



July 22, 2022

HAWKEYE PRIDE EGG FARMS LLP
RANDY EPTING
PO BOX 330
CORWITH IA 50430

Subject: **Notice of Violation** – Open Burning, Solid Waste Disposal
Complaint No. 30931 Investigation, NPDES #4100203, AFO #66173
Hawkeye Pride Egg Farm, LLP, Section 21, Magor Twp., Hancock County

Dear Mr. Epting:

On June 27, 2022, Field Office 2 received a complaint via Conservation Officer Ben Bergman regarding runoff from the land application of wastewater and open burning on your property at 1275 Deer Ave, Corwith, Iowa. On the afternoon of July 1, 2022, I visited the site to investigate this complaint. Mr. Bob Schissel showed me the small hay field on the west side of the facility where process wastewater is land applied using stationary guns. You also met with us at this application area. No application was occurring at the time of my visit as some of the piping was being repaired. A dirt berm was observed along the southwest portion of the hay field and there was no evidence of any pooling or runoff from this field.

I inquired about the status of your construction and burning activities and you informed me that the construction was completed and they were just cleaning up the site now. You reported that you only burn clean wood in the area adjacent to the lagoons and that you always notify the sheriff's office. I observed and photographed the pile of solid waste in the burn pit. There was no active burning at the time of my visit, but there was evidence of previous burning activities as well as new solid waste deposits. The metals had been separated, but the pile contained a number of construction and demolition materials, which are considered trade wastes.

Open burning, except for the materials and activities exempted in Subrule 567 IAC 23.2(3), is prohibited in the State of Iowa. In addition, Subrule 567 IAC 100.4(455B) and Section 455B.307 of the Code of Iowa prohibit the dumping or depositing of solid waste at any place other than a permitted landfill. You are currently in violation of these rules. Copies of these regulations are included for your information. Be advised that these materials cannot legally be buried; therefore, they must be recycled or properly disposed of at a permitted sanitary landfill.

Non-compliance with the above referenced restrictions on open burning and solid waste disposal may result in administrative penalties of up to \$10,000.00 and civil penalties of up to \$5,000.00 per day of violation. To avoid referral to our legal department and accrual of such penalties, you must immediately cease all illegal open burning and properly dispose of all solid wastes. Please provide written notification of completion, including photographs and/or landfill receipts, to me at the address listed at the bottom of this letter or sheila.bly@dnr.iowa.gov.

**Hawkeye Pride Complaint NOV
July 22, 2022**

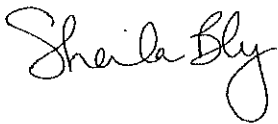
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Since our records indicate no previous violations, Field Office 2 is not pursuing enforcement action at this time. However, this does not preclude the Iowa DNR from taking enforcement action for these or any other violations in the future. A copy of this letter will remain on file as documentation that you are aware of these rules.

If you have any questions regarding this matter, please contact me at 641-525-0251.

Sincerely,

DNR FIELD SERVICES & COMPLIANCE BUREAU



Sheila Bly, Environmental Specialist Senior
sheila.bly@dnr.iowa.gov

c: -DNR Air Quality Bureau

enc: -567 IAC 23.2(455B)
-567 IAC 100.4(455B)
-455B.307 COI
-Never Burn Tires Factsheet