

Subject: Finding of No Significant Environmental Impact and Necessary
Environmental Findings for ESE Alcohol Inc. Installation of Anaerobic
Digestion System to existing Ethanol Facility
Leoti, KS
9004 Repowering Assistance Program


To: Project File

The attached environmental assessment for the subject proposal has been prepared and reviewed by the appropriate Rural Development official(s). After reviewing the assessment and the supporting materials attached to it, I find that the subject proposal will not significantly affect the quality of the human environment. Therefore, the preparation of an environmental impact statement is not necessary.

I also find that the assessment properly documents the proposal's status of compliance with the environmental laws and requirements listed therein.

Conditions:

- a. The applicant must provide a copy of the Industrial by-products land application permit for the project from the Bureau of Waste Management (if regulated by-products are to be land applied) prior to the issuance of an RD funding. If no permit(s) are required for the project for industrial by-products land application, then documentation must be submitted substantiating this claim.
- b. The applicant must provide a copy of all air quality permit(s) and permit modification(s) for the project prior to the issuance of any RD funding.
- c. The applicant must provide a copy of all water quality permit(s) and permit modification(s) for the project prior to the issuance of any RD funding. If no permit(s) are required for the project for stormwater or wastewater discharge, then documentation must be submitted substantiating this claim.



JUDITH A. CANALES
Administrator
Rural Business and Cooperative Service

5/14/10

Date

USDA-Rural Development

Form RD 1940-21

(Rev. 6-88)

ENVIRONMENTAL ASSESSMENT FOR CLASS I ACTION

1. Description

- a. Name of Project: ESE Alcohol Inc. -Anaerobic Digester
- b. Project Number: 9004 Program
- c. Location: 310 East Hwy 96, Leoti, KS 67861 S17 T18S, R36W, Wichita County

2. Protected Resources

The following land uses or environmental resources will either be affected by the proposal or are located within the project site. (Check appropriate box for every item of the following checklist. If more than one item is checked "yes" the environmental assessment format for a Class II action must be completed, except if the action under review is either (1) an application for a Housing Preservation Grant or (2) normally a categorical exclusion that has lost its exclusion status. The reviewer should not initiate the Assessment for a Class I action when it is obvious that the assessment format for a Class II action will be required.)

	YES	NO
a. Wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Floodplains	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Wilderness (designated or proposed under the Wilderness Act)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Wild or Scenic River (proposed or designated under the Wild and Scenic Rivers Act)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Historical, Archeological Sites	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>(listed on the National Register of Historic Places or which may be eligible for listing)</i>		
f. Critical Habitat or Endangered/Threatened Species (listed or proposed)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Coastal Barrier included in Coastal Barrier Resources System	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Natural Landmark (listed on National Registry of Nature Landmark)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Important Farmlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Prime Forest Lands	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. Prime Rangeland	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l. Approved Coastal Zone Management Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m. Sole Source Aquifer Recharge Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>(designated by Environmental Protection Agency)</i>		

For an item checked "yes", I have attached as Exhibit 1 both the necessary documentation to demonstrate compliance with the Agency's requirements for the protection of the resource and a discussion setting forth the reasons why the potential impact on the resource is not considered to be significant. If item e. is checked "no", the results of the consultation process with the State Historic Preservation Officer is also attached.

3. General Impacts

I have reviewed the environmental data submitted, dated and signed by the applicant as well as any previously completed environmental impact analysis and conclude the following:

- a. The project, the project area, and the primary beneficiaries are adequately identified;
- b. No incompatible land uses will be created nor direct impacts to parks, beaches, dunes, barrier islands, or important wildlife habitats or recreational areas; and
- c. Only minimal impacts or no impacts will result to the following checked items:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Wildlife |
| <input checked="" type="checkbox"/> Water Quality | <input checked="" type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Solid Waste Management | <input checked="" type="checkbox"/> Construction Impacts |
| <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Secondary Impacts |
| <input checked="" type="checkbox"/> Noise | |

An analysis of an item which cannot be checked, therefore having a potential for more than minimal impacts, is attached as Exhibit _____. (If more than one item is unchecked, the environmental assessment format for a Class II action must be completed).

4. State, Regional and/or Local Government Consultation

Yes No This project is subject to review by State, regional, or local agencies under the requirements of Executive Order 12372, Intergovernmental Review of Federal Programs.

If "Yes" is checked, complete (a), or (b) or (c). (If negative environmental comments have been received, the environmental assessment format for a Class II action must be completed).

- a. The review period has expired and no comments were received.
- b. No negative comments of an environmental nature were received and the review period is complete, with the comments attached.
- c. Negative comments of an environmental nature have been received.

5. Controversy

Yes No This action is controversial for environmental reasons or is the subject of an environmental complaint. If yes, check one of the following::

The action is the subject of isolated environmental complaints or questions have been raised which focus on a single impact. Attached as Exhibit _____ is an analysis of the complaint or questions, and no further analysis is considered necessary.

6. Cumulative Impacts

Yes No The cumulative impacts of this action and other Rural Development actions, other federal actions, or related nonfederal actions exceed the criteria for a Class I action; or the action represents a phase or segment of a larger project, the latter which exceeds the criteria for a Class I action.

7. Need for the Project and Alternatives to it

Attached as Exhibit A is a brief statement of Rural Development's position regarding the need for the project. Also, briefly discussed are (a) the alternatives which have been considered by the applicant and Rural Development and (b) the environmental impacts of these alternatives. Alternatives include alternative locations, alternative designs, alternative projects having similar benefits, and no action.

8. Measures to Avoid or Mitigate Adverse Environmental Impacts

- Yes No Mitigation measures are required. Attached as Exhibit A is a description of the site or design change that the applicant has agreed to make as well as mitigation measures that will be placed as special condition within the offer of financial assistance or subdivision approval.

9. Compliance With Highly Erodible Land and Wetland Conservation Requirements

- Yes No This action is subject to the highly erodible and wetland conservation requirements contained in Exhibit M of RD Instruction 1940-G.

If "yes" is checked, complete (a), (b), (c), and (d).

a. Attached as Exhibit _____ is a completed Form SCS-CPA-026 which documents the following:

- Yes No Highly erodible land is present on the farm property.
- Yes No Wetland is present on the farm property.
- Yes No Converted wetland is present on the farm property.

b. Yes No This action qualifies for the following exemption allowed under Exhibit M :

c. Yes No The applicant must complete the following requirements prior to approval of the action in order to retain or regain its eligibility for Agency financial assistance:

d. Yes No Under the requirements of Exhibit M, the applicant's proposed activities are eligible for Agency financial assistance.

10. Environmental Determinations

The following recommendations shall be completed and the environmental reviewer shall sign the assessment in the space provided below.

a. Based on an examination and review of the foregoing information and such supplemental information attached hereto, I recommend that the approving official determine that this project:


- will have a significant effect on the quality of the human environment and an Environmental Impact Statement must be prepared;
- will not have a significant effect on the quality of the human environment,
- will require further analysis through completion of the assessment format for a Class II action.

b. I recommend that the approving official make the following compliance determinations for the below listed environmental requirements.

Not In Compliance	In Compliance	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Clean Air Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Federal Water Pollution Control Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safe Drinking Water Act-Section 1424(e)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Endangered Species Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coastal Barrier Resources Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coastal Zone Management Act-Section 307(c)(1) and (2)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wild and Scenic Rivers Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	National Historic Preservation Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Archeological and Historic Preservation Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Highly Erodible Land and Wetland Conservation, Food Security Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Executive Order 11988, Floodplain Management
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Executive Order 11990, Protection of Wetlands
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Farmland Protection Policy Act
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Departmental Regulation 9500-3, Land Use Policy
<input type="checkbox"/>	<input checked="" type="checkbox"/>	State Office Natural Resource Management Guide

c. I have reviewed and considered the types and degrees of adverse environmental impacts identified by this assessment. I have also analyzed the proposal for its consistency with Rural Development environmental policies, particularly those related to land use, and have considered the potential benefits of the proposal. Based upon a consideration and balancing of these factors, I recommend from an environmental standpoint that the project

- be approved
- not be approved because of the attached reasons (see Exhibit _____).



