

**Attachment B**  
**To**  
**Exhibit B**

## EXECUTIVE SUMMARY

Tyson Foods, Inc. – Waldron Plant (“Tyson-Waldron”) operates a feed mill, chicken processing plant and hatchery located in Waldron, Arkansas, which discharges treated process wastewater through Outfall 001 into an Unnamed Tributary of the Poteau River (“UT”) under NPDES Permit No. AR0038482 issued by the ADEQ effective September 30, 2010. The discharge enters the UT which flows to the Poteau River and then to the Arkansas state line.

Tyson-Waldron’s 2010 NPDES Permit contains permit limits for chlorides, sulfates and total dissolved solids (“TDS”), which become effective in September 2013. Monitoring of Tyson-Waldron’s discharge indicated that the discharge frequently exceeded the final permit limits for sulfates and TDS. Tyson-Waldron evaluated alternatives through a Section 2.306 Site Specific Water Quality Study of the UT and the Poteau River (“Section 2.306 Study”) which analyzed the characteristics of the affected stream segments, toxicity testing, mass balance modeling to evaluate downstream minerals concentrations under various flow and discharge scenarios, engineering analysis of alternatives for discharge and treatment, and an analysis of designated uses for UT and the Poteau River.

Based on the Section 2.306 Study, Tyson-Waldron is requesting the following amendments to APC&EC Regulation No. 2:

modify the water quality standards for the UT from the Point of Discharge of Tyson-Waldron downstream to the point of discharge of the City of Waldron WWTP as follows: chlorides from 150 mg/l to 80 mg/l; sulfates from 70 mg/l to 121 mg/l; TDS from 660 mg/l to 411 mg/l

modify the water quality standards for the UT from the Point of Discharge of the City of Waldron wastewater treatment plant to the Confluence with the Poteau River as follows: chlorides from 150 mg/l to 106 mg/l; sulfates from 70 mg/l to 117 mg/l; TDS from 660 mg/l to 514 mg/l

modify the water quality standards for the Poteau River from the Confluence with the Unnamed Tributary (near Business Hwy 71) to the state line, as follows: chlorides from 150 mg/l to 106 mg/l; sulfates from 70 mg/l to 117 mg/l; TDS from 660 mg/l to 514 mg/l

Tyson-Waldron’s proposed modifications are supported by the following:

- Tyson-Waldron is not seeking a change from historical water quality conditions in the UT or the Poteau River.
- The Section 2.306 Study established that all sampling locations influenced by Tyson-Waldron’s discharge showed the presence of ecoregion key and indicator species and species composition consistent with the attainment of an Arkansas River Valley Ecoregion fishery designated use.

- Toxicity testing on *Ceriodaphnia dubia* and *Pimphales promelas* using Tyson-Waldron effluent showed no significant lethal or sub-lethal toxicity.
- There is no current economically feasible treatment technology for the removal of the minerals. Reverse osmosis treatment technology is not cost effective and generates a concentrated waste stream that is environmentally difficult to dispose of. That technology is not required to meet the designated uses and would produce no significant environmental protection.
- The basis under the federal Clean Water Act for revisions of Regulation No. 2 to reflect site-specific standards is provided in 40 CFR §131.20 and §131.11(b).