



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.

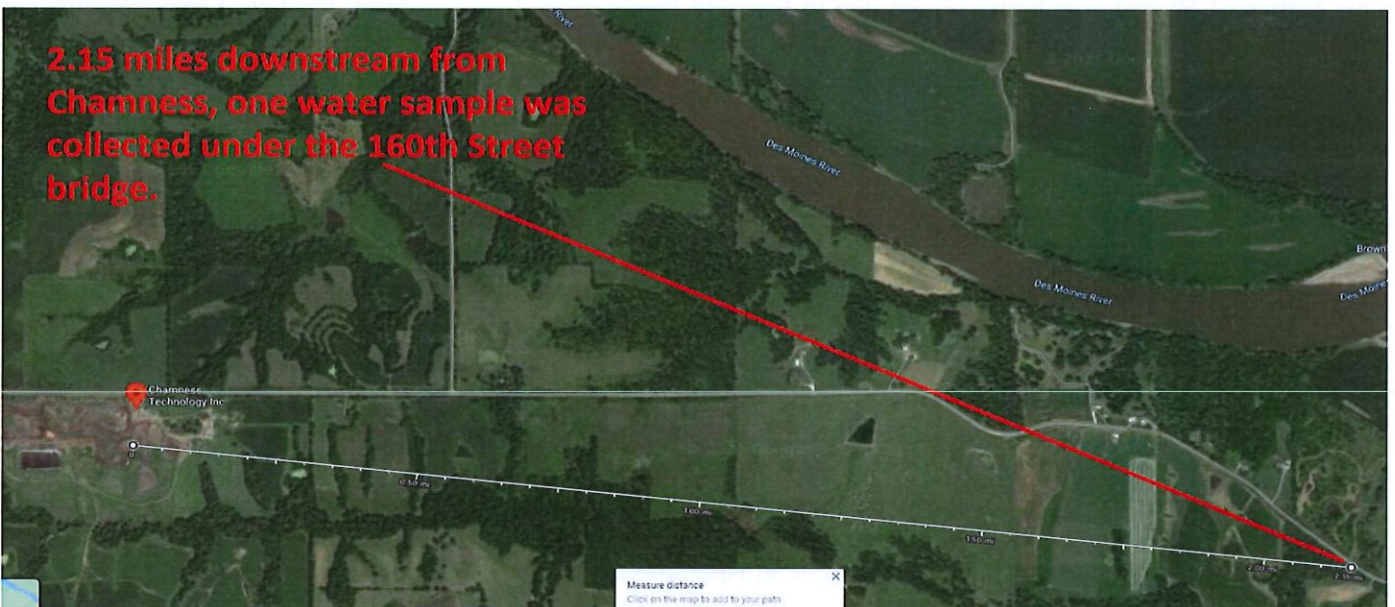
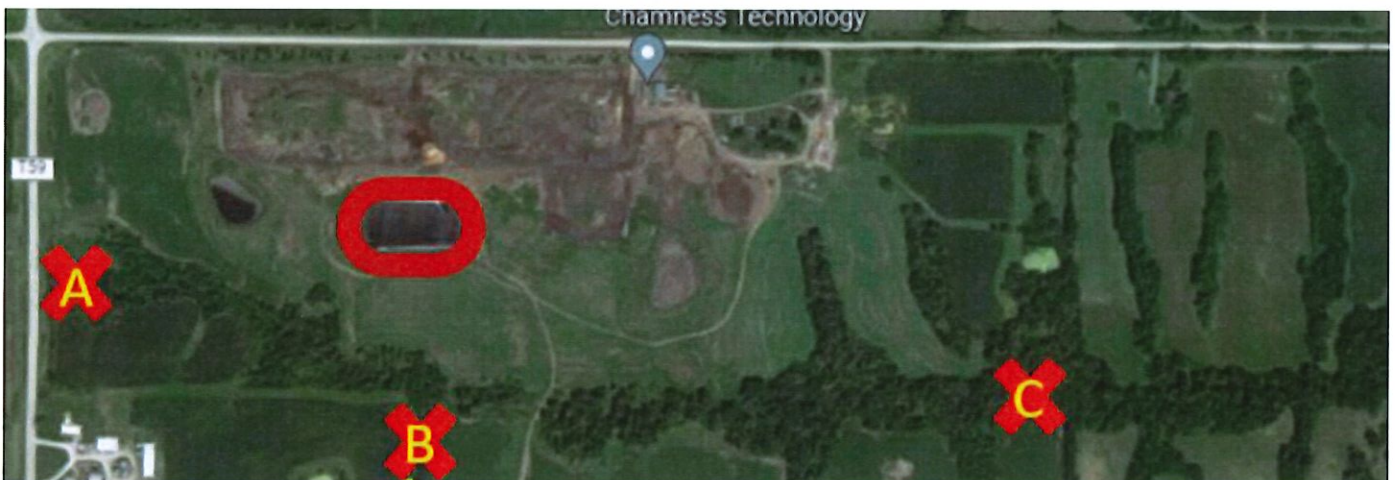
This Notice of Violation is being issued due to leachate levels exceeding minimum freeboard requirements for the middle lagoon, leachate overflowing the berm in the middle lagoon, for leachate seeping out of the derecho pile plus pooling at the edge of Palestine Creek, and due to impacting water quality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

