

Wilson, Tabatha

From: Wilson, Tabatha
Sent: Wednesday, April 23, 2014 1:20 PM
To: Wilson, Tabatha
Subject: FW: AR0020273_Siloam Springs March 2014 notification of changed discharge and authorization to accept Allens Canning WW_20140423
Attachments: ADEQ Notification - Allens Inc - 1-22-14.pdf; Allens Authorization _ Effective 3-7-14.pdf

From: Gilliam, Allen
Sent: Wednesday, April 23, 2014 1:17 PM
To: Wilson, Tabatha
Cc: Fuller, Kim; Bailey, John; Shaffii, Mo
Subject: AR0020273_Siloam Springs March 2014 notification of changed discharge and authorization to accept Allens Canning WW_20140423

From: David Cameron [<mailto:dcameron@siloamsprings.com>]
Sent: Wednesday, January 22, 2014 6:30 PM
To: Marks, Teresa; Gilliam, Allen; shaffii@adeq.state.ar.us; Bailey, John
Cc: jallen@allens.com; James Phillips (jphillips@allens.com); Laura Mushinski <lmushinski@allens.com> (lmushinski@allens.com); pevans@stinson.com; Steven Gorszcyk; Tom Myers; Don Clark; Madison Stewart
Subject: Discharge Authorization

Dear Director Marks –

Please see attached the notification and authorization as per the City's Industrial Pretreatment Program. It is our intent to assist Allens, Inc as much as reasonably possible while meeting all the criteria outlined in our NPDES permit. We thank you for your support and willingness to assist in this effort.

Upon receipt of the signed authorization by the City and Allens, Inc it is our intent to begin taking process wastewater from the Allens Country Plant effective tomorrow, January 23, 2014.

We will be sending signed original copies tomorrow. If you have any questions or concerns, please let us know.

Best regards,

David Cameron
City Administrator
City of Siloam Springs, AR.
Office: (479) 238-0907





January 22, 2014

**USPS-CERTIFIED MAIL RETURN RECEIPT REQUESTED
AND ELECTRONIC EMAIL**

Theresa Marks, Director
Arkansas Department of Environmental Quality ✓
5301 Northshore Drive
North Little rock, AR 72118-5317

Allen Gilliam
Water Division, Permits Branch, Pretreatment Program
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little rock, AR 72118-5317

NPDES Enforcement Section
Water Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little rock, AR 72118-5317

Re: City of Siloam Springs NPDES Permit No. AR0020273
Notice of New Introduction of Pollutants into Treatment Works

Dear Director Marks, Mr. Gilliam, and Enforcement Section:

Pursuant to Conditions II.D.1 and III.8.e. of the City's NPDES Permit No. AR0020273 this is notice of a new introduction of pollutants into the City's treatment works.

The City has issued the attached Authorization 2014-01 for Discharge of Hauled Industrial Wastewater to Allens, Inc. in accordance with the requirements of the City's Industrial Pretreatment Ordinance section 98-737.

Authorization 2014-01 allows Allens, Inc. to discharge up to 150,000 gallon per day of wastewater from vegetable preparation and canning operations. After the City has determined the POTW's response as a result from the increased organic loading, the City may allow for additional increases up to 500,000 gallons per day. The parameters and concentrations of parameters in the wastewater are provided in the most recently tested attached laboratory analyses from Environmental Services Company. Allens, Inc. has represented to the City that these analyses are representative of the wastewater that will be discharged to the City collection and treatment system under the Authorization.

Authorization 2014-01 requires Allens, Inc. to comply with the City's Industrial Pretreatment Ordinance and imposes limits on parameters in the Allens, Inc. wastewater that are necessary to protect the City's treatment

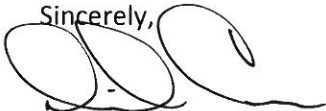
Director Marks, Mr. Gilliam, and Enforcement Section
January 22, 2014
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works from pass through and interference, comply with federal, state, and local limits, and protect the City's ability to comply with effluent limitations in the City's NPDES Permit. The City has evaluated the proposed discharge with regard to solids and sludge handling and has determined that the terms of the Authorization protect the City's ability to properly handle solids and sludge in compliance with applicable requirements.

