



Con 12-1-1
Doc # 45802

75-SDP-06-02
PIA

STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
JEFFREY R. VONK, DIRECTOR

January 8, 2007

Stacy M. Foret
Westway Terminal Company, Inc.
365 Canal Street, Suite 2900
New Orleans, LA 70130

Re: Westway Terminal Land Application Project, Sioux City, IA

Dear Ms. Foret,

This letter is in response to the October 31, 2006 correspondence regarding submittal of the annual land application of waste report. Current "permit by rule" or "permit exempt" regulations in Iowa Administrative Code 567 Chapter 121.6 do not require submittal of an annual report. However, records of land application of waste must be kept at the facility per the current regulations. Additional requirements include but are not limited to applying at a rate that does not exceed 2 dry tons per acre per year, ground must not exceed 9% slope, the sludge must be incorporated into the soil within 48 hours after application if land applied within 200 feet of a stream, lake, sinkhole or tile line surface intake located downgradient of the land application site, the sludge must not be applied within 200 feet of a occupied residence or within 500 feet of a well, and sludge must not applied on ground classified as Sand, Loamy Sand, or Silt by the USDA Soil texture chart referenced in IAC Chapter 121.6(1).

If Westway Terminal – Sioux City can not meet the requirements in IAC 567 Chapter 121.6(1), a land application permit from the Department will need to be obtained. A permit application is available on the IDNR website at <http://www.iowadnr.com/waste/sw/files/form50g.pdf>. A copy Iowa Administrative Code 567 Chapter 121 has also been included with this letter for your reference.

If you have any questions, you can contact me at 515-281-8150 or matt.mcdonald@dnr.state.ia.us.

Sincerely,

Matt McDonald
Environmental Specialist
Energy and Waste Management Bureau

CC: Bryon Whiting, IDNR Field Office # 3, Spencer, IA
Mark Paulsen, Westway Terminals, 4425 41st Street, Sioux City, IA 51108