



December 20, 2021

Chamness Technology, Inc.
Attn: Gary Chamness
2255 Little Wall Lake Road
Blairsburg, IA 50034

Notice of Violation: 567 IAC 105.3(3) & NPDES Permit minimum freeboard requirement
567 IAC 62.1(1) Prohibited Discharge
567 IAC 61.3(2) General Water Quality Criteria

Chamness Technology, Inc., Eddyville, IA, Wapello County
Compost Permit # 90-SDP-10-97P-COM, NPDES Permit No. 9000105
FOCD Complaint # 30274

Dear Mr. Chamness:

On December 5, 2021, Iowa DNR Field Office 6 received an anonymous complainant stating that Palestine Creek's water quality was being impacted due to runoff from Chamness's leachate lagoons and land application of leachate on the field directly South of Chamness. On December 6, 2021, I responded to the complaint by checking on the leachate levels of the three lagoons located at 24820 160th Street, Eddyville, IA. In addition, the water quality of Palestine Creek was observed and tested for Biological Oxygen Demand (BOD) and Ammonia levels. I also walked the field to the South of Chamness where land application of leachate is occurring.

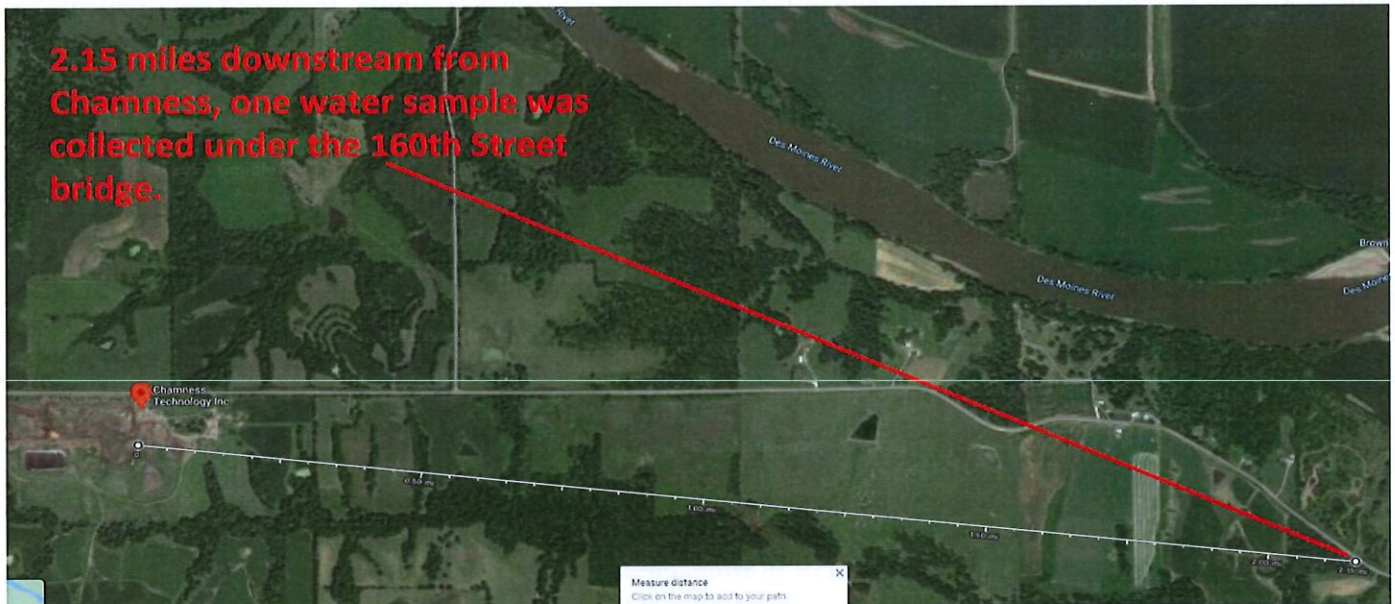
This Notice of Violation is being issued due to leachate levels exceeding minimum freeboard requirements for the middle lagoon, leachate overflowing the berm in the middle lagoon, for leachate seeping out of the derecho pile plus pooling at the edge of Palestine Creek, and due to impacting water quality in Palestine Creek.

1. Failure to prevent compost leachate from leaving the facility as required by 567 IAC 105.3(3).
2. Failure to operate the facility in a manner consistent with the facility's NPDES Wastewater Permit for land application of leachate (maintaining a minimum of 2 feet of freeboard in each storage basin at all times).
3. A Notice of Violation is also being issued for water quality violations and discharging without a permit. Be advised that 567 IAC 62.1(1) states, "The discharge of any pollutant from a point source into a navigable water is prohibited unless authorized by an National Pollutant Discharge Elimination System (NPDES) permit." Also be advised that, 567 IAC 61.3(2) General water quality criteria, states, "The following criteria are applicable to all surface waters including general use and designated use waters, at all places and at all times for the uses described in 61.3(1) "a."
 - a. Such waters shall be free from substances attributable to point source wastewater discharges that will settle to form sludge deposits.
 - c. Such waters shall be free from materials attributable to wastewater discharges or agricultural practices producing objectionable color, odor or other aesthetically objectionable conditions.
 - d. Such waters shall be free from substances attributable to wastewater discharges or agricultural practices in concentrations or combinations which are acutely toxic to human, animal, or plant life.

e. Such waters shall be free from substances, attributable to wastewater discharges or agricultural practices, in quantities which would produce undesirable or nuisance aquatic life.

During this visit, I collected water samples in four location along Palestine Creek. In each of the locations Ammonia and BOD were tested per location. See table below:

Sample date:12/6/21	Upstream of Chamness (A)	Palestine Creek Tributary (South Field) (B)	Downstream of Chamness (C)	Bridge Crossing downstream
Ammonia	<0.050 mg/L	4.5 mg/L	8.5 mg/L	< 0.050 mg/L
BOD	< 2 mg/L	7 mg/L	16 mg/L	< 2 mg/L



Chamness must continue to manage leachate in a manner that complies with both freeboard level limitations (2 feet minimum) as well as managing land application to prevent surface water quality violations.

If you have any questions please contact me in this office at 515-201-2314 or at anthony.kerker@dnr.iowa.gov.

Sincerely,
FIELD SERVICES & COMPLIANCE BUREAU

Anthony Kerker Digitally signed by Anthony Kerker
Date: 2021.12.21 07:23:07 -06'00'

Anthony Kerker
Field Office 6 Environmental Specialist

Encl. Sample Results

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xc: Becky Jolly, IDNR Solid Waste Section, via email
Dave Scott, IDNR Legal Services Bureau, via email
FO6 - Chamness SDP File