Allens, Inc. discharges will be monitored as provided in the Authorization. The Authorization provides the City the ability to make changes in the discharge requirements as needed and sets forth the consequences of failure to comply by Allens, Inc.

Please contact me if you have any questions regarding this notice.

Sincerely,

A handwritten signature in black ink, appearing to read "David Cameron", with a long, sweeping underline that extends to the right.

David Cameron
City Administrator

Enclosure: City of Siloam Springs Authorization 2014-01

Environmental Services Company, Inc.

Corporate Office
 13715 West Markham
 Little Rock, AR 72211
 Tel. (501)221-2565 Fax (501)221-1341

Northwest Arkansas Branch
 1107 Century Avenue
 Springdale, AR 72262
 Tel. (479)750-1170 Fax (479)750-1172

Control Number: 1311020378
 Customer Name: ALLEN CANNING CO-IRRIGATION WTR
 Customer Number: 1381
 Report Date: 12/11/13


Sample Date: 11/25/13
 Sample Time: 1110
 Sample Type: GRAB IRR. WATER
 Sample From: IRRIGATION WATER

Collected By: WDS
 Delivery By: WDS
 Work Order:
 Purchase Order:

Analysis		Laboratory Analysis		Quality Assurance				
Date	Time By	Parameter	Result	Notes	Quantity	Method	Precision % RPD	Assurance % Recovery
12/02	1000	Ammonia Nitrogen	3.5 mg/L			SM 18th 4500-NH3 H	0.94	80.0
12/02	0800	Kjeldahl Nitrogen Total	39.20 mg/L			SM 18th 4500-NORGB	1.68	100.9
12/04	1219	Potassium	133.8100 mg/L			EPA 200.8	0.27	98.8
11/25	1110	PH	4.3 S.U.			SM 18th 4500-H+ B	0.00	N/A
12/02	0830	Phosphorous, Total (as P)	8.8 mg/L			EPA 365.3	2.99	98.6
11/27	1100	Solids, Total Dissolved	4323.3 mg/L			SM 18th 2540C	4.88	N/A
11/25	1330	Solids, Total Suspended	490.0 mg/L			SM 18th 2540D	0.00	N/A
12/02	1620	Solids, Total	3160.0 mg/L			SM 18th 2540B	1.90	N/A
11/25	1110	Specific Conductance	3780.00 U MHOS			EPA 120.1	0.00	N/A
12/02	1345	Chloride	509.98 mg/L			SM 18th 4500-Cl C	6.06	109.6
11/27	0830	BOD, Carbonaceous	5640.0 mg/L			SM 18th 5210B	0.00	103.5
12/02	1620	Solids, % Total	0.527 %			SM 18th 2540G	4.75	N/A
12/03	1000	Nitrate + Nitrite	0.3 mg/L			SM 18th 4500-NO3 E	0.00	98.6

* QA data shown is from a different sample or standard on the same date.

All equipment used is checked and/or calibrated daily. All NPDES testing is conducted in accordance with 40 CFR Part 136. A minimum of 10% spiked and duplicate samples is run on each parameter where applicable for Quality Assurance purposes. Quality Assurance Plan on file with Arkansas Department of Environmental Quality. Analysis time indicates the time of the start of the analytical batch in which the specific sample was included.

Signature 
 Environmental Services Co., Inc.

Environmental Services Company, Inc.

