



State of Ohio Environmental Protection Agency

Southwest District Office

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www.epa.state.oh.us

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

July 15, 2009

RE: Pretreatment Compliance Inspection and
Notice of Violation

Ms. Julie Cotrell
Agrana Fruits US, Inc.
P.O. Box 459
Botkins, OH 45306-0459

Dear Ms. Cotrell:

On June 10, 2009 I met with you to conduct a pretreatment compliance inspection of your facility. You have replaced Doug Duerr who has left Agrana and, based on our initial meeting, I look forward to working with you to ensure Agrana's compliance.

A review of your self-monitoring reports for the period of January through December 2008 revealed that Agrana failed to report monitoring for TSS, pH, BOD and Maximum Flow Rate during the period of May 21 through 28 and November 21 through 28, 2008 when the Total Flow Rate was also not reported. Please note that weekly periods are defined in your permit to be days 1 through 7, 8 through 14, etc.. Also, if there is no discharge for an entire weekly period, then it would be appropriate to use the reporting code 'AC'; otherwise you will have to make arrangements to collect a sample during the week.

In addition to the reporting violations, Agrana violated its effluent limits on the following occasions:

Parameter	Date	Limit	Reported
TSS	2/11/2008	218 mg/l	287 mg/l
	3/13/2008		980 mg/l
	3/18/2008	136 Kg/d	321 Kg/d
		218 mg/l	1470 mg/l
		136 Kg/d	366 Kg/d
	4/22/2008	218 mg/l	234 mg/l
BOD	3/18/2008	218 mg/l	283 mg/l

Since the time of the violations, the pretreatment system appears to have produced very good effluent quality. Given the recent good performance of the pretreatment system, no corrective actions are warranted. Please note that should future limit violations occur, you are required by your permit to notify Ohio EPA (me at this office) within 24 hours of becoming aware of the violation.

The self-monitoring report for the period of January through June 2009 was not available for me to review in time for this compliance determination so I will address any recent permit violations in a separate letter.

Industrial Stormwater

Agrana stores many containers outside and I am concerned that stormwater runoff may carry residuals off-site into downstream waterways. As such, I believe Agrana may need to apply for coverage under an industrial stormwater permit. This could be accomplished with either an individual permit or a general permit. Ohio EPA's Industrial Stormwater General Permit can be viewed through the following link:

http://www.epa.state.oh.us/dsw/permits/IndustrialStormWater_Final_GP_s_jun06.pdf

Agrana's SIC code appears to qualify it for coverage under this permit which ultimately calls for the development and implementation of a stormwater pollution prevention plan (SWP3). If a facility can claim that raw, intermediate, waste or final products are not exposed to stormwater, there is a No Exposure Certification available to facilities that otherwise are required to obtain a permit. I've attached a fact sheet addressing Ohio EPA's storm water program for your review.

Please evaluate your operations in light of the industrial stormwater permit and the No Exposure Certification provision and inform me of you intentions to address this issue.

Treatment Lagoon

I noted that the dissolved oxygen in the treatment lagoon was 4.6 mg/l; you may want to look into whether aeration can be reduced for energy savings while still satisfying the oxygen needs of the microbiology. You will need to also consider mixing requirements.

You expressed an interest in an alternative source of phosphorus to the phosphoric acid currently metered into the treatment lagoon as a nutrient. Unfortunately, I have not been able to identify an alternate source. However, there may be an opportunity for you to optimize you current system that might lead to not having to have as large a volume of acid on-site. Measuring the influent BOD and then applying a generally accepted 100:1 ratio of carbon to phosphorus should ensure sufficient phosphorus. Another effective metric that I was told you can check is whether there residual orthophosphate in the lagoon effluent as measured using a simple test kit. Detecting orthophosphate in the lagoon effluent would indicate there is sufficient phosphorus in the lagoon. Please let me know if you plan to pursue any studies regarding nutrient feed rates or if you decide to switch additives.

