Message

From: Bednar, Candace [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=026506FB4B504445A458816A0198234E-BIAS, CANDACE]
Sent: 10/13/2021 12:18:21 PM
To: Weekley, Erin [weekley.erin@epa.gov]; Huffman, Diane [Huffman.Diane@epa.gov]; Bruno, Jodi [Bruno.Jodi@epa.gov]
Subject: FW: Clarification of AltEn Wastewater Treatment Permitting Process Requested

Ex. 5 Deliberative Process (DP)

-----Original Message-----
From: Ex. 6 Personal Privacy (PP)
Sent: Friday, October 8, 2021 2:31 PM
To: Bednar, Candace <Bednar.Candace@epa.gov>; thomas.buell@nebraska.gov
Cc: 'Jody' Ex. 6 Personal Privacy (PP); Wu-Smart, Judy <jwu-smart@unl.edu>; Schalles, John F <JohnSchalles@creighton.edu>; 'Jane Kleeb, Bold Nebraska' <jane@boldnebraska.org>; 'Bartelt-Hunt, Shannon' <sbartelt@unl.edu>; 'Wilbeck, Jon' <jon.wilbeck@nebraska.gov>; 'Chris Dunker' <CDunker@journalstar.com>
Subject: RE: Clarification of AltEn Wastewater Treatment Permitting Process Requested

Thanks for your kind reply.
I'm still troubled by my inability to find the engineering documentation on the public records portal similar to that i reviewed on similar major construction projects in my past projects. My question of Sept 28 asking for details NDEE would have required for exactly what wastewater treatment is being proposed and used, is still an open question I believe.
In addition, NDEE's assertions that pesticides are being removed by this wastewater treatment system would likely have back up lab data and/or other data showing the mass and chemical balance associated with the problem pollutants that I've not been able to find.
For example, from Mr. Brad Pacheil's Site Inspection Report of September 27, 2021:
1) Tanks 5, 6, and 7 are reported dismantled and Tank8 is being emptied for dismantling as well. Can you please point to the NDEE document record of the quantity of wastewater water removed from each, the water quality and pesticide laboratory analysis of each, and the current location of this water?
2) In the Site Activity Summary the wastewater treatment system in operation is described only as the "existing" system and the equipment brought in by Clean Harbors. Can you help us find in NDEE document records the Process Flow Diagrams, System Descriptions, or other engineering documents describing this new process?
3) The same paragraph as ref'd in 2) above also states that NDEE may take their own water samples. Have those samples been taken and not posted on the information website?
4) In photo 7 of Tank 10 the caption states that the "wastewater has been treated to remove pesticides" but still contains some biological nutrient materials that would explain the thick layer floating insolubles seen in the photo. Can NDEE point to the lab work or other basis for the statement that the wastewater has been treated to remove pesticides?
5) In photo 19 NDEE documented arrival of a sludge dewatering filter press, with the comment that Clean Harbors is still "evaluating the best way to utilize the press in the filtration process." Can NDEE advise whether the Department considers this new equipment and application in this unspecified new wastewater treatment process as requiring NDEE review and approval of a modified Permit application, possibly requiring public review and comment period?
Indeed, in the NDEE's letter from Tom Buell to Scott Tinglehoff on September 29 requiring resubmittal of a groundwater sampling plan, NDEE acknowledges spread of the pesticide pollution to our groundwater downgradient from the site. The letter mentions reports showing these pesticides are now found in water wells belonging to the University of Nebraska.
At the same time, the site operator AFRG continues apace with active construction work apparently without benefit of the engineered work and sampling plan for soil and groundwater analysis and inventory of pollutants required to design the remediation works.
Please let me know if you have any questions or if I can help in any way.
Thanks again for your kind attention to this matter.
Regards,
Jim
Ex. 6 Personal Privacy (PP)

-----Original Message-----
From: Bednar, Candace <Bednar.Candace@epa.gov>
Sent: Friday, October 08, 2021 12:56 PM
To: Jim Boucher Ex. 6 Personal Privacy (PP); thomas.buell@nebraska.gov
Subject: RE: Clarification of AltEn Wastewater Treatment Permitting Process Requested

Hi Jim,

Thank you for contacting me, sorry for the delay. I was out of the office part of last week. I appreciate your interest in the site.

1) AFRG has proposed that process wastewater be treated and land applied. In an effort to expedite work that will be performed under the RAP, testing of the treatment system is underway with oversight by NDEE. Land application would be conducted pursuant to the process and requirements of federal and state law. EPA continues to provide technical support as NDEE reviews this proposal.

2) Information about AltEn is available online through NDEE's public records portal at https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fecmp.nebraska.gov%2Fpublicaccess%2Fviewer.aspx%3F%26MyQueryID%3D340&data=04%7C01%7CBednar.Candace%40epa.gov%7C6c6f2c13107b45aaf8ef08d98a930f0c%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637693186659996428%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=mVMFNHvyTeU80rT4lTIyEO2iAZd54cLMYm%2Bm%2FoBdWo0%3D&reserved=0 using Facility ID #84069 for AltEn, LLC.

-----Original Message-----
From: Jim Boucher [redacted]
Sent: Tuesday, September 28, 2021 8:49 AM
To: Bednar, Candace <Bednar.Candace@epa.gov>; tom.buell@nebraska.gov; NDEQ Records <ndeq.records@nebraska.gov>
Cc: Jody [redacted]; Jane Kleeb <jane@nebraskademocrats.org>; George Cunningham [redacted]; Jody [redacted] Judy Wu-Smart <jwu-smart@unl.edu>; Jon Wilbeck <jon.wilbeck@nebraska.gov>; Schalles, John F <JohnSchalles@creighton.edu>; Chris Dunker <cdunker@journalstar.com>
Subject: Clarification of AltEn Wastewater Treatment Permitting Process Requested

Good Morning Friends
In review of the NDEE document review portal & the NDEE AltEn information page it appears that NDEE is considering approval of construction & installation of a new wastewater treatment process at the AltEn site.
Specifically, a new process said to remove the problem pesticides through a filtration scheme appears to be contemplated.
In addition, disposal of over 150,000,000 gallons of this filtered wastewater would be accomplished via discharge through new & existing piping & irrigation systems on to certain adjacent farm land.
1) Please clarify for us whether EPA regulations allow AFRG to construct and implement this new process by without thorough Engineering review by NDEE & it's Professional Engineering staff and outside consultants. (This would presumably require public comments & hearings, same as the awaited engineered RAP.)
2) NDEE has asserted on its AltEn information page that newly discovered levels of site pesticides in off site groundwater wells may be treated, at owner's option and expense, with NSF- rated equipment certified to remove pesticides. Please clarify on what technical basis NDEE makes this recommendation. (In fact, our research has shown that such equipment thus specified is not effective with these pollutants nor commercially and economically available to local residents.) Thanks for you help and kind attention to these questions.
Regards,
Jim Boucher, PE (Retired)

[redacted]

Sent from my iPhone