Air Enforcement: U.S. Environmental Protection Agency and Grand Island, Nebraska Beef Processing Facility Enter into Consent Agreement

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The United States Environmental Protection Agency ("EPA") and Swift Beef Company ("SBC") entered into an April 23rd Consent Agreement and Final Order ("CAFO") addressing alleged violations of the Clean Air Act. See Docket No. CAA-07-2026-0070.

The CAFO provides that SBC is the owner and operator of a beef slaughter and processing facility located in Grand Island, Nebraska.

The facility is stated to operate two lagoons for the treatment of wastewater at the facility. The lagoons are stated to produce biogas containing methane and hydrogen sulfide, which oxidizes to sulfur dioxide in the ambient air or when flared.

The biogas emissions are stated to have been controlled using flare and iron sponge scrubbers until February 23, 2024, when the scrubbers became inoperable due to a fire. They are currently controlled using only the flare.

The Nebraska Department of Environment and Energy is stated to have issued a construction permit to SBC in 2019 containing operating and recordkeeping requirements for the facility's wastewater treatment system. A construction permit which superseded the previously reference permit and revised facility-wide fuel limitations is stated to have been issued in 2022.

EPA is stated to have conducted an inspection of the facility on March 25-26, 2025. Based on the inspection and resulting investigation, the CAFO provides that EPA determined that SBC's failure to properly operate the facility's wastewater treatment system resulted in excess emissions of H2S and SO2.

A construction permit was issued to SBC on September 29, 2025, which superseded the previous construction permit and contains requirements for the installation of an oxygen injection system on the wastewater lagoons at the facility.

The CAFO alleges the following violations:

- Failure to comply with H2S Emission Limits.
- Failure to Comply with Performance Test Requirements.
- Failure to Properly Operate and Maintain Scrubbers.
- Failure to Control Biogas Emissions.
- Failure to Comply with Flare Fuel Limit.

- Failure to Operate and Maintain Continuous Flow Monitor.
- Failure to Comply with Recordkeeping Requirements.
- Failure to Timely Report Malfunctions.
- Failure to Submit Compliance Certification Reports.
- Failure to Submit Class I Operating Permit Application.

SBC neither admits nor denies the specific factual allegations stated in the CAFO.

A civil penalty of $1,578,440 is assessed.

A copy of the CAFO can be found here.