 Signature of Preparer*

01/12/10

 Date

Title Environmental Protection Spec.

*See Section 1940.302 for listing of officials responsible for preparing assessment.

Justin A. Clark
Signature of Concurring Official 1

5/14/10
Date

Title ADMINISTRATOR

I have reviewed this environmental assessment and supporting documentation. Following are my Positions regarding its adequacy and the recommendations reached by the preparer. For any matter in which I do not concur, my reasons are attached as Exhibit N/A

Do not
Concur Concur

- Adequate Assessment
- Environmental Impact Determination
- Compliance Determinations
- Project Recommendation

John A. Rodgers
Signature of State Environmental Coordinator 2
National Office - Acting Director PSS

5/14/2010
Date

1 See Section 1940.316 for both the instances when a concurring official must sign the assessment and who is authorized to sign as the concurring official.
2 See Section 1940.316 for instances when State Environmental Coordinator's review is required.

**EXHIBIT A – ATTACHMENTS TO
ENVIRONMENTAL ASSESSMENT FOR A CLASS I ACTION**

Project Name: ESE Alcohol Inc.
Renewable Biogas Production - Installation of
an Anaerobic Digester to an existing ethanol facility

Location: 310 East Hwy 96, Leoti, KS 67861
S17 T18S, R36W, Wichita County

Program: 9004 Repowering Assistance Program \$1,990,000

Project Purpose: The project purpose and need is to install a 405,000 Gallon (small commercial sized) anaerobic digester process to the existing ethanol facility. The project purpose and need is to reduce costs associated with utilizing natural gas as well as replace finite, non-renewable fossil resources, and reduce associated CO₂ emissions, with sustainable, renewable biomass resources. The process will digest "whole stillage" currently a byproduct in the ethanol process in order to offset the non-renewable energy consumption. The biogas (methane) produced from the digester will be utilized in the boiler to offset the use of natural gas. The biogas will be processed to remove moisture and hydrogen sulfide to a level compatible with maintaining normal boiler maintenance, and within accordance to air quality permit(s), using commercially proven technologies. The feasibility report estimated that the proposed project would produce 151 MMBtu of biogas per day. The feasibility study indicates that this biogas would offset nearly 100 percent of ESE's natural gas (non-renewable energy) consumption. Currently the facility produces 1.5 Million Gallons per year of ethanol.

A summary of the resources evaluated is below: (Please refer to the Form RD 1940-20, attachments, and the applicant's 9004 Application for more detailed information on each of the resources evaluated).

- a. **Wetlands** – No wetlands or waterways are impacted therefore there is no effect.
- b. **Floodplains** – The proposed project and existing facility is located within an area that has never been mapped FEMA (Wichita County unincorporated area 200616) or other known sources. The community does not participate in the FEMA Flood Insurance Program. A FEMA 81-93 Form is not required since there is no mortgage as funding is in the form of a grant.
- c. **Wilderness** – No wilderness is present or affected therefore there is no effect. The site is an established industrial site.
- d. **Wild or Scenic Rivers** – No Wild or Scenic Rivers are present or affected, therefore there is no effect.
- e. **Historical, Archeological Sites** - RD has made a determination under Section 106 of the NHPA that there would be no adverse effects to historic or cultural sites listed on, or eligible for listing on the National Register of Historic Places. The Kansas SHPO concurred the project would have no potential to affect historic or archeological resources in a letter dated December 21, 2009. No known tribal resources are located within this area.
- f. **Critical Habitat or Endangered/Threatened Species** – RD has made a determination under Section 7 of the Endangered Species act that the proposed

- project has no potential to affect endangered or threatened species or their critical habitat since the project area is located within an established industrial site and no endangered or threatened species have been identified within either the project area or adjacent property.
- g. **Coastal Barrier** – No Coastal Barriers are present or affected, therefore there is no effect.
 - h. **Natural Landmark** – No Natural Landmarks are present or affected, therefore there is no effect.
 - i. **Important Farmlands** – No Important Farmlands are present or affected, therefore there is no effect.
 - j. **Prime Forest Lands** – No Prime Forest Lands are present or affected, therefore there is no effect.
 - k. **Prime Range Lands** – No Prime Range Lands are present or affected, therefore there is no effect.
 - l. **Approved Coastal Zone Management Area** – No Coastal Zone Management Areas are present or affected, therefore there is no effect.
 - m. **Sole Source Aquifer Recharge Area** – No Sole Source Aquifer Recharge Areas are present or affected, therefore there is no effect.
 - n. **Air Quality** – This project will require an air quality permit from the Kansas Department of Health and Environment to determine future emission limits and the monitoring and control requirements necessary for compliance. A combination of pollution control equipment, emission controls and permit limitations will keep the criteria pollutants (Carbon Monoxide, Lead, NO_x, PM₁₀, PM, Sulfur Dioxide, VOCs) within permitted threshold levels. Any potential increases in these pollutants would pose an adverse effect (adverse impact) to air quality; however the impact would not be a significant adverse effect because any increases would be required to be within proposed air emission permit threshold levels for these pollutants. The applicant must provide a copy of all air quality permit(s) and permit modification(s) prior to the issuance of any RD funding.
 - o. **Water Quality** – Installation of the anaerobic digester process presumably will require a modification to any existing NPDES permit(s) or issuance of NPDES permit(s) from the Kansas Department of Health and Environment to handle any increases in stormwater or wastewater that the project proposes, if applicable. The applicant must provide a copy of all required water quality permit(s) and permit modification(s), if applicable, prior to the issuance of any RD funding. If no permit(s) are required for stormwater or wastewater discharge, then documentation must be submitted substantiating this claim.
 - p. **Solid Waste Management** – The feasibility report for this project indicates that the project proposes no increase in generation or disposal of hazardous or toxic wastes and that the project will be reducing the amount of whole stillage that is currently disposed of by land application (after separation of liquid/solid phases via settling pond), to approximately 90 percent less solid waste. The liquid waste would remain and would continue to be land applied. The applicant must provide a copy of the Industrial by-products land application permit from Bureau of Waste Management, if applicable, prior to the issuance of an RD funding. If no permit(s) are required for industrial by-products land application, then documentation must be submitted substantiating this claim.

- q. **Transportation** – The project proposes no change to existing transportation patterns.
- r. **Noise** – The project proposes no significant impacts to noise levels.
- s. **Energy** – There are no utility upgrades associated with the proposed project.
- t. **Environmental Justice** – The project poses no potential for adverse impact to minority or low income communities.
- u. **Construction Impacts** – The project will entail installation of digester tanks within an area which has already been converted to industrial use, (between the existing plant and settling basins) and centrally located within the ethanol facility. Construction Impacts are minor.
- v. **Secondary Impacts** – The project has no potential to significantly adversely affect air quality or other environmental resources.
- w. **Cumulative Impacts** – The project has no reasonably foreseeable potential to significantly adversely affect air quality or other environmental resources.
- x. **Intergovernmental Review:** RD initiated contact with the SHPO.
- y. **Project Alternatives:** Project alternatives reviewed for this grant application were restricted to the no action alternative. In the no action alternative the project would not be funded and theoretically the anaerobic digester system would not be installed. Since the goal of the project is to replace finite, non-renewable fossil resources, and reduce associated CO₂ emissions, with sustainable, renewable biomass resources, the no action alternative would not achieve this goal. The preferred alternative may propose slight increases in some of the six criteria air pollutants; however these increases are expected to be within permitted thresholds, and represent a lower amount of air quality pollutants compared to the CO₂ emission reduction of the preferred alternative. Therefore, the no action alternative would have a slightly less higher potential for adverse impact to air quality compared to the preferred alternative.
- z. **Mitigation Measures:** The applicant indicates that a combination of pollution control equipment, emission controls and permit limitations will keep the criteria pollutants (Carbon Monoxide, Lead, NO_x, PM₁₀, PM, Sulfur Dioxide, VOCs) within permitted threshold levels. This mitigation is required in order to obtain state air emissions permit(s), therefore there is no mitigation required as special condition for financial assistance. However, as noted in air quality section above “The applicant must provide a copy of all air quality permit(s) and permit modification(s) prior to the issuance of any RD funding.” And as noted in the water quality section above “The applicant must provide a copy of all water quality permit(s) and permit modification(s), if applicable prior, to the issuance of any RD funding. If no permit(s) are required for stormwater or wastewater discharge, then documentation must be submitted substantiating this claim.” And as noted in the solid waste management section above “The applicant must provide a copy of the Industrial by-products land application permit, if applicable, prior to the issuance of an RD funding. If no permit(s) are required for industrial by-products land application, then documentation must be submitted substantiating this claim.”

