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 Butler County Landfill, Inc (FID 062743) a municipal solid waste landfill, for a modification to the permitted operating capacity of the existing landfill gas utility flare (Standard Industrial Classification code 4953) located at 3588 R Road, David City, Butler County, Nebraska. The anticipated change in emissions of regulated air contaminants in tons per year (tpy) due to the proposed permit revision at this facility will be: 2.55 tpy of Particulate Matter (PM); 2.55 tpy of PM ≤ 10 microns (PM_{10}); 2.56 tpy PM ≤ 2.5 microns ($PM_{2.5}$); 25.00 tpy Sulfur Dioxide; 10.40 tpy Oxides of Nitrogen; 56.59 tpy Carbon Monoxide; 2.67 Volatile Organic Compounds; and -0.07 tpy of toluene; -1.51 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 municipal solid waste landfill.

The Department proposes to issue a construction permit with specific conditions, based on Title 129, which revises the permitted design capacity of the existing landfill gas utility flare from 55.5 MMBtu/hr to 90.4 MMBtu/hr, replaces the previous annual landfill gas throughput limitation with a maximum operating capacity limitation of 3,014 standard cubic feet per minute (scfm), updates applicable federal regulatory references, and establishes associated monitoring and recordkeeping requirements.

The proposed permit and supporting materials are available Thursday, November 5th, 2026, through Monday, December 7th, 2026, at the NDWEE, 245 Fallbrook Blvd, Suite 100, Lincoln, Nebraska 68521 and electronically at https://dwee.nebraska.gov. Only comments received by the Department during this period on new and significantly revised conditions to the previous construction permits will be considered. 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.