

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF INTENT TO REISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No.WI-0000027-12-0

Permittee: Kerry Ingredients, 324 N. Harding Street, Owen, WI, 54460

Facility Where Discharge Occurs: Kerry Ingredients, 324 N Harding St, Owen, WI 54460

Receiving Water And Location: Brick Creek Pond and the Groundwaters of the Popple River Watershed of the Black River Basin located in Clark County

Brief Facility Description and Summary of Proposed Changes: Kerry Ingredients is a food ingredient processing facility that generates 52,000 gallons per day (gpd) of process wastewater. During a previous permit term Kerry Ingredients constructed a wastewater treatment facility that allowed them to discharge treated effluent to Brick Creek Pond (Outfall 006). The treatment facility consists of a nanofiltration system, an effluent reaeration tank and a sludge thickener. Addition of ferric chloride is used for phosphorus removal. Although the permittee had the option in their permit to discharge the treated process wastewater (which includes wash water, boiler blowdown and seal water) to Brick Creek Pond (Outfall 006), and land apply the washwater on approved sites (Outfall 002), they did not use these options but instead discharged these wastestreams to the City of Owen municipal wastewater treatment facility (WWTF). In this permit term Kerry stated they plan to discontinue sending all wastewater to Owen WWTF., but instead will resume discharging treated effluent to Brick Creek Pond and land applying wash water. The sludge generated from the treatment of wastewater has been and will continue to be land applied on Department approved sites (Outfall 003). Sanitary wastewater is sent to the Owen WWTF. Outfall 004 for discharge of noncontact cooling water (NCCW) has been removed from the permit. This outfall has not been used for multiple permit terms and the facility stated the NCCW outfall does not have infrastructure to operate this outfall.

Significant effluent monitoring and/or limitation changes at Outfall 006 for this permit term are as follows: 1) the addition of quarterly effluent monitoring for total nitrogen, nitrite + nitrate nitrogen and total Kjeldahl nitrogen per the Department's October 1, 2019 Guidance for Total Nitrogen Monitoring in Wastewater Permits, 2) addition of chronic WET testing three times during the permit term, 3) reduction in the chloride weekly average mass limit from 560 lbs/day to 372 lbs/day based on the concentration limit and the maximum annual average flow, 4) monitoring for PFOS and PFOA every other month has been added in accordance with s. NR 106.98(2)(d), Wis. Adm. Code, and 5) the monitoring frequency has been increased for BOD, TSS, phosphorus, DO, pH, chloride and temperature. To quantitate the risk, PFAS sludge sampling has been included in the permit pursuant to ss. NR 214.18(5)(b) and NR 204.06(2)(b)9., Wis. Adm. Code. A schedule is included in the permit that requires the permittee submit updated land application management plan. Also, because the permittee is switching their discharge to surface water a compliance schedule has been included that requires the permittee have a certified operator in charge.

Permit Drafter's Name, Address, Phone and Email: Holly Heldstab, 1300 W Clairemont Ave, Eau Claire, WI, 54701, (715) 492-0483, Holly.Heldstab@wisconsin.gov

Basin Engineer's Name, Address, Phone and Email: Jenna Monahan, 1300 W Clairemont Ave, Eau Claire, WI 54701, (715) 492-4323, jenna.monahan@wisconsin.gov

The Department has tentatively decided that the above-specified WPDES permit should be reissued.

Limitations and conditions which the Department believes adequately protect the receiving water are included in the proposed permit. Land application of waste shall be done in accordance with permit conditions and applicable codes. All land application sites shall be approved prior to their use. To receive a list of approved sites, or to be notified of potential approvals, contact the above-named basin engineer.

Persons wishing to comment on or object to the proposed permit action, or to request a public hearing, may write to the Department of Natural Resources at the above-named permit drafter's address. All comments or suggestions received no later than 30 days after the publication date of this public notice will be considered along with other information on file in making a final decision regarding the permit. Anyone providing comments in response to this public notice will receive a notification of the Department's final decision when the permit is issued. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination. If no comments are received on the proposed permit from anyone, including U.S. EPA, the permit will be issued as proposed.

The Department may schedule a public informational hearing if requested by any person and shall schedule a public informational hearing if a petition requesting a hearing is received from 5 or more persons or if response to this notice indicates significant public interest pursuant to s. 283.49, Wis. Stats. Requests for a public informational hearing shall state the following: the name and address of the person(s) requesting the hearing; the interest in the proposed permit of the person(s) requesting the hearing; the reasons for the request; and the issues proposed to be considered at the hearing.

Information on file for this permit action, including the draft permit, fact sheet and permit application, may be inspected and copied at either the above-named permit drafter's office or the above named basin engineer's office,

Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter or basin engineer for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (715) 492-0483 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice, permit and fact sheet. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

PUBLISHING NEWSPAPER: Owen/Withee Enterprise, P.O. Box F, Withee, WI 54498-0906

Date Notice Issued: Wednesday, April 10, 2024