Corporate Office
 13715 West Markham
 Little Rock, AR 72211
 Tel. (501) 221-2565 Fax (501) 221-1341

Northwest Arkansas Branch
 1107 Century Avenue
 Springdale, AR 72762
 Tel. (479) 750-1170 Fax (479) 750-1172

Control Number: 1401020200
 Customer Name: ALLEN CANNING CO-IRRIGATION WTR
 Customer Number: 1381
 Report Date: 01/21/14

Sample Date: 01/13/14
 Sample Time: 1320
 Sample Type: GRAB - WASTEWATER
 Sample From: LAGOON

Collected By: LAURA MUSHINSKI
 Delivery By: LAURA MUSHINSKI
 Work Order:
 Purchase Order:

Analysis

Laboratory Analysis

Date	Time	By	Parameter	Result	Notes	Quantity	Method	Precision & RPD	Accuracy & Recovery
01/15	0900	KIK	BOD, 5-day	1809.3			SM 18th 5210B	18.02	100.6 *
01/16	1631	RAH	Beryllium	0.0100			EPA 200.8		
01/14	0800	MNW	Cyanide Total (as CN)	< 0.0100			SM 18th 4500-CN E	0.94	103.1 *
01/13	1320	LM	Dissolved Oxygen	0.4			SM 18th 4500-O G		
01/21	1340	VLP	Phenolics	0.264			EPA 420.1	6.32	95.0
01/16	1631	RAH	Chromium	< 0.0010			EPA 200.8		
01/16	1631	RAH	Silver	< 0.0010			EPA 200.8		
01/16	1631	RAH	Antimony	< 0.0200			EPA 200.8		
01/15	0900	KIK	BOD, Carbonaceous	1282.3			SM 18th 5210B	16.95	100.6 *

* QA data shown is from a different sample or standard on the same date.

All equipment used is checked and/or calibrated daily. All NPDES testing is conducted in accordance with 40 CFR Part 136. A minimum of 10% spiked and duplicate samples is run on each parameter where applicable for Quality Assurance purposes. Quality Assurance Plan on file with Arkansas Department of Environmental Quality. Analysis time indicates the time of the start of the analytical batch in which the specific sample was included.

Signature 
 Environmental Services Co., Inc.

ADA

CITY OF SILOAM SPRINGS
INDUSTRIAL PRETREATMENT PROGRAM
AUTHORIZATION FOR DISCHARGE OF HAULED INDUSTRIAL WASTEWATER

March 7, 2014

Pursuant to section 98-737 of the City's Industrial Pretreatment Ordinance Allens, Inc. Allens, Inc., a Delaware corporation f/k/a Sager Creek Acquisition Corp. ("Allens") is authorized to discharge in accordance with this Authorization and other requirements which may from time to time be imposed by the City Administrator, hauled industrial wastewater to the City's sewer collection system for treatment in the City's POTW.

The discharge authorized is industrial wastewater directly from the Allens, Inc. vegetable processing and canning Plant #1, 14961 Readings Road, Siloam Springs, AR. This City will only accept process wastewater from the "Lagoon Pump Inlet for Tanking". Lagoon or other stored or otherwise collected wastewater shall not be discharged under this Authorization. Accepting waste directly from the lagoon is of differing consistency and would require different Authorization. Allens has provided the City a comprehensive analysis of the wastewater to be discharged and has represented that the wastewater to be discharged shall not deviate significantly from that baseline analysis and has further represented that there is not hazardous waste in the wastewater to be discharged.

The discharge is subject to the following requirements:

1. The discharge is subject to all requirements of the City's Industrial Pretreatment Ordinance, a copy of which has been provided to Allens.
2. Allens, shall provide the City a designated "cognizant representative". Until further written notice, the City will recognize, Laura Mushinski, Director of Environmental Quality, as Allens cognizant representative. The City reserves the right to approve or reject any proposed replacement representative official.
3. Allens will be permitted to deliver up to 500,000 gallons per day. Upon written notice via electronic mail, the City may authorize larger volumes on increasing daily as long as there is no negative impact on the operation of the City's Publicly Owned Treatment Works.
4. In addition to all requirements in the City's Industrial Pretreatment Program, the discharge is subject to the discharge limits set forth in this Authorization. At no time may all or any portion of a discharge exceed the discharge limits. If such exceedance occurs, the discharge shall cease immediately pursuant to notice by the City Administrator or the City's Water and Wastewater Director and shall not resume without written authorization from the City Administrator.
5. The discharge shall be pumped to the manhole located at the City Solid Waste Department located at 1108 East Ashley.

