To: Sternberg, David[Sternberg.David@epa.gov]; Cohen, Amy[Cohen.Amy@epa.gov]
Cc: damm, thomas[Damm.Thomas@epa.gov]; schafer, joan[schafer.joan@epa.gov]; McGuigan, David[McGuigan.David@epa.gov]
From: Donahue, Lisa
Sent: Thur 11/9/2017 6:24:14 PM
Subject: RE: Mountaire

David,

I was able to find a copy of the SDWA emergency order on consent electronically. While I am not able to speak to the current status (that's Amy), I can tell you that the Order applied to the Mountaire facility at Morris Mill Rd and Hollyville Rd near Millville.

•□□□□□□□□ The facility is a regulated public water system, supplying water to employees, and overseen by Delaware HHS Office of Drinking Water

•□□□□□□□□ The Order, which is still open, required Mountaire to provide alternate water or water treatment to a number of private residences in the area that had elevated nitrate in their well water.

•□□□□□□□□ The Order also required Mountaire to conduct a monitoring/remediation program on its wastewater/spray irrigation practices.

•□□□□□□□□ Reports were to be sent to DHHS in addition to EPA, so if the report needs more detail asap she might try there (our files are in boxes from the flood)

Lisa

Lisa M. Donahue

Ground Water and Enforcement Branch

EPA Region III (3WP22)

1650 Arch Street

Philadelphia PA 19103

215/814-2062

donahue.lisa@epa.gov

Fall has always been my favorite season. The time when everything bursts with its last beauty, as if nature had been saving up all year for the grand finale. Lauren DeStefano

From: Sternberg, David
Sent: Thursday, November 09, 2017 12:38 PM
To: Donahue, Lisa <Donahue.Lisa@epa.gov>; Cohen, Amy <Cohen.Amy@epa.gov>
Cc: damm, thomas <Damm.Thomas@epa.gov>; schafer, joan <schafer.joan@epa.gov>; McGuigan, David <McGuigan.David@epa.gov>
Subject: FW: Mountaire

Lisa or Amy,

Do you have anything to add to this?

Let me know,

Thanks,

David

From: Bennett, James
Sent: Thursday, November 09, 2017 12:29 PM
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>
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 v Ex. 5 - Deliberative Process Ex. 5 - Deliberative Process 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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