Rural Development
Environmental Justice (EJ) and Civil Rights Impact Analysis (CRIA)
Certification

1. Applicant's name and proposed project description: ESE Alcohol Inc. proposes to install an anaerobic digester to produce gas from biomass as replacement for natural gas.

2. Rural Development's loan/grant program/guarantee or other Agency action: RD gives ESE Alcohol an annual payment based upon the fossil fuel replaced by renewable fuel. (Section 9004)

3. Attach a map of the proposal's area of effect identifying location or EJ populations, location of the proposal, area of impact or

Attach results of EJ analysis from the Environmental Protection Agency's (EPAs) EnviroMapper with proposed project location and impact footprint delineated.

4. Does the applicant's proposal or Agency action directly, indirectly or cumulatively affect the quality and/or level of services provided to the community?

Yes No N/A

5. Is the applicant's proposal or Agency action likely to result in a change in the current land use patterns (types of land use, development densities, etc)?

Yes No N/A

6. Does a demographic analysis indicate the applicant's proposal or Agency's action may disproportionately affect a significant minority and/or low-income populations?

Yes No N/A

If answer is no, skip to item 12. If answer is yes, continue with items 7 through 12.

7. Identify, describe, and provide location of EJ population _____

8. If a disproportionate adverse affect is expected to impact an EJ population, identify type/level of public outreach implemented. _____

9. Identify disproportionately high and adverse impacts on EJ populations. _____

10. Are adverse impacts appreciably more severe or greater in magnitude than the adverse impacts expected on non-minority/low-income populations?

Yes No N/A

11. Are alternatives and/or mitigation required to avoid impacts to EJ populations?

Yes No N/A

If yes, describe _____

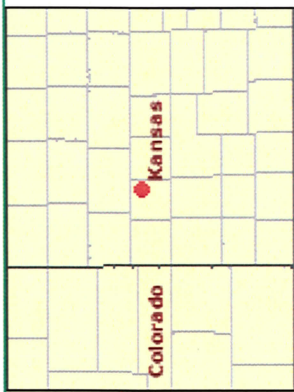
12. I certify that I have reviewed the appropriate documentation and have determined that:

No major EJ or civil rights impact is likely to result if the proposal is implemented.
 A major EJ or civil rights impact is likely to result if the proposal is implemented.

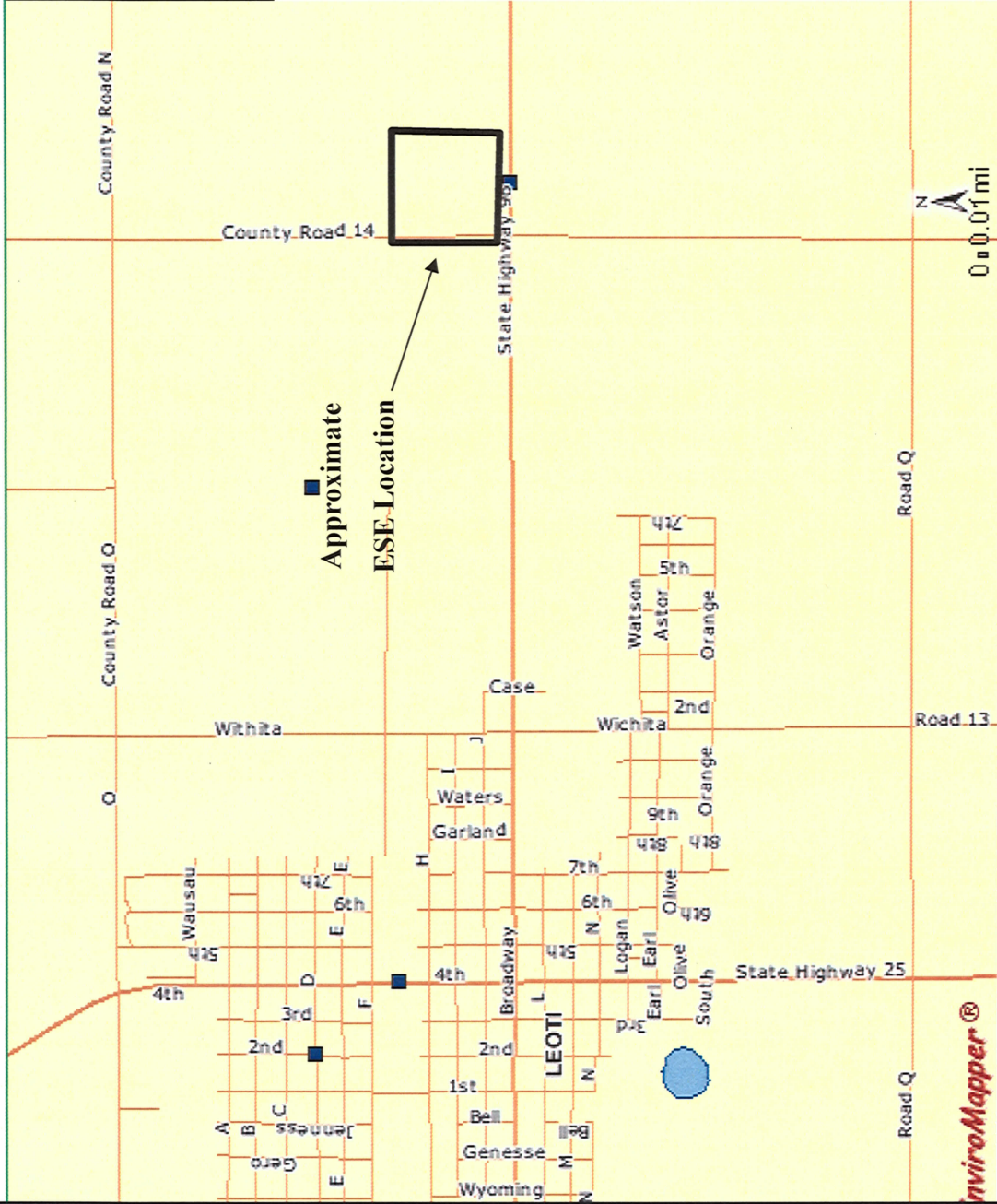
Juliet C. Bochicchio
Name and Title of Certifying Official

