Message

From: Weekley, Erin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D8FA6CBB166A47AB951D5FAEC0F84EF1-WEEKLEY, ERIN]
Sent: 2/11/2022 7:59:55 PM
To: Humphrey, Leslie [humphrey.leslie@epa.gov]
Subject: FW: Followup on AltEn Water Permit Monitoring and Compliance Questions - 2nd Copy

FYI. Ex. 5 AC/DP

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From: Bednar, Candace <Bednar.Candace@epa.gov>
Sent: Thursday, February 10, 2022 11:11 AM
To: Dunn, John <Dunn.John@epa.gov>; Weekley, Erin <weekley.erin@epa.gov>
Subject: FW: Followup on AltEn Water Permit Monitoring and Compliance Questions - 2nd Copy

I'll set something up in Teams to discuss a response. You can forward the invite to other folks if you need to do so.

From: cbouchr@cox.net <cbouchr@cox.net>
Sent: Friday, February 4, 2022 6:40 PM
To: Bednar, Candace <Bednar.Candace@epa.gov>; Tate, Michael <tate.michael@epa.gov>
Cc: thomas.buell@nebraska.gov; 'Records Ndeq' <ndeq.records@nebraska.gov>
Subject: RE: Followup on AltEn Water Permit Monitoring and Compliance Questions - 2nd Copy

Friends
I'm sending this 2nd copy to replace the original, which seemed to contain some editing clutter that should not have appeared.
Sorry about any confusion I may have caused.
Jim

From: cbouchr@cox.net <cbouchr@cox.net>
Sent: Friday, February 04, 2022 3:25 PM
To: 'Bednar, Candace' <Bednar.Candace@epa.gov>; 'Tate, Michael' <tate.michael@epa.gov>
Cc: 'thomas.buell@nebraska.gov' <thomas.buell@nebraska.gov>; 'Records Ndeq' <ndeq.records@nebraska.gov>
Subject: Followup on AltEn Water Permit Monitoring and Compliance Questions

Ms Bednar/Mr Tate
I've attached the December 6, 2021 email from Ms Bednar addressing my questions about the monitoring of storm water discharges at the AltEn Mead site under control of the AltEn Facilities Response Group and its contractors.
In that correspondence I was assured that, with respect to the stormwater pollution controls at least, EPA R7 found that NDEE was taking actions consistent with their lead responsibilities monitoring and enforcing compliance with the applicable EPA regulations.

At that time I expressed my concern that NDEE's monitoring for compliance with the existing NPDES Permit was not assured, since the compliance team, SPCC, site characteristics, product & waste storage, exposed materials & potential pollutants, quarterly storm water samples, etc., are all materially different from the plant operating conditions of the Permit. I also raised concerns about the absence of the engineered RAP, and asked whether R7 had engaged in an engineering/technical review of the wastewater treatment technology being proposed by AFRG.

On January 18, 2021 (sic), NDEE announced on their public information web page their approval of AFRG's request to discharge treated wastewater to NE agricultural land (land application) as proposed originally on July 6, 2021. The wastewater treatment system proposed was the same as temporarily operated in June 2021 to treat some of the 150 million gallons of contaminated lagoon wastewater stored on site. The treated water effluent was processed by an assemblage of portable treatment equipment operated together with some part of the existing wastewater treatment system and delivered to a temporary storage tank, One lab test of influent and effluent treated wastewater taken in June of 2021 is apparently the basis for NDEE's acceptance of the water treatment process. As I understand it, this equipment and process no longer exist on site.

Given that 1) the original NPDES Permit did not address the pesticides issue, 2) the wastewater treatment process as existed for the original plant no longer applies, 3) the wastewater process equipment for the temporary treatment test no longer exists, 4) that no significant process testing has occurred since last June, 5) no engineered plan has been submitted and approved with engineering system descriptions and drawings for the process, please provide EPA R7 comments to the following statements from NDEE:

1) "The land application proposal meets the facility's current NPDES permit conditions and does not require a public hearing." **Does EPA R7 concur**?
2) "NDEE has reviewed the best management practices and planned application maximums for pesticides and has found the plan meets all requirements in the facility's NPDES permit." **Does EPA R7 concur?**
3) "NDEE has observed the treatment process. First, the wastewater is run through treatment equipment AltEn already had on site. The system starts by clarifying the wastewater to remove solid materials and this process is helped by adding chemicals that are commonly used in wastewater treatment. Then, the water is run through sand filters and carbon filters to remove pesticides and other contaminants. Next, the water is run through a portable treatment system brought to the site by Clean Harbors, the group's contractor. This portable system also clarifies the water before running it through sand filters, a clay filter and carbon filters. Two written memos that describe the treatment process in more technical detail can be viewed on the agency's public records portal. These memos were filed on April 14 and May 5, and both are titled "Site Visit." **Does EPA R7 agree that NDEE has sufficient technical information to approve this process?**
4) "AFRG must provide site information to the NDEE for review and approval before land application takes place. This is to ensure the treated wastewater meets proposed thresholds for the application of pesticides and meets the nutrient and soil condition requirements for each site." **Does EPA R7 concur or would ask NDEE to clarify their approval per item 2 above as meeting all requirements in light of the criteria specified in this statement?**

Please let me know if I need to provide further information

Regards,

Jim

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