complaints about odor and stock piles in fields and at the production site, we found significant levels of several pesticides in the soil conditioner (wet cake). As of July, 2019 the wet cake is no longer permitted by NDA as a soil conditioner.

We believe getting value from this unused seed through ethanol is beneficial, but want to do so in a safe and sustainable manner. We are looking for assistance to solve the problem of residual pesticides in the wet cake that would bring additional value and benefits to the company and protect Nebraska's environment.

Additional details of the sample results, can be shared upon request, if needed. We look forward to hearing from you on how the State of Nebraska and the EPA can work together to resolve this situation.

Sincerely,

Jim Macy, Director
Nebraska Dept. of Environment and Energy

Steve Wellman, Director
Nebraska Dept. of Agriculture

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