Large Storage Lagoon Discharge Pipe

The above-ground discharge pipe that in the past was used to convey wastewater from the large lagoon to the discharge sampling station is no longer functional and I believe that it should be removed. The pipe is routed up inside the pipe that conveys the discharge from the DAF unit and it appears that it may be hindering laminar flow necessary for the final flow meter to read accurately. It also appears that biomass builds up on it which could possibly impact effluent monitoring. Please let me know how and when you plan to address this issue.

Given that total daily flow and maximum flow rate are both limited by your permit, I ask that you send me a copy of the most recent calibration report for the effluent flow meter. If you plan to calibrate the meter after the discharge pipe is removed, you can wait until that occurs.

pH Meter Calibrations

The pH buffer solutions used to calibrate the pH meter expired in 2007. It is necessary for fresh buffer solutions to be maintained as part of your calibration program. Please note that buffer solutions not in their original container should be stored in polyethylene beakers and discarded monthly. Also, I suggest that you use buffer solutions that most closely bracket the expected pH range when calibrating the meter instead of the 4 and 10 buffers currently being used.

Influent Flow Meter

It is my understanding that Agrana is considering installing a flow meter upstream from the treatment lagoon to track wastewater production. I support this effort as flow information can be very helpful not only for production accountability purposes but also in identifying opportunities for waste minimization and for process control. Please keep me informed if you proceed with this proposal.

Odor Control

Finally, we discussed the odors that are generated inside the pretreatment building and how to control them to avoid an undesirable the work environment. At a recent visit to Honda Transmission in Russells Point, they highlighted an odor control system they installed in their waste water pretreatment building that they were very satisfied with. Contact their operator, Jeff Nobel, at (937) 539-9505 if you are interested in learning about their experience with the system.

Please provide a written response to this letter by August 3rd with an indication of how you plan to address the findings from this inspection. If you have any questions concerning this letter or the inspection form, please contact me at (937) 285-6095.

Sincerely,



Matt Walbridge
Pretreatment Coordinator
Division of Surface Water

ENCLOSURE

CC: Jesse Kent - Village of Botkins (w/o attachments, scanned copy via e-mail)
Ryan Laake - Ohio EPA / Central Office / DSW



Ohio Environmental Protection Agency

PRETREATMENT INSPECTION REPORT

PERMIT NUMBER
1DP00022*CP

FACILITY NUMBER
OHP000126

DATE CONDUCTED
June 10, 2009

INSPECTION TYPE
I

INSPECTOR
S

FACILITY TYPE
2

TIME IN
1300

TIME OUT
1615

GENERAL INFORMATION

NAME AND LOCATION OF FACILITY

**Agrana Fruit US, Inc.
16197 North County Road 25-A
Botkins, OH 45306**

POTW RECEIVING DISCHARGE

Village of Botkins WWTP

MAILING ADDRESS OF FACILITY

**Agrana Fruit US, Inc.
P.O. Box 459
Botkins, OH 45306**

CONTACT (NAME/TITLE/PHONE)

Ms. Julie Cotrell / Regulatory Coordinator / (937) 693-3821

FACILITY EVALUATION (See Inspection letter for more complete description)

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

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

**see inspection letter for summary*

Name and Signature of Inspector(s) Matt Walbridge	Agency / Office / Telephone Ohio EPA / Southwest District Office / (937) 285-6095	Date 7-16-09
Signature of Reviewer 	Ohio EPA / Southwest District Office / (937) 285-6034	Date 7/16/09

INDUSTRIAL USER INSPECTION CHECKLIST

Facility: **Agrana Fruits US, Inc.**

Date of inspection: **June 10, 2009**

Facility Number: **OHP000126**

IDP Number: **1DP00022*CP**

Facility Representative: **Julie Cotrell**

Inspector(s): **Matt Walbridge**

COMPLIANCE

1. Date of last pretreatment inspection: **November 28, 2007**
2. Has the facility been in compliance with its permit limits since the last inspection? Y/N
If no, explain:

**Violations of daily concentration and loading limits for TSS and BOD
– see tabulation in inspection letter.**
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:

Failure to conduct weekly monitoring in May and December 2008
4. Was the facility required to perform any actions as a result of the last inspection? Y/N
Explain any unresolved actions:

FACILITY OPERATIONAL CHARACTERISTICS

5. Number of Employees: **~145**
6. Shifts/Day: **3**
(sanitation shifts depend on equipment run times)
7. Production Days/Year: **~252**
(5-day work weeks w/ some Saturdays)
8. Hours/shift: **8**
9. Any production changes since the last inspection? Y/N
If yes, explain:

Two out of the eight lines are currently not operating.
10. General facility description and operations:

Fruit preparations for use in the dairy industry. Sole supplier to Dannon Yogurt.

Frozen Fruit → Thaw → Portioning → Cooker → Cool → Packaging → Cool → Ship

↑
starch, sweeteners, flavor, etc.

↑
mostly totes (~99%)

FACILITY OPERATIONAL CHARACTERISTICS CONTINUED

11. Any change in materials used in production since the last inspection? Y/N
If yes, explain:
(Basic ingredients include fruit, starch, pectin, sweeteners and flavorings)
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:

Please 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
Only a fraction of the polymer flocculant is being used ahead of the DAF system

If yes, was a PTI obtained? NA 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?
Julie Cotrell is the supervisor. The treatment lagoon operates 24/7. The DAF/belt filter press system is operated 24 hours per day, Monday through Friday. Tim Wombold operates the DAF/belt filter press during 1st shift and it is his primary responsibility. Other staff in the maintenance department operate the system during 2nd and 3rd shifts if needed to make up for lost time on 1st.
18. How often is the treatment system checked?
Throughout the day.

Operational targets are ~3,000 MLSS (up from 1,500 to 2,000) which is checked weekly. An Imhoff cone is used daily to check for settlability.

WASTEWATER TREATMENT CC...FINUED

19. Is there an alarm system for the system? Y/N
 Explain:
Ms. Cotrell has a web cam feed of the DAF to her desktop PC where she can see if surface solids get too close to the effluent end of the DAF. There is an autopager for the aeration power system and a high and low-level alarm on the lift station. There is also a relay to shut off discharge pump if daily flow exceeds permitted flow at the DAF and at the monitoring location.
There are set points for flow for the DAF influent and effluent. There are set points for pH on the effluent from the DAF. There is also an alarm for diversion of flow to the treatment lagoon.
20. Is there an operations and maintenance manual? Y/N
The equipment maintenance manuals have been inserted into the preventive maintenance scheduler. The maintenance manual was generated in-house
21. Is an inventory of critical spare parts maintained? Y/N
 If yes, list:
They have an automated inventory management system (keeps track of when inventory is tapped and notifies when it's time to order new parts).
Belts and oil for the blowers.
Actuator and cylinders for belt filter press, extra belt for press, rebuild kits for pumps.
Motors for pumps can be fixed in a few days.
22. Are there any ~~bypasses~~ diversions in the system? Y/N
 If yes, describe the location:
 Have ~~bypasses~~ diversions occurred since the last inspection? Y/N
 Was the POTW notified? Y/N
23. Are residuals or sludges generated? Y/N
 Method of disposal: *Sludge from DAF filter press goes into a trailer and then is hauled to Wennings (located in Mercer County) for composting.*
Residues from the micro screen, from C.I.P. and tote washing and any off-spec materials are collected in a tanker kept on-site. Agrana pays hog farmers to come and pick it up for use as animal feed.
 Frequency and amount of disposal:
~5,000 gallons of residues from the micro screen, C.I.P., tote washing and any off-spec materials are generated from weekly to monthly (depends on how much off-spec material is generated).
20 to 25 tons of DAF solids (pressed) are generated twice a week.
 Name of hauler/landfill/disposal facility:
Jay Holman out of the Maria Stein area (hog farmer) takes the residues - Ringler Feeds is a back-up taker. Wennings takes the DAF solids - believe they're land applying the sludge after composting.
 Is any sludge generated subject to RCRA regulations? Y/N
 If land applying sludge, is there a sludge management plan? N.A. Y/N
Composting facilities are not covered by surface water rules

