

PUBLIC NOTICE
Nebraska Department of Water, Energy, and Environment
Permitting and Engineering Division

Notice is given to the public, according to Chapter 10 of Nebraska Administrative Code Title 129 - Nebraska Air Quality Regulations, that the Department is proposing to issue an air construction permit to Kearney Energy Partners, LLC (KEP Digester) (FID 124313) for the construction of an anaerobic digestion and biogas processing facility (Standard Industrial Classification code 492500) located at intersection of Highway 10 and S RD, 0.2 miles east on S RD. Minden, Kearney County, Nebraska. The anticipated change in emissions of regulated air contaminants in tons per year (tpy) due to the proposed construction at this facility will be: 25.53 tpy of Particulate Matter (PM); 25.53 tpy of $PM \leq 10$ microns (PM_{10}); 25.53 tpy $PM \leq 2.5$ microns ($PM_{2.5}$); 56.65 tpy Sulfur Dioxide; 227.56 tpy Oxides of Nitrogen; 237.31 tpy Carbon Monoxide; 22.13 tpy Volatile Organic Compounds; 0.99 tpy of Formaldehyde; 3.16 tpy total Hazardous Air Pollutants (HAP).

All Counties in Nebraska currently meet the National Ambient Air Quality Standards (NAAQS) for those pollutants subject to a NAAQS. There are currently no Counties classified as being in non-attainment with the State Total Reduced Sulfur (TRS) standards. It is the source's responsibility to ensure no take of threatened or endangered species result from the proposed anaerobic digestion and biogas processing facility.

The Department proposes to issue a construction permit with specific conditions, based on Title 129, which prescribes maximum Hydrogen Sulfide concentration for raw biogas, Renewable Natural Gas (RNG) product gas, tail gas and CO₂ product gas, and the maximum flow rate for Raw Biogas routed to bypass flares, RNG product gas and CO₂ product gas. The permit also prescribes operational, maintenance and recordkeeping requirements for ThioSolv BioSWAATS Unit, H₂S Polishing Filters, H₂S monitors and flow meters.

The proposed permit and supporting materials are available Wednesday, August 19th, 2026, through Thursday, September 17th, 2026, at the NDWEE, 245 Fallbrook Blvd, Suite 100, Lincoln, Nebraska 68521 and electronically at <https://dee.nebraska.gov>. Comments received by the Department during this period will be considered prior to the final decision. During this period the applicant, or any interested person or group of persons, may request or petition the Director for a public hearing. The request must be in writing and state the nature of the issues to be raised and all arguments and factual grounds supporting their position. If a public hearing is granted by the Director, the hearing will be advertised by public notice at least 30 days prior to the hearing.

Inquiries may be made at (402) 471-2186 or dwee.airquality@nebraska.gov. Individuals requiring special accommodations or alternate formats of materials should notify the NDWEE by calling (402) 471-2186. TDD users should call (800) 833-7352 and ask the relay operator to call the NDWEE at (402) 471-2186. For further information, to submit comments, or request a hearing you may contact the NDWEE by email "dwee.airquality@nebraska.gov" or by mail submitted to the attention of Air Construction Permitting Section Supervisor, 245 Fallbrook Blvd, Suite 100, Lincoln, Nebraska 68521.

The NDWEE does not discriminate on the basis of race, color, national origin, disability, age, or sex in administration of its programs or activities, and NDWEE does not intimidate or retaliate against any individual or group because they have exercised their rights to participate in or oppose actions protected/prohibited by 40 CFR Parts 5 and 7, or for the purpose of interfering with such rights.

Si necesita traducción de documentos al Español, por favor llame a NDWEE al (402) 471-2186.