6. If any material is spilled or otherwise not discharged directly to the manhole, Allens shall be solely responsible for notification of such spill and for any cleanup or other requirements as a result of the spill and for all legal obligations associated with such spill.
7. Allens may begin delivering waste commencing at 7:00 AM each day and cease when the daily maximum is reached. Notice shall be to the City Water and Wastewater Director at 479-238-0935 and sgorszczyk@siloamsprings.com of any reduction or increase in volume.
8. Allens shall provide analysis of, BOD, TSS, TKN, Phosphorus, and total recoverable Copper on a weekly basis and upon change in product they are producing. Such analysis must be received within five business days following the sample day except for BOD which will be allowed seven business days. Analysis must be performed at a certified laboratory conforming to regulations per 40 CFR Part 136.
9. The City may take samples at reasonable intervals to insure compliance with the NPDES permit. The City will invoice Allens the charges for collection and analysis of such samples. Such invoice shall be paid within 30 days of the date of the invoice.
10. Discharge limits are as follows:
 - a. BOD = 5,000 ppm
 - b. TSS = 2,500 ppm
 - c. Phosphorus = 16 ppm
 - d. Copper = 15.84 ug/L
 - e. TKN = 25 ppm
11. Charges for the discharge of wastewater are as follows:
 - a. BOD – the following fees apply at all times:
 - i. BOD up to 2000 ppm = \$0.032 per gallon
 - ii. BOD up to 3000 ppm = \$0.042 per gallon
 - iii. BOD up to 4000 ppm = \$0.062 per gallon
 - iv. BOD up to 5000 ppm = \$0.082 per gallon


Charge parameters shall be assessed daily by electronic invoice based upon the number of loads recorded from the previous day “Hauled Waste Tracking Forms” (HWTF) validated from Allens security check point. Allens shall submit the number of loads for each week (Monday through Sunday) by 9:00 am each Monday to the City's Finance Director, Christina Petriches, at cpetriches@siloamsprings.com. The number of loads shall be based on the HWTFs that are required above and the HWTFs for the reported loads shall be submitted to the City's Water/Wastewater Director. The Finance Director shall issue Allens an invoice twice per month on approximately the 1st and 15th of the month. Allens shall pay each invoice within ten (10) days. Allens shall retain for three years all HWTFs and copies of email submittals of load totals.

12. If Allens fails to comply with any requirement in this Authorization the City Administrator may revoke this authorization without prior notice. Any noncompliance with this Authorization or the

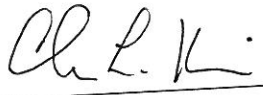
City's Industrial Pretreatment Ordinance shall be subject to enforcement as provided in the Industrial Pretreatment Ordinance.

13. This Authorization and compliance with this Authorization does not relieve Allens of its obligation to comply with any applicable federal, state or local laws.

14. This amended Authorization is effective March 7, 2014 and shall expire immediately upon authorization from the Arkansas Department of Environmental Quality (ADEQ) to resume irrigation operations. If authorization from ADEQ is not permitted the Authorization will expire at midnight June 30, 2014. However, upon written notification from an authorized corporate executive, and authorization from ADEQ, in the event of future disruptions in the availability of irrigation operations, the City will make its facilities available on an emergency, short-term (thirty (30) days) basis under the same terms and conditions as set forth above. However, as noted in Paragraph 2, "Lagoon or other stored or otherwise collected wastewater shall not be discharged under this Authorization".

By: 
David W. Cameron
City Administrator

Date: 3/7/14

By: 
Chris Kiser, CEO
Allens, Inc.

Date: 3/7/14