



State of Ohio Environmental Protection Agency

Southwest District Office

401 E. Fifth St.
Dayton, Ohio 45402

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www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

March 19, 2009

RE: Kerry Proteins and Nutritionals
Pretreatment Inspection and Notice of Violation

Mr. Larry Hensler
Kerry Proteins and Nutritionals
400 Hazel Street
Covington, OH 45318

Dear Mr. Hensler:

On March 3, 2009 I met with you and Kent Mowry to conduct a pretreatment inspection of your facility. Since my previous inspection Kerry has reported the following violations of its 100 mg/l Oil and Grease limit:

Date	Result
July 25, 2008	302 mg/l
September 12, 2008	221 mg/l

You indicated that the pressure gauge on the DAF feed line was stuck on a reading of 90 psi (the operating range is supposed to be between 90 and 100 psi) when it was actually operating at 60 psi. The gauge was replaced and it appears that compliance has returned.

In addition to these effluent violations, a review of your analytical reports revealed that Kerry is not reporting results of monitoring done beyond what is required by the indirect discharge permit. Part III.3.B of your permit requires the results from any additional monitoring be included on your bi-annual monitoring report. To remedy this deficiency, it is necessary for you to amend your submitted reports to include the results of all monitoring events as soon as possible. I did note that the results for unreported monitoring were compliant.

New Ownership

Kerry Ingredients is in the process of being purchased by PBM Covington, LLC. Aside from an anticipated shut-down period of four to eight weeks, you indicated that PBM likely will expand the water treatment system to remove fluoride and might also add a canning operation. Please keep me informed of these possible developments.

Clean Water Separation

During our discussions, you indicated that plans to separate clean water sources from process wastewaters are likely to proceed under the new ownership. This should provide for better performance from the DAF system which is near its design capacity. This separation work is anticipated to occur in mid-April and I am interested in being apprised of the changes as they occur.

Phosphorous

In response to my previous inspection, you stated that you planned to conduct a concurrent series of sixty phosphorous monitoring events to help characterize your facility's discharge. It was revealed that monitoring was actually being done for phosphate using a colorimetric test kit. Please note that total phosphorous is the analyte that provides the most meaningful information relative to nutrient issues at the Covington wastewater treatment plant.

Although you indicated that the new company plans to change to phosphorous-free cleaning agents as part of standardization with their cleaning chemicals and procedures used at their other facilities, please indicate your intention to monitor your discharge for phosphorous. Also, I am interested in reviewing the phosphate data you've collected.

Calibration of DAF pH Meter

A review of the calibration procedure revealed questions that were validated the when they were attempted using the pH meter itself. The written procedure submitted in response to my previous inspection seemed more like a calibration check than an actual calibration in that the observed pH readings were what the meter should display when the probe is inserted into a buffer solution instead of the meter being told that it should be reading the value of the buffer solution.

It is necessary for you to resolve this issue by providing a detailed description or clarification of the calibration procedure used for your pH meter.

Sampling Documentation

To document that sampling events are being conducted in accordance with the permit requirements and are representative of facility operations, I ask that you include the following for each sampling event:

- The date and time of sample collection (for both grab and composite samples);
- The name of the person collecting and analyzing the sample (except parameters analyzed off-site);
- The programmed sample collection frequency and aliquot volume (for composite samples); and
- The actual volume of the collected composite sample

This information can be included on the chain of custody that should be part of each sampling event.

Thank you for accommodating my inspection on short notice. It is my sincere wish that operations during your facility's ownership transfer are smooth. If you have any questions concerning this letter or the inspection forms, please call me at (937) 285-6095.

Sincerely,



Matt Walbridge
Pretreatment Coordinator
Division of Surface Water

ENCLOSURE

CC: Ryan Laake - Ohio EPA / Central Office / DSW
Ray Kimmel - Village of Covington



Ohio Environmental Protection Agency

PRETREATMENT INSPECTION REPORT

PERMIT NUMBER
1DP00011*CP

FACILITY NUMBER
OHP000090

DATE CONDUCTED
March 3, 2009

INSPECTION TYPE
1

INSPECTOR
S

FACILITY TYPE
2

TIME IN
1325

TIME OUT
1440

GENERAL INFORMATION

NAME AND LOCATION OF FACILITY

**Kerry Proteins and Nutritionals
400 Hazel Street
Covington, OH 45318**

POTW RECEIVING DISCHARGE

Village of Covington WWTP

MAILING ADDRESS OF FACILITY

**Kerry Proteins and Nutritionals
400 Hazel Street
Covington, OH 45318**

CONTACT (NAME/TITLE/PHONE)

