



STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

June 17, 2013

Randy Epting, Complex Manager
Hawkeye Pride Egg Farm
1275 Deer Ave.
Corwith, IA 50430

Subject: Land Application of Wastewater Complaint

Notice of Violation - Failure to Maintain 2 feet of Freeboard in Lagoon
Application of Wastewater to Flooded Field
Failure to Report Instance of Planned Non-Compliance
Flow to Lagoon in Excess of Design Capacity

Dear Mr. Epting:

On May 30, 2013 this office received a complaint that wastewater was being applied to the grass field adjacent to the Hawkeye Pride Egg Farm (Hawkeye Pride) lagoons. The complaint stated that water was running off of the field. On May 30 I investigated the complaint and documented that there was only one foot of freeboard in the lagoon and that application had been occurring to a flooded field that contained ponded water.

Hawkeye Pride Egg Farm's land application permit contains the following conditions:

- A minimum of 2 feet of freeboard shall be maintained in the final industrial lagoon storage cell at all times.
- Careful operation of the irrigation system shall be practiced to assure that there will be no ponding of the applied wastewater.
- Wastewater shall not be applied to flooded areas until the ground has sufficient time to dry.

The failure to operate the lagoons in accordance with the permit is a violation of Subrule 567 IAC 64.3(1).

Additionally, permit condition fourteen (14) requires Hawkeye Pride to give advance notice to the Department of any planned activity which may result in noncompliance with permit. The repeated application of wastewater to the flooded field and the maintaining of the lagoon at less than two feet of freeboard are/were planned activities that resulted in noncompliance with the permit. Particularly troubling about this violation was that Department staff was on-site two days prior to the complaint investigation and was not notified of the on-going non-compliance with the permit.

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Lastly, according to the permit, the lagoon is designed to receive a maximum wet weather flow of 36,000 gallons per day (gpd). Review of monitoring reports submitted to this office since the commencement of operations at the facility show an average flow of 49,000 gpd. Waste in such volumes that exceed the design capacity of the treatment works are prohibited by Subrule 567 IAC 62.1(7).

While the Department recognizes the difficulty that the wet spring has had on the Hawkeye Pride's operation, it is apparent that Hawkeye Pride needs to be better prepared for wet weather in the future.

Please submit a written response within 20 days receipt of this letter indicating the actions Hawkeye Pride plans to take to address the influent flows to the lagoons in excess of the design capacity and how Hawkeye Pride intends to handle the current and future instances where application fields are too wet for application.

If you would like to discuss this matter further, please contact me at 641-424-4073.

Sincerely,

FIELD SERVICES AND COMPLIANCE BUREAU

A handwritten signature in black ink, appearing to read 'J. Klatt', written in a cursive style.

Jeremy Klatt
Environmental Specialist

C: DNR Records center