To: McGuigan, David[McGuigan.David@epa.gov]; Sternberg, David[Sternberg.David@epa.gov]
Cc: McManus, Catharine[mcmanus.catharine@epa.gov]; Lueckenhoff, Dominique[Lueckenhoff.Dominique@epa.gov]; Dinsmore, Andrew[Dinsmore.Andrew@epa.gov]; Hamilton, Brian[Hamilton.Brian@epa.gov]; Cohen, Amy[Cohen.Amy@epa.gov]; Donahue, Lisa[Donahue.Lisa@epa.gov]
From: Bennett, James
Sent: Thur 11/9/2017 5:28:59 PM
Subject: RE: Mountaire

David

I am out of the office until the end of November. Amy Cohen and Lisa Donahue can assist you in my absence

From: McGuigan, David
Sent: Thursday, November 09, 2017 11:28 AM
To: Sternberg, David <Sternberg.David@epa.gov>
Cc: Bennett, James <bennett.james@epa.gov>; McManus, Catharine <mcmanus.catharine@epa.gov>; Lueckenhoff, Dominique <Lueckenhoff.Dominique@epa.gov>; Dinsmore, Andrew <Dinsmore.Andrew@epa.gov>; Hamilton, Brian <Hamilton.Brian@epa.gov>
Subject: Mountaire

David,

The Millsboro facility had been subject to a 2002 SDWA emergency order that required Mountaire to provide water treatment to area residents due to high nitrate levels as a result of their spray irrigation. I refer you to James Bennett for additional information.

The Millsboro facility is not regulated under the NPDES program as it does not discharge to surface waters, instead it applies treated effluent on fields from which infiltration is expected to occur. We have no oversight authority over the facility. Under the state issued spray irrigation permit limits for the treated effluent are established with reporting requirements. DNREC had been in negotiation on necessary treatment plant upgrades, and some of these upgrades had occurred when there was a major upset to the treatment facility in September. DNREC is treating this seriously, and Mountaire has been providing daily monitoring results. They are currently in negotiation.

There is another Mountaire facility in Selbyville which has had a large number of violations from its live holding area. This facility is regulated under the NPDES program. The state and Mountaire have a consent order establishing a corrective action plan. As this is a minor facility, it has not been the subject of EPA oversight.

DNREC currently has a number of major actions in play dealing with facility non-compliance in Delaware.

The poultry industry has been moving to spray irrigation for its processing facilities, which has its good points and bad. Generally, citizens oppose spray irrigation. This Mountaire incident will likely put the breaks on many of these projects.

David

David B. McGuigan, Ph.D.

Associate Director

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Water Protection Division

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