N:AKERKER/stormwater/2021/Chamness NOV 12-20-21 30274.doc

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



Collection Location chamness technology bridge crossing		Collector and Phone kerker anthony 515/201-2314	Client Reference	Accession # 1958908
PALESTINE CREEK EDDYVILLE, IA		Collected 2021-12-06 10:25	Received 2021-12-06 16:50	Project 04wqfs
Report To	IDNR-FO 6			Sample Description
	1023 W MADISON ST			Sample Type Non-Drinking Water
	WASHINGTON, IA 52353-1623			Sample Source Waste Water
				Sample Note(s) 1

RESULTS OF ANALYSIS - FINAL REPORT

<u>TEST</u>	<u>RESULT (mg/L)</u>	<u>QUANT LIMIT</u>	<u>ANALYSIS NOTE(S)</u>
Ammonia as N, LAC 10-107-06-1J Ammonia nitrogen as N	<0.050	0.05	
BOD, 5 Day, SM 5210 B BOD, 5 Day	<2	2	

SAMPLE AND ANALYSIS NOTES

1. Upon arrival, sample met container and preservation requirements for the analysis requested. Please review carefully your sample results for additional analyte comments or method exceptions.

ANALYSIS INFORMATION

<u>TEST</u>	<u>ANALYZED</u>	<u>SITE</u>	<u>RELEASED</u>	<u>ANALYSIS PREP</u>
1. Ammonia as N, LAC 10-107-06-1J	2021-12-16 09:06 KAR, JAE	3201	2021-12-16 13:52 DLS	
2. BOD, 5 Day, SM 5210 B	2021-12-08 09:09 RAD, BPD	3200	2021-12-15 14:07 DMM	

DESCRIPTION OF UNITS

mg/L = Milligrams per Liter

SITE(S) PERFORMING TESTING

- 3201 STATE HYGIENIC LABORATORY ANKENY, IOWA LABORATORIES COMPLEX, 2220 S ANKENY BLVD, ANKENY, IA 50023; Phone 515/725-1600; Fax 515/725-1642; Michael D. Schueller, M.S., Associate Director; Wade K. Aldous, Ph.D. (D)ABMM, Associate Director; IOWA ENVIRONMENTAL LAB ID #397
- 3200 STATE HYGIENIC LABORATORY CORALVILLE, UNIVERSITY OF IOWA RESEARCH PK, 2490 CROSSPARK RD, CORALVILLE, IA 52241; Phone 319/335-4500; Fax 319/335-4555; Michael D. Schueller, M.S., Associate Director; Wade K. Aldous, Ph.D. (D)ABMM, Associate Director; IOWA ENVIRONMENTAL LAB ID #027

The result(s) of this report relate only to the items analyzed. Where the laboratory has not been responsible for the sampling stage the results apply only to the sample as received. This report shall not be reproduced except in full without the written approval of the laboratory. If you have any questions, please call Client Services at 800/421-IOWA (4692) or 319/335-4500.