**Larry Hensler / Plant Manager / (937) 473-2040 ext. 226
Kent Mowry / Maintenance Supervisor / (937) 473-2040 ext. 247**

FACILITY EVALUATION (See Inspection letter for a more complete description of findings)

(S = Satisfactory, M = Marginal, U = Unsatisfactory, NA = Not Applicable)

S	Sampling Procedures	NA	Compliance schedule requirements
M	Reporting	NA	Notification
M	Compliance with effluent limits	-	Other -

Name and Signature of Inspector(s)

Matt Walbridge

Agency / Office / Telephone

Ohio EPA / Southwest District Office / (937) 285-6095

Date

3-18-09

Signature of Reviewer

Ohio EPA / Southwest District Office / (937) 285-6034

Date

3/20/09

INDUSTRIAL USER INSPECTION CHECKLIST

Facility: **Kerry Proteins and Nutritionals**

Date of inspection: **March 3, 2009**

OH Number of receiving POTW: **OH0020761**

IDP Number: **1DP00011*CP**

Facility Representative: **Larry Hensler and Kent Mowry**

Inspector(s): **Matt Walbridge**

COMPLIANCE

1. Date of last pretreatment inspection: **June 25, 2008**

2. Has the facility been in compliance with its permit limits since the last inspection? Y / N
If no, explain:

Oil & Grease violations on July 25 and September 12, 2008 (303 and 221 mg/l vs. limit of 100 mg/l)

3. Is the facility in compliance with all other requirements?

Sampling procedures	Y / N / NA
Reporting (late reporting, failure to report, etc)	Y / N / NA
Compliance schedules	Y / N / NA
Submitted BMR and 90 day compliance reports	Y / N / NA
Any other requirements	Y / N / NA

If any of the above five answers is no, explain:

4. Was the facility required to perform any actions as a result of the last inspection? Y / N
Explain any unresolved actions:

None.

FACILITY OPERATIONAL CHARACTERISTICS

5. Number of Employees: **~60**

6. Shifts/Day: **2 (14 on day shift, 9 on night shift in production)**

7. Production Days/Year: **355**

8. Hours/shift: **12**

9. Any production changes since the last inspection? Y / N
If yes, explain:

The facility has been operating at capacity since June '08 (18 to 20 million pounds of production).

10. General facility description and operations:

Processes include mixing (formulation), homogenization, pasteurization and spray drying of food ingredients including infant formula base and finished infant formula.

FACILITY OPERATIONAL CHARACTERISTICS - CONTINUED

11. Any change in materials used in production since the last inspection? Y/N
If yes, explain:

Predominant ingredients are: Four-blend vegetable oil, casenates (dairy proteins), soy protein isolates and reduced sodium corn syrup.

12. Any expansion or production increase expected within the next year? Y/N
If yes, explain:

WASTEWATER TREATMENT

13. Provide a schematic diagram and description of the wastewater treatment system:

Daily wash down water and wastewater from CIPs flow to a sump and then on to equalization tanks, flocculation tank and dissolved air flotation system.

See attached diagram.

14. Was a PTI issued for the treatment system? Y/N
15. Were there any modifications to the treatment system since the previous inspection? Y/N

If yes, was a PTI obtained? N.A. Y/N

PTI Number: Date:

16. What is the treatment mode of operation? ~~Batch~~ / Continuous / ~~Combination~~
If batch, list the frequency and duration:

17. Who is responsible for operating the treatment system? **Mr. Jim Homan**

18. How often is the treatment system checked?

Approximately three times per shift (Don Griezzy, Dave Sipes and Kent Mowry).

The pretreatment system is automated with seven monitors.

WASTEWATER TREATMENT CONTINUED

19. Is there an alarm system for the system? Y/N
Explain:

There is an alarm that is activated if the flow rate is exceeded and many alarms (such as pH) are on the new treatment system.

20. Is there an operations and maintenance manual? Y/N

21. Is an inventory of critical spare parts maintained? Y/N
If yes, list:

Spare pumps for EQ and DAF units, injection pumps, and air filter for blowers

22. Are there any bypasses in the system? Y/N
If yes, describe the location:

All process waste waters only go to the treatment system. Floor drains in the treatment building all drain to the sump that feeds the treatment system.

Have bypasses occurred since the last inspection? Y/N

Was the POTW notified? N.A. Y/N

23. Are residuals or sludges generated? Y/N

Method of disposal:

Hauled to lagoon treatment system operated by Mike's Sanitation.

Frequency and amount of disposal:

The treatment system generates approximately 2,500 gallons of wastewater at 3 to 5 % solids every week.

