



# **Minnesota Pollution Control Agency**

## **STATE OF MINNESOTA**

### **Minnesota Pollution Control Agency**

INDUSTRIAL DIVISION  
PUBLIC NOTICE OF INTENT TO REISSUE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)/  
STATE DISPOSAL SYSTEM (SDS) PERMIT MN0001686

**Public Comment Period Begins:** July 27, 2012  
**Public Comment Period Ends:** August 27, 2012

Current Permit Issued: November 6, 2006  
Current Permit Expiration Date: October 31, 2011

**Name and Address of Permittee:**

Birds Eye Foods LLC  
400 4th Street SW  
Waseca, Minnesota 56093

**Facility Name and Location:**

Birds Eye Foods LLC - Waseca  
400 4th Street SW  
T107N, R22W, Section 18,  
Woodville, Waseca County, Minnesota

**Description of Permitted Facility**

The Birds Eye Foods Inc – Waseca facility (Facility) is located at T107N, R22W, Section 18, Woodville Township, Waseca County, Minnesota. The principal activity at this Facility is the processing of peas and sweet corn during the vegetable harvest season and the packaging of frozen vegetable blends on a year-round basis.

**Wastewater Management**

Wastewater generated at the Facility consists of contact and non-contact stormwater; contact and non-contact cooling water; process and cleanup waste water from vegetable processing; sweet corn silage leachate; and, sweet corn silage pressate. Sanitary wastewater from the Facility is routed to the city of Waseca Waste Water Treatment Facility.

An on-site waste water management system, primarily involving spray irrigation of wastewater (WS001), is operated by the Permittee at their site in Waseca. The on-site waste water management system consists of a 12,000 gallon wet well; a 16 acre, 44.6 million gallon (MG) bentonite-lined storage pond equipped with six aerators, providing surge capacity and wet weather storage of the wastewater at Sprayfield Site 1; a silage storage area located at Sprayfield Site 2, which has a 0.16 MG silage leachate pond; a series of 12 ground water monitoring wells for monitoring the application of wastewater at the sprayfields and the silage collection and storage site; and, a series of drain tiles and zero discharge pump stations with two spray sites for the land treatment of wastewater.

Use of the various components of the on-site system is described in the following paragraphs.

There is no authorized discharge to surface water.

#### Industrial Storm Water

Contact storm water at the Facility is collected and routed for treatment with process wastewater, as described below. Non-contact storm water drains from the Facility in a non-specific manner. 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.

#### Cooling Water

Contact cooling water from plant evaporators is contained in a closed-loop system and is discharged approximately once a year to the process waste water wet well. Non-contact cooling water is discharged at an average and maximum rate of 0.055 and 0.50 million gallons per day, respectively, to the wastewater storage pond and spray irrigated.

#### Process Wastewater

Vegetable process and clean-up wastewater is generated on a year-round basis. The maximum hydraulic volume authorized for land application is 85 MG per year to Sprayfield Site 1, and 75.4 MG per year to Sprayfield Site 2. Process wastewater is collected in the plant gutters to a settling well and to a mesh screen prior, and then flows by gravity to a 12,000 gallon wet well located at Sprayfield Site 1. Wastewater is either pumped directly for spray irrigation at either Sprayfield Site 1 or Sprayfield Site 2, or is stored in the 44.6 MG basin located at Sprayfield Site 1 prior to land treatment via spray irrigation at agronomic rates during the cropping season. The discharge of vegetable process and clean-up wastewater directly to surface waters is not authorized by this permit; these wastewaters are managed via spray irrigation to authorized spray sites.

#### Sprayfield Sites

Land application of process waste water is conducted on two authorized sites at the Facility, which consist of six fields totaling 506 acres: Sprayfield Site 1: LA351, 244 acres (Fields A, B/C, D); and, Sprayfield Site 2: LA352, 262 acres (Fields E/F, G, H).

#### Tile Line Discharges

Sprayfield Sites 1 and 2 are underlain by a drain tile system. Tile line discharges from Sprayfield Site 1 can be collected using two zero discharge systems (designated East and West); tile lines for Sprayfield Site 2 and Site H can be collected in separate zero discharge systems. If water quality in the tile lines exceed permit limits, or daily observations dictate corrective action, the zero discharge systems can collect tile line discharges for reapplication directly onto the irrigation fields or transfer to the storage basin prior to respraying. The Facility is required to monitor the water quality of drain tile line discharges throughout the processing season in accordance with the *Limits and Monitoring* section of this permit. (See stations GW015: Sprayfield Site 1 to County Ditch 45, GW016: Sprayfield Site 2 to County Ditch 39, and GW017: Sprayfield Site H to County Ditch 15-2 in the *Limits and Monitoring* section of this permit for monitoring details).

#### Ground Water Monitoring

The Facility has twelve ground water monitoring wells for monitoring the application of process waste water at the spray fields. Ground water monitoring at the Facility is specified in the *Limits and Monitoring* section of this permit. Sprayfield Site 1 contains seven ground water stations; Sprayfield Site 2 contains five ground water stations. (See stations GW001-GW007, GW009-GW011, GW013, and GW014 in the *Limits and Monitoring* section of this permit for monitoring details.)