01-07-2010
Date

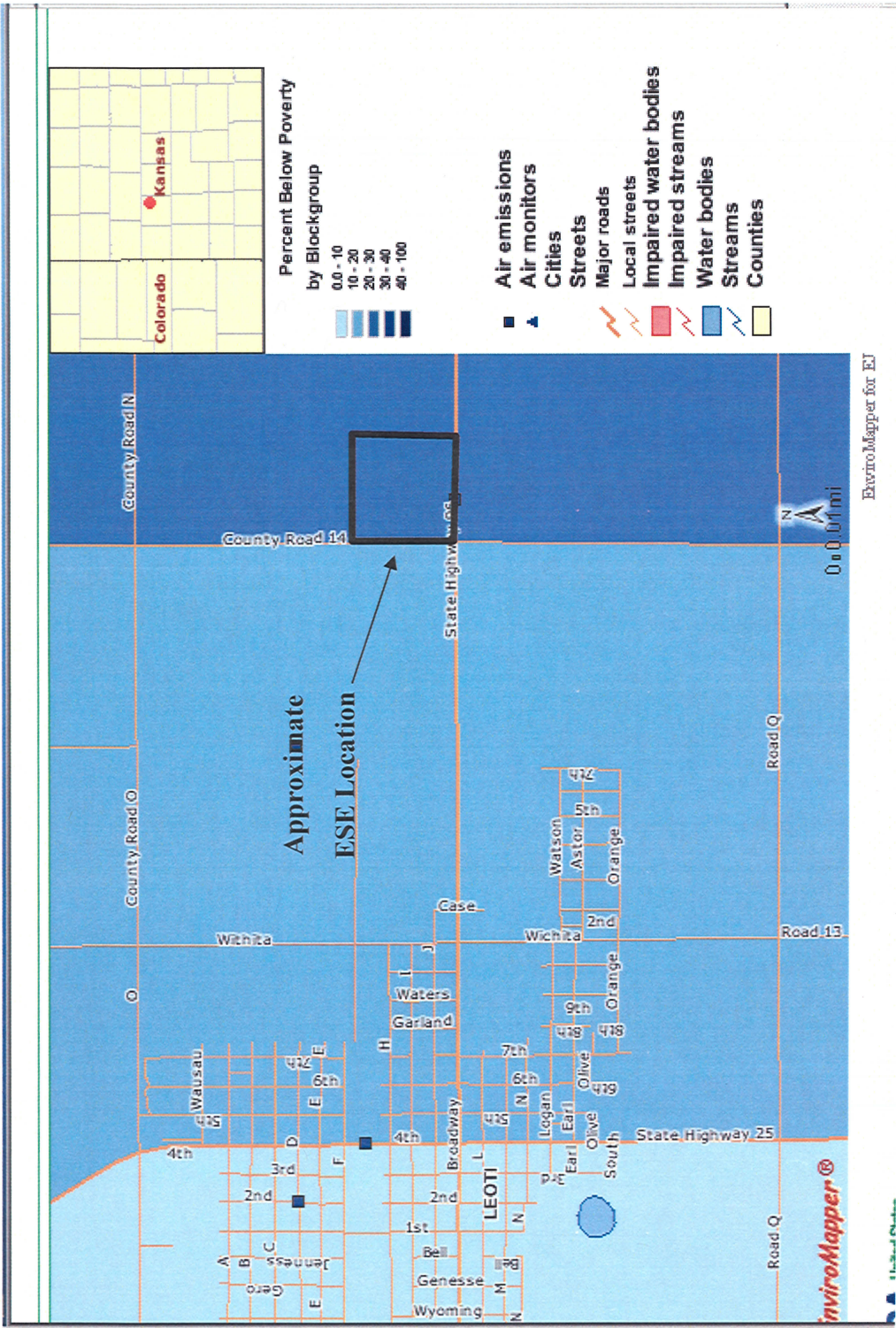
Juliet C. Bochicchio
Environmental Protection Specialist



- Air emissions
- ▲ Air monitors
- Cities
- Streets
- Major roads
- Local streets
- Impaired water bodies
- Impaired streams
- Water bodies
- Streams
- Counties



EnviroMapper for EJ





United States Department of Agriculture
Rural Development

Kansas State Historical Society
6425 SW Sixth Avenue
Topeka, KS 66615-1099

DEC 08 2009

Attention: Patrick Zollner

Subject: Section 106 Review of **ESE Alcohol, Inc.** – Anaerobic Digester Assisted
by the U. S. Department of Agriculture, Rural Development
Leoti, KS, Wichita County, S17 T18S R36W

Dear Mr. Zollner,

The U.S. Department of Agriculture, Rural Development, is reviewing an application for ESE Alcohol, Inc. (ESE) for federal funding under our repowering assistance programs. The funding would allow ESE to install an anaerobic digester process to the existing ethanol facility in order to create approximately 55,150 MMBTU/yr of biogas. The process will digest of “whole stillage” currently a byproduct in the ethanol process in order to offset to non-renewable energy consumption.

Rural Development has made a determination of no effect for this undertaking based on the following:

- 1) The ethanol facility is an existing facility, and is less than 50 years old,
- 2) The undertaking is for installation of an anaerobic digester and associated infrastructure
- 3) The undertaking will be located within an area that has been previously ground disturbed during the construction of the ethanol facility, and
- 4) The undertaking is centrally located within the existing ethanol facility.

36 CFR 800.4(a)

The location of the proposed undertaking and the area of potential effects (APE), as defined in 800.16(d), is shown on the enclosed USGS Quadrangle Maps. The APE is defined as the site footprint. The legal description of the property is -101.32953 Longitude and 38.48661 Latitude, located on the enclosed USGS Quadrangle. The street address of the property is 310 East Hwy 96, Leoti, KS 67861. The property is located at Section 17 Township 18S Range 36W.

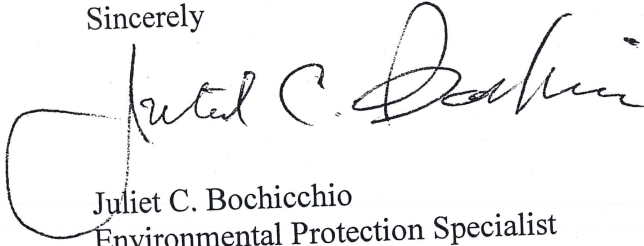
Rural Development is requesting that you respond to this letter with any comments/questions within 30 days from receipt of this letter. Please feel free to contact me with any comments or questions at juliet.bochicchio@wdc.usda.gov or at 202.205.8242. Please be sure to forward all correspondence to my attention to the address below at **Mail Stop 0761**.

1400 Independence Ave. S.W. · Washington DC 20250-0700
Web: <http://www.rurdev.usda.gov>

Committed to the future of rural communities.

“USDA is an equal opportunity provider, employer and lender.”
To file a complaint of discrimination, write USDA, Director, Office of Civil Rights,
1400 Independence Avenue, S.W., Washington, DC 20250-9410 or call (800) 795-3272 (Voice) or (202) 720-6382 (TDD).