Name of hauler/landfill/disposal facility:

Mike's Sanitation

Is any sludge generated subject to RCRA regulations? Y/N

If land applying sludge, is there a sludge management plan? N.A. Y/N

PROCESS AND WASTEWATER INFORMATION

24. List all processes generating wastewater, current wastewater flows, and where applicable, production rates as well as values on which the permit limits are based:

REGULATED PROCESS	SAMPLE LOCATION	WASTEWATER FLOW (GPD)		PRODUCTION DATA (SPECIFY UNITS)	
		Permit	Current	Permit	Current
Clean-in-Place (1), general cleaning and washdowns.	Effluent from DAF Treatment system	50 gpm (72,000 gpd)*	~ 60,000	NA	NA
Total Regulated Process Flow		50 gpm (72,000 gpd)	60,000		
Noncontact Cooling					
Boiler Condensate					
Reverse Osmosis			(1)		
Demineralizer Regeneration					
Softener Backwash					
Filter Backwash			(1)		
Compressor Condensate					
Water Softener Regeneration			(1)		
Total of Dilute Flows			~ 10,000		
Unregulated Flows					
Sanitary					
TOTAL FLOW		50 gpm (72,000 gpd)	~ 70,000		

* They are at their system's design flow. Flow is not limited by the permit.

(1) Individual contributions from these sources are not known at this time. The flow value is only an estimated guess.

Wastewater from these sources discharge through the pretreatment system. It would be ideal if they were able to be routed around the pretreatment system.

25. For the above flows not discharged to the POTW, list point of discharge and permit (if any).

(All industrial wastewaters are discharged to the POTW)

SELF MONITORING

26. Sample location(s) described in the facility's permit:

"The sampling point shall be the effluent from the dissolved air flotation (DAF) system at the flow monitoring manhole located just outside the pretreatment building. Samples for Oil and Grease (reporting code 00050) can alternately be collected at the overflow weir of the DAF."

27. Is the facility sampling at the location(s) described in the permit? Y / ~~N~~
If no, describe the actual location:

28. Is the location(s) where the facility is sampling representative? Y / ~~N~~
If no, indicate a representative location:

29. Is the flow measured or estimated? Measured / ~~Estimated~~

They use the DAF flow meter to record and report discharge flow.

If measured, how often is the meter calibrated?

Need to check procedure and frequency.

If estimated, describe method of estimation:

30. Is pH monitored continuously? ~~Y~~ / N

There is a pH meter on the DAF feed tank that is controlled to (8.5 to 9.0)

If yes, how often is the meter calibrated?

SOP calls for monthly calibrations but the description still seems to describe a calibration check.

31. Does the facility collect its own samples? Y / ~~N~~
If no, specify the sample collector:

Kerry delivers samples to Brookside. pH is field-measured by Kerry.

32. Are appropriate sampling procedures followed? Y / ~~N~~
Monitoring frequencies Y / ~~N~~
Sample collection (grab for pH, O&G, CN, phenols, VOCs) Y / ~~N~~
Flow proportioned samples * ~~Y~~ / N
Proper preservation techniques Y / ~~N~~
Sample holding times Y / ~~N~~
Chain-of-custody forms Y / ~~N~~

**** Samples are time-proportional (once every 20 minutes) which is acceptable since the flow rate is fairly constant.***

33. Are samples analyzed in accordance with 40 CFR 136? Y / ~~N~~

34. Laboratory conducting analyses:

Brookside Laboratories out of New Knoxville

TOXICS MANAGEMENT

35. Are any listed toxic organics used in the facility? Y/N
If yes, identify organics:
36. Does the facility have a current toxic organic management plan(TOMP)? Y/N
If yes, is it being implemented? N.A. Y/N
37. Has the facility had any uncontrolled releases or spills to the POTW since the previous inspection? If yes, please explain:
38. Does the facility need a spill prevention plan or slug discharge control plan? Y/N
(There is good flow equalization.)
If yes, does the facility have a written plan? N.A. Y/N
39. Identify any potential slug load or spill areas:

REQUIRED FOLLOW-UP ACTIONS

See inspection letter.

General Observations

- 1. There were a large number of chemical drums being stored in the pretreatment building. Any releases would go to the influent sump ahead of the EQ tanks and pretreatment system.*
- 2. The sample refrigerator indicated that the temperature was about 5 degrees Celsius (OK). Recommend that they fill the container used to hold the thermometer with water. Tubing and composite jug were clean*
- 3. DAF effluent was clear of solids.*
- 4. Couldn't open the cover to the sampling point to observe the intake strainer.*