Collection Location chamness technology downstream	Collector and Phone kerker anthony 515/201-2314	Client Reference	Accession # 1958909
EDDYVILLE, IA	Collected 2021-12-06 11:50	Received 2021-12-06 16:50	Project 04wqfs
Report To IDNR-FO 6 1023 W MADISON ST WASHINGTON, IA 52353-1623	Sample Description		
	Sample Type Non-Drinking Water		
	Sample Source Waste Water		
	Sample Note(s) 1		

RESULTS OF ANALYSIS - FINAL REPORT

<u>TEST</u>	<u>RESULT (mg/L)</u>	<u>QUANT LIMIT</u>	<u>ANALYSIS NOTE(S)</u>
Ammonia as N, LAC 10-107-06-1J Ammonia nitrogen as N	8.5	0.05	
BOD, 5 Day, SM 5210 B BOD, 5 Day	16	2	

SAMPLE AND ANALYSIS NOTES

1. Upon arrival, sample met container and preservation requirements for the analysis requested. Please review carefully your sample results for additional analyte comments or method exceptions.

ANALYSIS INFORMATION

<u>TEST</u>	<u>ANALYZED</u>	<u>SITE</u>	<u>RELEASED</u>	<u>ANALYSIS PREP</u>
1. Ammonia as N, LAC 10-107-06-1J	2021-12-16 09:06 KAR, JAE	3201	2021-12-16 13:52 DLS	
2. BOD, 5 Day, SM 5210 B	2021-12-08 11:07 RAD, BPD	3200	2021-12-15 14:07 DMM	

DESCRIPTION OF UNITS

mg/L = Milligrams per Liter

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Collection Location chamness technology	Collector and Phone kerker anthony 515/201-2314	Client Reference	Accession # 1958910
PALESTINE CREEK TRIBUTARY EDDYVILLE, IA	Collected 2021-12-06 13:50	Received 2021-12-06 16:50	Project 04wqfs
Report To IDNR-FO 6 1023 W MADISON ST WASHINGTON, IA 52353-1623	Sample Description		Sample Type Non-Drinking Water
			Sample Source Waste Water
			Sample Note(s) 1

RESULTS OF ANALYSIS - FINAL REPORT

TEST	RESULT (mg/L)	QUANT LIMIT	ANALYSIS NOTE(S)
Ammonia as N, LAC 10-107-06-1J Ammonia nitrogen as N	4.5	0.05	
BOD, 5 Day, SM 5210 B BOD, 5 Day	7	2	

SAMPLE AND ANALYSIS NOTES

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ANALYSIS INFORMATION

TEST	ANALYZED	SITE	RELEASED	ANALYSIS PREP
1. Ammonia as N, LAC 10-107-06-1J	2021-12-16 09:06 KAR, JAE	3201	2021-12-16 13:52 DLS	
2. BOD, 5 Day, SM 5210 B	2021-12-08 11:16 RAD, BPD	3200	2021-12-15 14:07 DMM	

DESCRIPTION OF UNITS

mg/L = Milligrams per Liter

SITE(S) PERFORMING TESTING

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Collection Location chamness technology	Collector and Phone kerker anthony 515/201-2314	Client Reference	Accession # 1958911
PALESTINE CREEK UP STREAM EDDYVILLE, IA	Collected 2021-12-06 14:10	Received 2021-12-06 16:50	Project 04wqfs
Report To IDNR-FO 6 1023 W MADISON ST WASHINGTON, IA 52353-1623	Sample Description		Sample Type Non-Drinking Water
			Sample Source Waste Water
			Sample Note(s) 1

RESULTS OF ANALYSIS - FINAL REPORT

TEST	RESULT (mg/L)	QUANT LIMIT	ANALYSIS NOTE(S)
Ammonia as N, LAC 10-107-06-1J Ammonia nitrogen as N	<0.050	0.05	
BOD, 5 Day, SM 5210 B BOD, 5 Day	<2	2	

SAMPLE AND ANALYSIS NOTES

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ANALYSIS INFORMATION

TEST	ANALYZED	SITE	RELEASED	ANALYSIS PREP
1. Ammonia as N, LAC 10-107-06-1J	2021-12-16 09:06 KAR, JAE	3201	2021-12-16 13:52 DLS	
2. BOD, 5 Day, SM 5210 B	2021-12-08 11:19 RAD, BPD	3200	2021-12-15 14:07 DMM	

DESCRIPTION OF UNITS

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