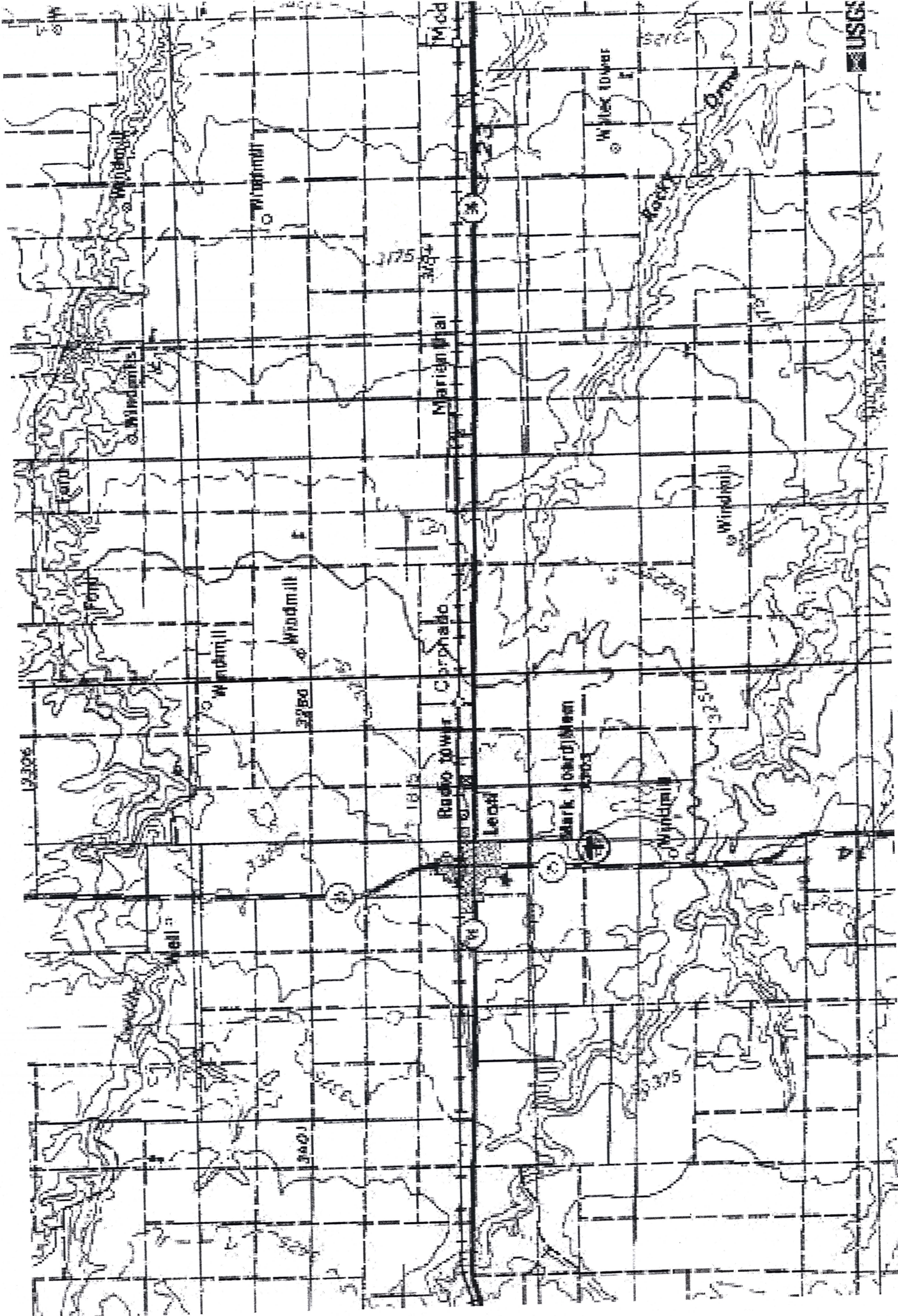
Sincerely

A handwritten signature in black ink, appearing to read "Juliet C. Bochicchio". The signature is written in a cursive style with a large, looping initial "J".

Juliet C. Bochicchio
Environmental Protection Specialist

cc: Duane Berning, ESE Alcohol, Inc.

- Attachments:
- 1) Overall USGS Quadrangle Location Map
 - 2) USGS Quadrangle Location Map
 - 3) Vicinity Map 1
 - 4) Aerial photograph of existing facility showing Area of Potential Affect



State of Kansas



Department of Health and Environment

James J. O'Connell, Secretary

February 26, 1996

Source ID No. 2030014

Mr. Todd Long
ESE Alcohol, Inc.
Box 848
Leoti, Kansas 67861

SUBJECT: Air Operating Permit Application

Dear Mr. Long:

Upon evaluation of ESE Alcohol, Inc.'s file it has been determined that it is not necessary for ESE Alcohol, Inc. to obtain an air operating permit at this time. Please find enclosed a copy of the potential-to-emit calculations performed to make this determination.

Be aware that this communication does not relieve ESE Alcohol, Inc. of the responsibility to obtain construction and operating permits resulting from future modifications that would increase ESE Alcohol, Inc.'s potential-to-emit above major source thresholds or trigger an applicable requirement.

Please direct any questions regarding this communication or the Kansas Operating Permit Program to (913) 296-6439. Thank you.

Sincerely,

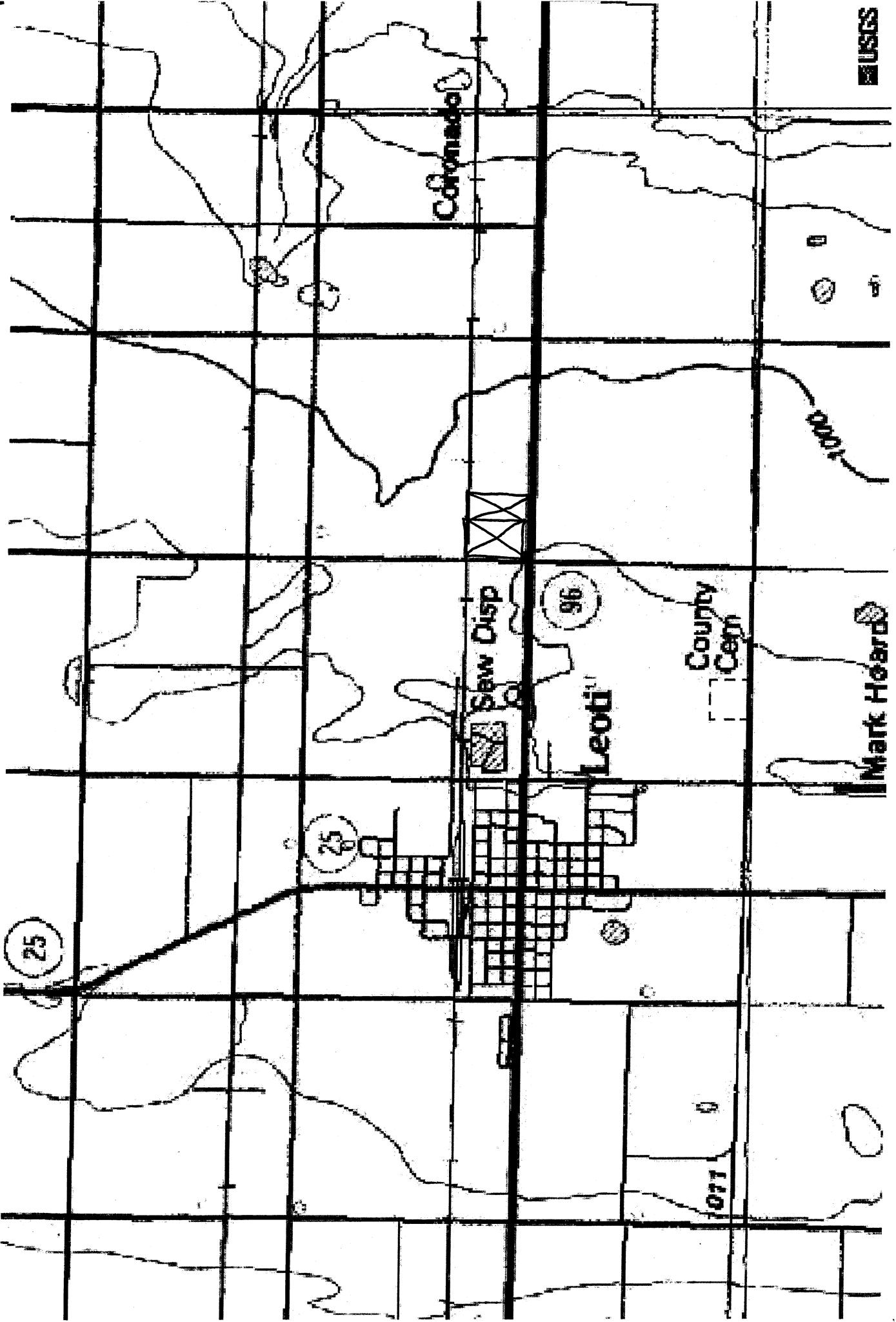
A handwritten signature in cursive script that reads "Troy B. Percival".

