

PUBLIC NOTICE OF DRAFT NO-DISCHARGE PERMIT AND PUBLIC MEETING AND HEARING
PERMIT NUMBER 5133-WR-3
AFIN 18-00902

This is to give notice that the Arkansas Department of Environmental Quality (ADEQ) Water Division, 5301 Northshore Drive, North Little Rock, Arkansas 72118-5317 at telephone number (501) 682-0648, proposes a draft modification of the permit for which an application was received on 7/21/2014, with additional information received on 12/2/2014, for the following applicant under the Arkansas Water and Air Pollution Control Act.

Applicant: Burt's Livestock, Inc, 370 Watkins Cove, Marion, AR 72364. The land application sites are on numerous farm fields in Crittenden County. For a more detailed description of the locations for each land application site, refer to Part II of the draft permit or the waste management plan. These documents may be accessed by searching the permit number listed above at the following website:

<http://www.adeq.state.ar.us/home/pdssql/pds.aspx>

This permit is for the construction of a second storage basin and storage and land application of wastewater from Rich Products Corporation that results from process changeover, equipment sanitation, and disqualified product during the production of non-dairy food items and coffee creamer; and wastewater sludge produced by Frito Lay in the final stage of the pretreatment wastewater system that accepts process water, cleaning sanitation liquids, and starch water from the production of corn and potato snack chips.

This is a modified draft permit and only the modified portion of the permit is open for comment. The following portions are being modified:

- A. Construction of a second concrete lined basin as discussed in Statement of Basis 10 in accordance with Part II Condition 3.
- B. Additional 69.9 acres (Parcel 3) for land application.
- C. Expand the operations to include the storage and land application of industrial wastewater sludge from Frito Lay.
- D. Removed the reporting requirement for magnesium in the soils in Part I. See Statement of Basis 12.A.iii.e.
- E. Added Part II Condition No. 18 regarding soil sampling methods.
- F. Added Part II Condition No. 23 to require inspection and documentation that land application boundaries are flagged prior to the first application and there is no pooling or ponding after ceasing the first application under this modification.
- G. Added Part II Condition No. 24 to require the storage area to be constructed in a manner that prevents stormwater runoff.
- H. Added Part I Schedule of Compliance and Part II Condition No. 28 to require an odor management plan to be developed and implemented.
- I. Added Part IV Definition regarding "before, during, and after land application activities."

Written comments will be accepted during the Public Comment period, which will begin on March 31, 2015, and end on April 30, 2015 at 4:30 p.m. Central Time. All persons including the permittee who wish to comment on ADEQ's draft permitting decision must submit written comments to ADEQ, along with their name and mailing address, during the Public Comment period. Additionally, Written or Oral comments will be accepted at the Public Hearing scheduled for April 30, 2015. No additional comments will be accepted upon adjourning the Public Hearing.

The Public Hearing will be held on April 30, 2015, beginning at 6:00 p.m. Central Time at the Marion City Hall, 14 Military Road, Marion, AR 72364, in Crittenden County. A hearing officer will accept public comments at this time. Verbal comments will be accepted, but written comments are preferred in the interest of accuracy. In the event of inclement weather or other unforeseen circumstances, a decision may be made to postpone the hearing. If the hearing is postponed and rescheduled, a new legal notice will be published to announce the details of the new hearing date and comment period.

Comments and public hearing procedures may be found in the Arkansas Pollution Control and Ecology Commission (APC&EC) Regulation No. 8. ADEQ will issue a final permitting decision. ADEQ will notify the applicant and each

person who has submitted written comments or requested a notice of the final permitting decision. Any interested person who has submitted comments may appeal a final decision by ADEQ in accordance with the APC&EC Regulation No. 8 (Administrative Procedures).

ADEQ's contact person, Casey Vickerson, may be reached at the phone number and address noted above, or at ADEQ's email address at Water-Draft-Permit-Comment@adeq.state.ar.us.

Published on 3/31/2015 in the Crittenden County Times.