### Industrial By-Products

The Facility generates several types of Industrial By-Products (IBPs) during the course of vegetable processing and treatment of wastewater, including vegetable screenings from sweet corn and pea processing, sweet corn silage, sweet corn silage leachate; sweet corn silage pressate; and, solids from the on-site system.

Sweet corn silage generated at the Facility is hydraulically pressed and used as animal feed or is land applied. The Facility includes a temporary silage stack located in the Southeast ¼ of Section 19, Township 107 North, Range 22 West, for storage prior to removal to area farmers for feed or when field conditions do not allow for immediate land application. Sweet corn silage leachate and runoff from the stack is collected in a 0.16 MG bentonite-lined lagoon, and is blended with process wastewater at a 1:10 ratio for land treatment via spray irrigation.

Vegetable screenings are materials removed from the wastewater screens; other by-products removed by waste conveyors from the plant. Vegetable screenings are generally used for livestock feed, but may also be stored in the silage stack or disposed of via land application at agronomic rates. The press liquid is generated when sweet corn husks, cobs, and other solid by-products are hydraulically pressed. Prior to land application, the pressate is stored in a 50,000 gallon glass-lined steel tank located outside at the plant. During periods of wet weather, pressate may be transferred to the sweet corn silage leachate lagoon or blended with process wastewater for land application via spray irrigation. The pressed sweet corn silage is either transferred by truck to area farms for livestock feed, hauled to the silage stack for storage, or land applied at agronomic rates. Solids from the wastewater management system may be periodically removed and land applied at agronomic rates during the cropping season.

WS301: Sweet Corn Silage Leachate at a maximum quantity of 1,470,000 gallons per year.

WS302: Sweet Corn Silage at a maximum quantity of 69,053 dry tons per year.

WS303: Wastewater Treatment Solids. This is the pond solids. The approval of the quantity to be land applied will be sent by letter, if needed.

WS304: Vegetable Screenings at a maximum quantity of 2,822 dry tons per year.

WS305: Sweet Corn Silage Pressate at a maximum quantity of 7,516,000

### Chemical Additives

The following chemical additives may be used in the wastewater treatment facility.

Product Name	Location	Frequency	Average Rate of Use
Formula 1550	Boiler feed water	Continuous	175,750 lbs/year
Formula 1100	Boiler feed water	Continuous	6,435 lbs/year
Formula 159	Boiler feed water	Continuous	6,600 lbs/year
Adjunct LC	Boiler feed water	Continuous	9,075 lbs/year
Formula 44	Steam line water pH	Continuous	5,775 lbs/year
Sulfuric Acid	Condenser water	Continuous	4,666 lbs/year
Formula 315	Condenser water	Continuous	1,920 lbs/year
Formula 2305	Condenser water	Continuous	14,520 lbs/year
Evapokleen	Equip. Cleaning	Continuous	3,226 lbs/year
Quadexx 100	Equip. Cleaning	Once/Day	24,012 lbs/year
Quadexx 200	Equip. Cleaning	Once/Day	11,506 lbs/year
Quadexx 300	Equip. Cleaning	Once/Day	856 lbs/year
Quadexx 400	Equip. Cleaning	Once/Day	448 lbs/year
Quadexx 500	Equip. Cleaning	Once/Day	6,405 lbs/year
Quadexx 700	Equip. Cleaning	Once/Day	28,472 lbs/year
Quadexx 800	Equip. Cleaning	Once/Day	432 lbs/year
Quorum Purple	Equip. Cleaning	Once/Day	11,077 lbs/year

Quorum Clear V	Equip. Cleaning	Once/Day	29,541 lbs/year
SCH Extreme	Sanitation	Once/Day	3,056 lbs/year
Prime	Spray Irrigation	Once/Day	2,216 lbs/year
Cherry Mist	Pond	As needed	1,312 lbs/year
Vortexx	Sanitizer	Once/day	3,895 lbs/year
Sodium Chloride	Water Softener	Regeneration Cycles	175,750 lbs/year
Antifoam 1310	Throughout Plant	As needed	10,768 lbs/year
Boost 3000	Throughout Plant	As needed	5 gal/week
Quadexx 600	Sanitation	Once/day	400 lbs/year
Tsunami 100	Bacterial Control	Once/day	40,104 lbs/year

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

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

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to reissue this NPDES/SDS permit for a term of approximately five years.

A draft permit is available for review at the MPCA office at the St. Paul address listed below, at the Rochester 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.

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:

Jeff Udd, P.E.  
Minnesota Pollution Control Agency  
525 Lake Avenue South  
Duluth, MN 55802

### Topographic Map of Permitted Facility

MN0001686: Birds Eye Foods  
T107N, R22W, Section 18  
Waseca, Waseca County, Minnesota