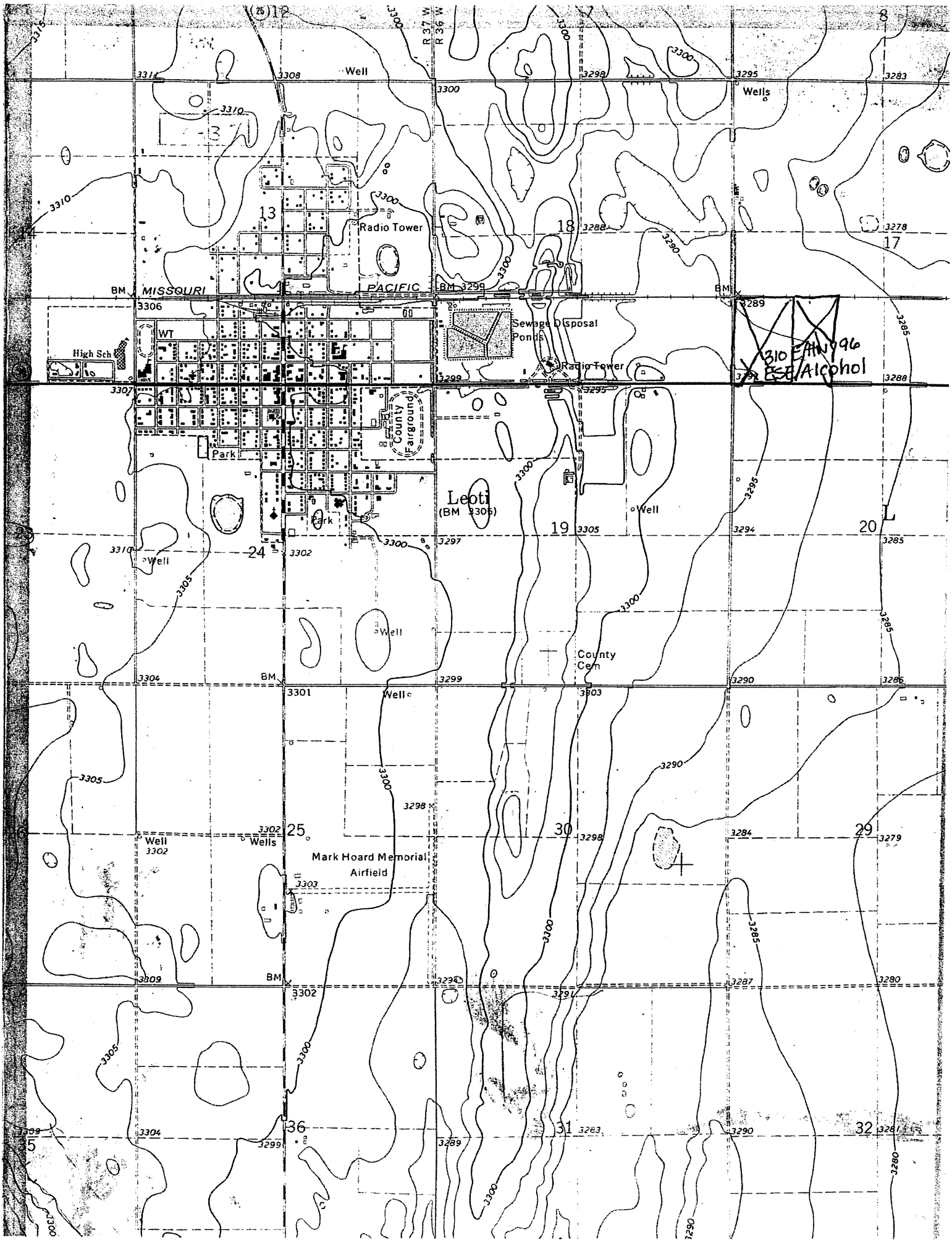
Troy B. Percival
Engineering Associate
Bureau of Air and Radiation

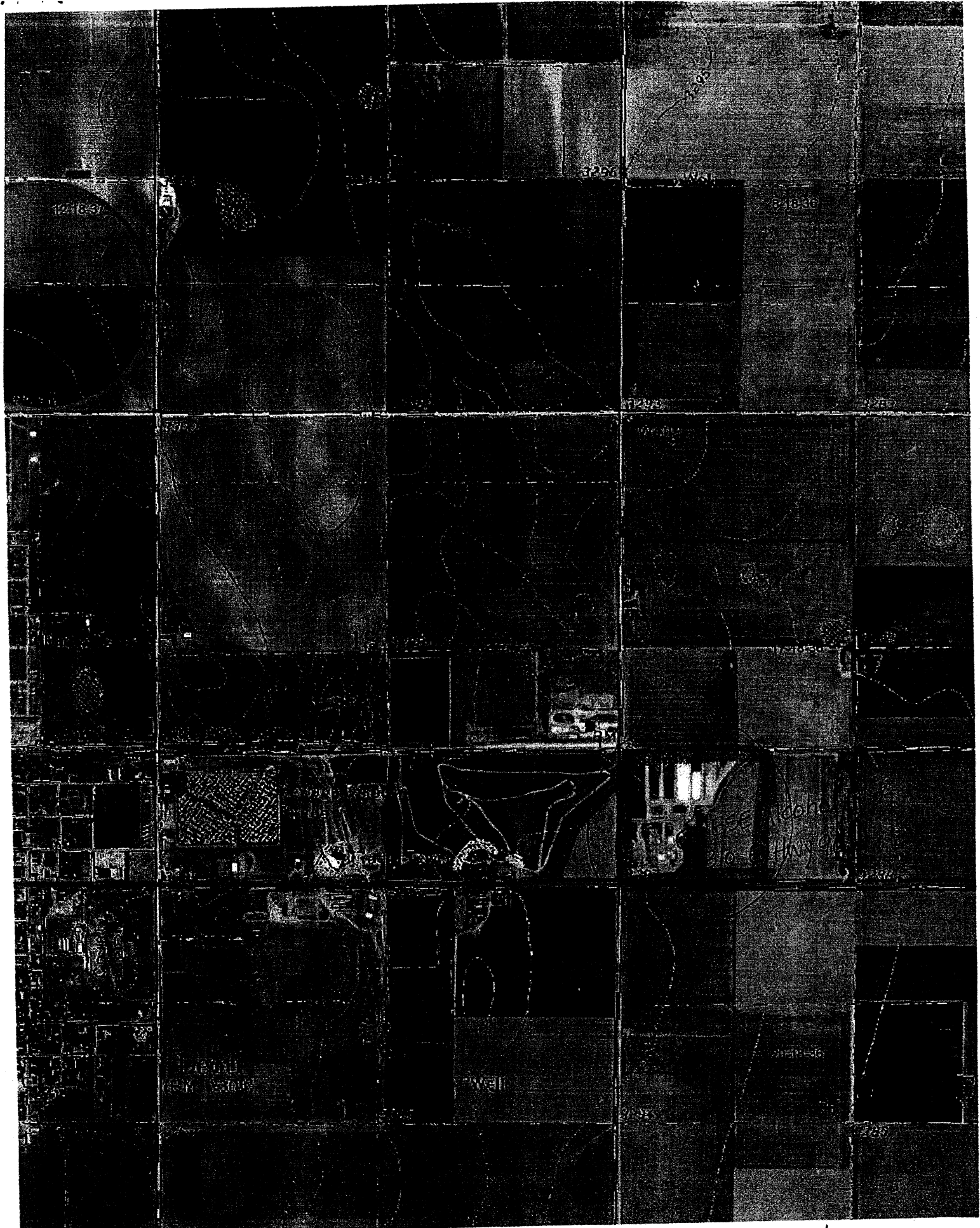
TBP:lb

P.L. 110-329
2009 Disaster Supp.
(Approved 9/20/08)

BUSES







⊗ = proposed location
[] AREA OF POTENTIAL AFFECT

KANSAS

KSR&C No. 09-12-107

Kansas Historical Society
Cultural Resources Division

MARK PARKINSON, GOVERNOR

December 21, 2009

Juliet C. Bochicchio
Environmental Protection Specialist
USDA Rural Development
1400 Independence Avenue, SW
Washington DC 20250-0700

Re: Anaerobic Digester Installation
ESA Alcohol, Inc.
Wichita County

Dear Ms. Bochicchio:

The Kansas State Historic Preservation Office has reviewed its cultural resources files for the area of the above referenced project in accordance with 36 CFR 800. The project as proposed should have no effect on properties listed in the National Register of Historic Places or otherwise identified in our files. This office has no objection to implementation of the project.

