



# **Minnesota Pollution Control Agency**

## **STATE OF MINNESOTA**

### **Minnesota Pollution Control Agency**

**INDUSTRIAL DIVISION  
PUBLIC NOTICE OF INTENT TO MAJOR MODIFY  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)/  
STATE DISPOSAL SYSTEM (SDS) PERMIT MN0067482**

Public Comment Period Begins: April 5, 2013  
Public Comment Period Ends: May 6, 2013

Current Permit Issued: June 13, 2012  
Current Permit Expiration Date: May 31, 2017

**Name and Address of Permittee:**

PM Beef Holdings LLC  
2095 Dabney Road  
Richmond, VA 23230

**Facility Name and Location:**

PM Windom  
2850 Highway 60 E  
T105N, R36W, Section 24,  
Great Bend, Cottonwood County, Minnesota

**Description of Permitted Facility**

The PM Windom facility (facility) is located at T105N, R36W, Section 24, Windom, Cottonwood County, Minnesota. The principal activity at this facility is the slaughtering of beef and the subsequent cleanup and fabrication of beef for further processing at other facilities. The facility harvests approximately 850 cattle per day; the facility is not considered a feedlot operation.

PM Windom operates a waste water pre-treatment facility (WWTF) at their site in Windom. The facility's WWTF consists of a Dissolved Air Flootation (DAF) unit for the removal of fats, oils, and greases (FOGs), an anaerobic pond, and two aerobic ponds; treated effluent is discharged to the city of Windom WWTF. Wastewater is generated from the storage of paunch manure, manure and biosolids on the 'Manure Stockpiling Site,' which drains to the "Liquid Manure Storage Area." This wastewater is pumped and transferred to the wastewater pond system for treatment. Sanitary waste water from the facility is routed to the city of Windom WWTF. Discharge of wastewater to surface water is not authorized under this permit. Evaluation of groundwater in the vicinity and downgradient of the wastewater ponds is required by this permit. There are 9 monitoring wells around the facility. In addition, requirements for the maintenance, inspection and certification of the wastewater ponds are included in this permit.

This permit authorizes the land application of five industrial by-product (IBP) waste streams at agronomic rates during the cropping season. The first waste stream (WS301) consists of biomass solids from the facility's DAF unit; approximately 1,650 dry tons per year of waste solids are removed from the DAF unit (industrial by-products) for land application annually. The second waste stream (WS302) consists of paunch manure and manure from slaughter animals. Dewatered paunch manure, which is undigested materials in the animal's paunch, and manure is collected, dewatered, and land applied at a rate of 2,400 wet tons per year. Alternatively, the material is transferred to the Revier Cattle Company for land application. Meat and bone meal (WS303) is generated at the facility at a rate of 3,800 dry tons per year. Although this waste stream is currently sold as a by-product, the Permittee wishes to retain authorization to land apply this waste, in the event that market conditions change. The cap for lagoon #1 is authorized to be land applied (WS004) as needed, at a maximum quantity of 80,000 gallons per year. Finally, pond solids (WS305) are land applied as needed, at a maximum quantity of 2 million gallons per year. Chapter 4 of this permit addresses land application of industrial by-products requirements, including storage standards for the storage of industrial by-product.

This permit covers stormwater management standards for the facility, which are required for industrial facilities included in one of the 11 categories of industrial activity defined in federal regulation 40 CFR § 122.26.

The location of the Facility is shown on the attached map.

This purpose of this permit modification is to add 4 new wells into the permit.

#### **Preliminary Determination on the Draft Permit**

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to major modify this NPDES/SDS permit for a term of approximately five years. The proposed permit modification is described above.

A draft permit is available for review at the MPCA office at the St. Paul address listed below, at the Willmar regional office and on-line at <http://www.pca.state.mn.us/news/data/index.cfm?PN=1>.

A copy of the draft permit will be mailed to you if the MPCA receives your written or oral request at this office. If you have questions about this draft permit or the Commissioner's preliminary determination, please contact Emily Schnick at 651-757-2699.

#### **Written Comments**

You may submit written comments on the conditions of the draft permit or on the Commissioner's preliminary determination. Only comments or petitions concerning the proposed modification portions of the permit will be considered.

Written comments must include the following:

1. A statement of your interest in the permit application or the draft permit.
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft permit that you believe should be changed.
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

#### **Petition for Public Informational Meeting**

You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A petition requesting a public informational meeting must include the following information:

1. A statement identifying the matter of concern.
2. The information required under items 1 through 3 of "Written Comments," identified above.
3. A statement of the reasons the MPCA should hold a public informational meeting.
4. The issues that you would like the MPCA to address at the public informational meeting.

### **Petition for Contested Case Hearing**

You also may submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with Minn. R. 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft permit; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft permit. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in Minn. R. 7000.1900, as discussed above.
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing.
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing.
3. An estimate of time required for you to present the matter at a contested case hearing.

### **MPCA Decision**

You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) consider the permit issuance. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of Minn. Stat. § 116.02, subd. 6(4), the decision whether to issue the permit and, if so, under what terms will be presented to the Board for decision if: (1) the Commissioner grants the petition requesting the matter be presented to the Board; (2) one or more Board members request to hear the matter before the time the Commissioner makes a final decision on the permit; or (3) a timely request for a contested case hearing is pending. You may participate in the activities of the Board as provided in Minn. R. 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this permit. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board, will make the final decision on the draft permit.

Comments, petitions, and/or requests must be submitted in writing on or before the end date of the public comment period identified on page 1 of this notice to:

Emily Schnick, 5<sup>th</sup> Floor  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, MN 55155-4194

### **Topographic Map of Permitted Facility**

MN0067428: PM Windom Holdings LLC Wastewater Facility  
T105N, R36W, Section 24  
Windom, Cottonwood County, Minnesota