Any changes to the project area that include additional ground disturbing activities will need to be reviewed by this office prior to beginning construction. If construction work uncovers buried archaeological materials, work should cease in the area of the discovery and this office should be notified immediately.

This information is provided at your request to assist you in identifying historic properties, as specified in 36 CFR 800 for Section 106 consultation procedures. If you have questions or need additional information regarding these comments, please contact Tim Weston 785-272-8681 (ex. 214). Please refer to the Kansas Review & Compliance number (KSR&C#) above on all future correspondence relating to this project.

Sincerely,

Jennie Chinn
State Historic Preservation Officer


Patrick Zollner
Deputy State Historic Preservation Officer

REQUEST FOR ENVIRONMENTAL INFORMATION

Name of Project ESE Ethanol - Digester
Location Leoti, KS

Item 1a. Has a Federal, State, or Local Environmental Impact Statement or Analysis been prepared for this project?
 Yes No Copy attached as EXHIBIT I-A.

1b. If "No." provide the information requested in Instructions as EXHIBIT I.

Item 2. The State Historic Preservation Officer (SHPO) has been provided a detailed project description and has been requested to submit comments to the appropriate Rural Development Office. Yes No Date description submitted to SHPO _____

Item 3. Are any of the following land uses or environmental resources either to be affected by the proposal or located within or adjacent to the project site(s)? (Check appropriate box for every item of the following checklist).

	Yes	No	Unknown		Yes	No	Unknown
1. Industrial.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	19. Dunes.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Commercial.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	20. Estuary.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Residential.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	21. Wetlands.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Agricultural.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	22. Floodplain.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Grazing.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	23. Wilderness..... (designated or proposed under the Wilderness Act)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Mining, Quarrying.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	24. Wild or Scenic River..... (proposed or designated under the Wild and Scenic Rivers Act)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Forests.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	25. Historical, Archeological Sites..... (Listed on the National Register of Historic Places or which may be eligible for listing)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Recreational.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	26. Critical Habitats..... (endangered/threatened species)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Transportation.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	27. Wildlife.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Parks.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	28. Air Quality.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Hospital.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	29. Solid Waste Management.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Schools.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	30. Energy Supplies.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Open spaces.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	31. Natural Landmark..... (Listed on National Registry of Natural Landmarks)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Aquifer Recharge Area.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	32. Coastal Barrier Resources System.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Steep Slopes.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
16. Wildlife Refuge.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
17. Shoreline.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
18. Beaches.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				

Item 4. Are any facilities under your ownership, lease, or supervision to be utilized in the accomplishment of this project, either listed or under consideration for listing on the Environmental Protection Agency's List of Violating Facilities? Yes No

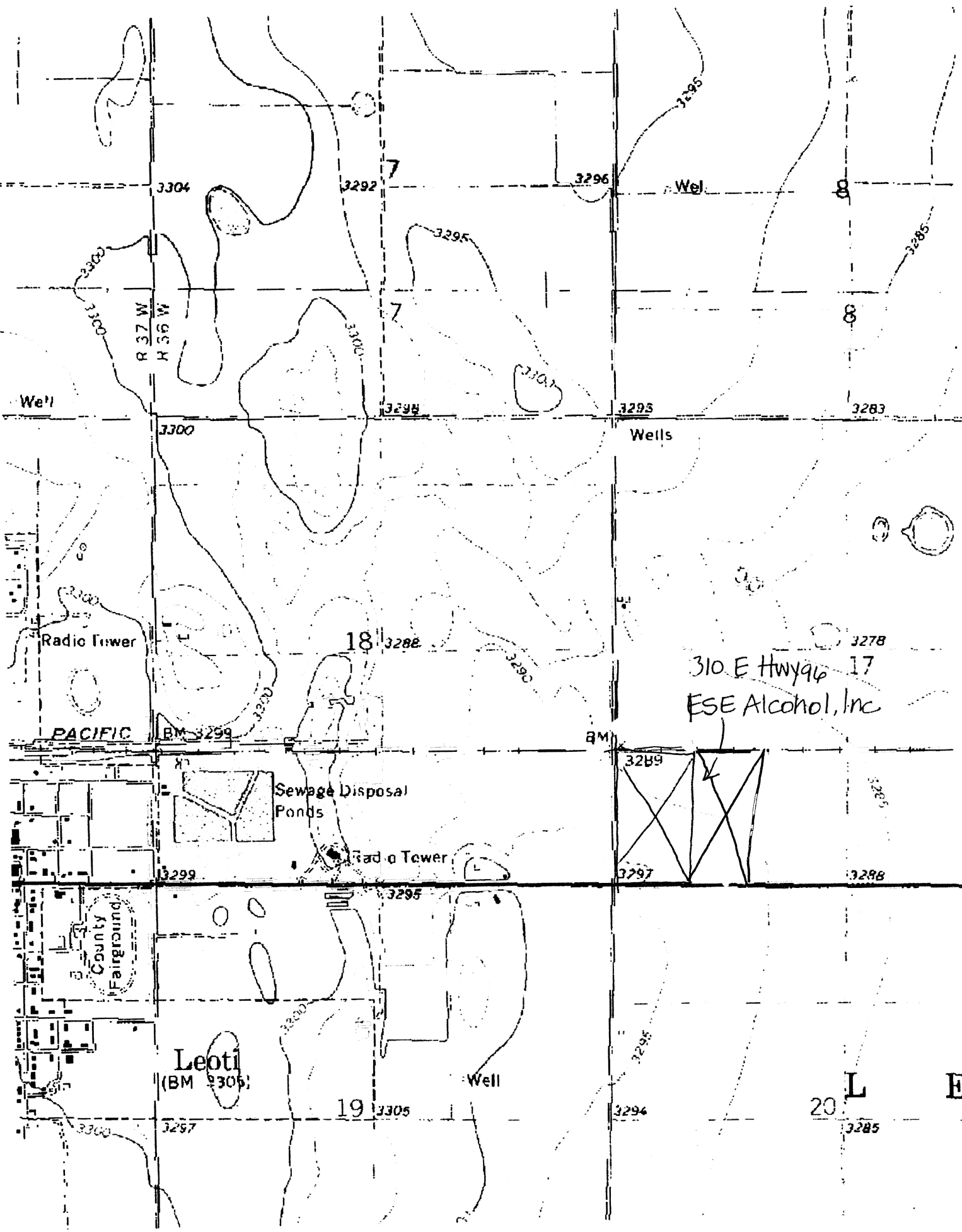
10-28-09
(Date)

Signed:

ESE ALCOHOL, INC. By: [Signature]
(Applicant)

President

(Title)



3304

3292

3296

Well

00

3300
3300

R 37 W
H 56 W

3300
3300

3295

3300

Well

08

3285

Well

3298

3295

3283

3300

Wells

Radio Tower

18

3288

3278

310 E Hwy 96 17
ESE Alcohol, Inc

PACIFIC

BM 3299

BM

3289

Sewage Disposal Ponds

Radio Tower

3299

3295

3297

3288

County Fairground

Leoti
(BM 3305)

Well

19

3305

3294

20

3285

3300

3297



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USGS 8 km SE of Leoti, Kansas, United States 01 Jul 1975

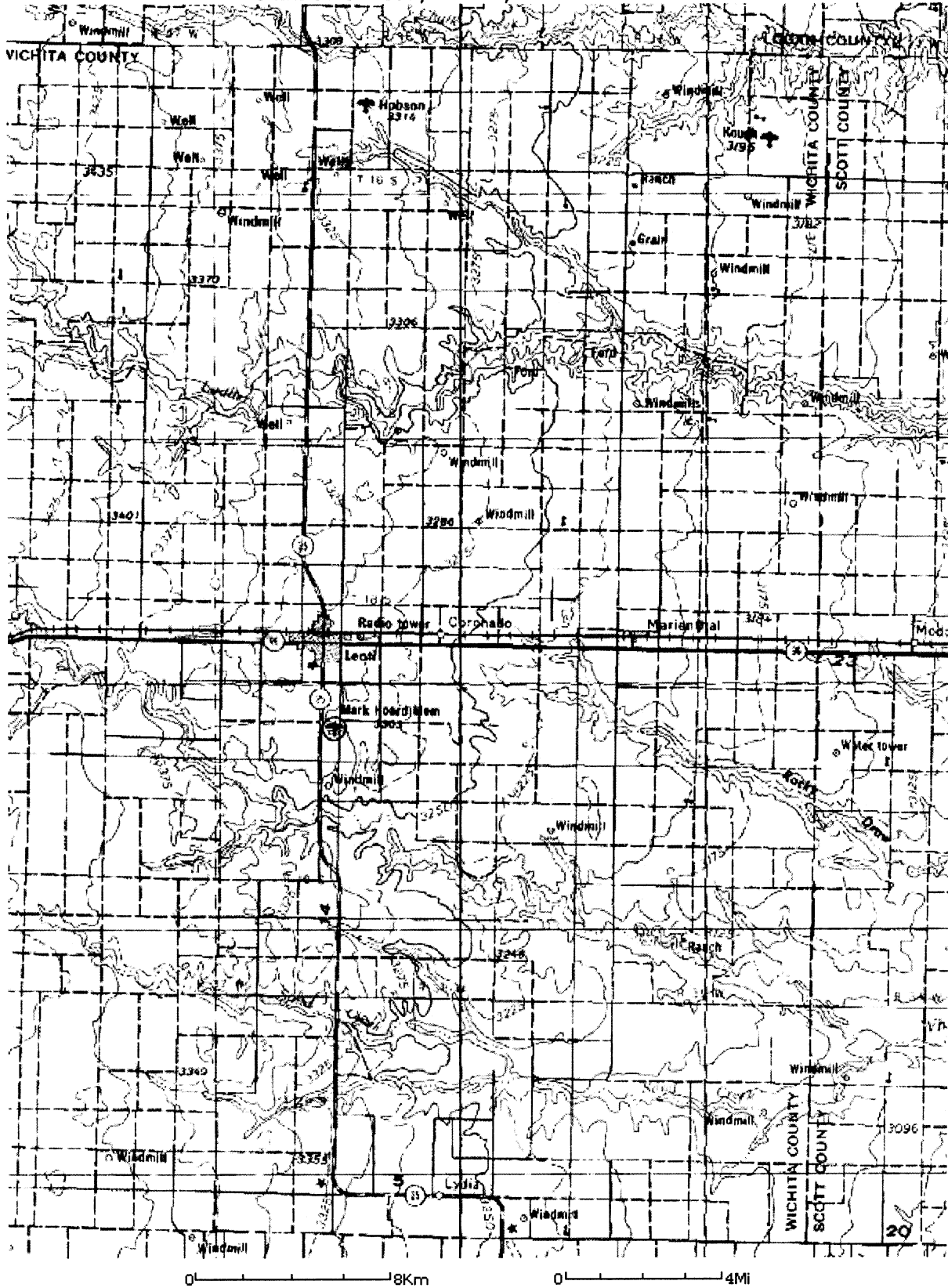


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USGS 2 km SE of Leoti, Kansas, United States 01 Jul 1976

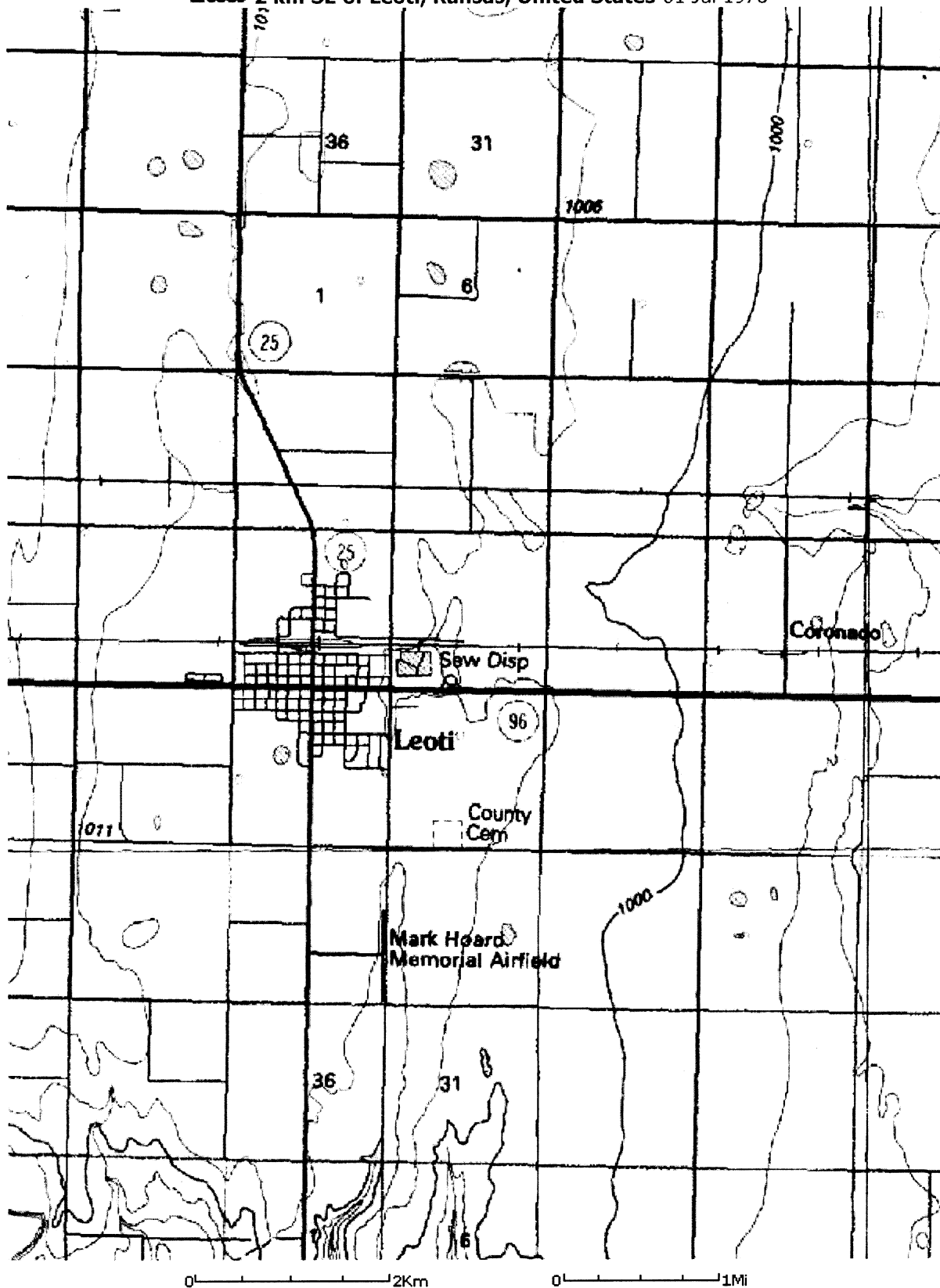


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