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
1. <i>Clean in place (C.I. P.)</i>	N.A.	-	<i>Not determined</i>	N.A.	N.A.
2. <i>Tote Washing</i>	N.A.	-	<i>Not determined</i>	N.A.	N.A.
3. <i>Floor Wash Downs</i>	N.A.	-	<i>Not determined</i>	N.A.	N.A.
<i>(These 3 are in order of water usage)</i>					
4.					
5.					
Total Regulated Process Flow	<i>Flow Monitoring Station</i>	165,000 ⁽¹⁾	-165,000 ⁽²⁾	(1) Can be higher if O.K.'d by Village of Botkins and Ohio EPA. (2) This is the approximate flow generated during production days based on self-monitoring reports. (3) Only process wastewater is present at sampling point. Other wastewaters are discharged to sewer via a separate line.	
Noncontact Cooling	-	-	-		
Boiler Condensate	(3)	-	-		
Reverse Osmosis	(3)	-	-		
Demineralizer Regeneration	-	-	-		
Softener Backwash	-	-	-		
Filter Backwash	-	-	-		
Compressor Condensate	-	-	-		
Storm water	-	-	-		
Total of Dilute Flows	N.A.	N.A.	N.A.		
Unregulated Flows	N.A.	-	-		
Sanitary	N.A.	N.A. ⁽³⁾	N.A. ⁽³⁾		
TOTAL FLOW	(1)	N.A.	-165,000		

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

(Storm water runoff is discharged to the roadside ditch in front of the facility)

SELF MONITORING

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

"Flow-proportional samples shall be collected from the wastewater treatment system flow monitoring station."

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~~

If measured, how often is the meter calibrated?

ISCO came out to the facility in October 2008 to calibrate the meter. They moved the bubbler.

At every opportunity, they check to see if the meter reads zero when there is no flow.

If estimated, describe method of estimation:

30. Is pH monitored continuously? ***(The lowest recorded value is reported)*** Y / ~~N~~

If yes, how often is the meter calibrated?

***Every month - it's part of the preventative maintenance program.
 Done using 4 & 10 buffer solutions with a 7 buffer solution check.***

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

Tim sets up the automatic sampler to collect the sample. Mr. Swank picks up the sample and takes it to the lab.

The autosampler collects a sample every day. Personnel from the Village of Botkins empty the sample jug every day after they pick up their sample except Tuesdays.

Agrana collects their weekly sample on Tuesdays (the village won't dump is they're there first).

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 (~750 ml aliquot collected every 5,000 gallons) Y / ~~N~~

Proper preservation techniques Y / ~~N~~

Sample holding times Y / ~~N~~

Chain-of-custody forms Y / ~~N~~

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

34. Laboratory conducting analyses:

Brookside (Chain of Custody sheets are returned with analytical results)

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? NA Y/N
37. Has the facility had any uncontrolled releases or spills to the POTW since the previous inspection? If yes, please explain: Y/N
38. Does the facility need a spill prevention plan or slug discharge control plan? Y/N
If yes, does the facility have a written plan? NA Y/N
39. Identify any potential slug load or spill areas:
- There are 300-gallon totes of aqua ammonia and phosphoric acid that are used to feed nutrients to the treatment lagoon. Chemical is fed using a small feed pump. There was a significant spill of phosphoric acid in early 2008 but it was contained. Otherwise, the slug load potential from an upset of the treatment system is considered very low.*

REQUIRED FOLLOW-UP ACTIONS

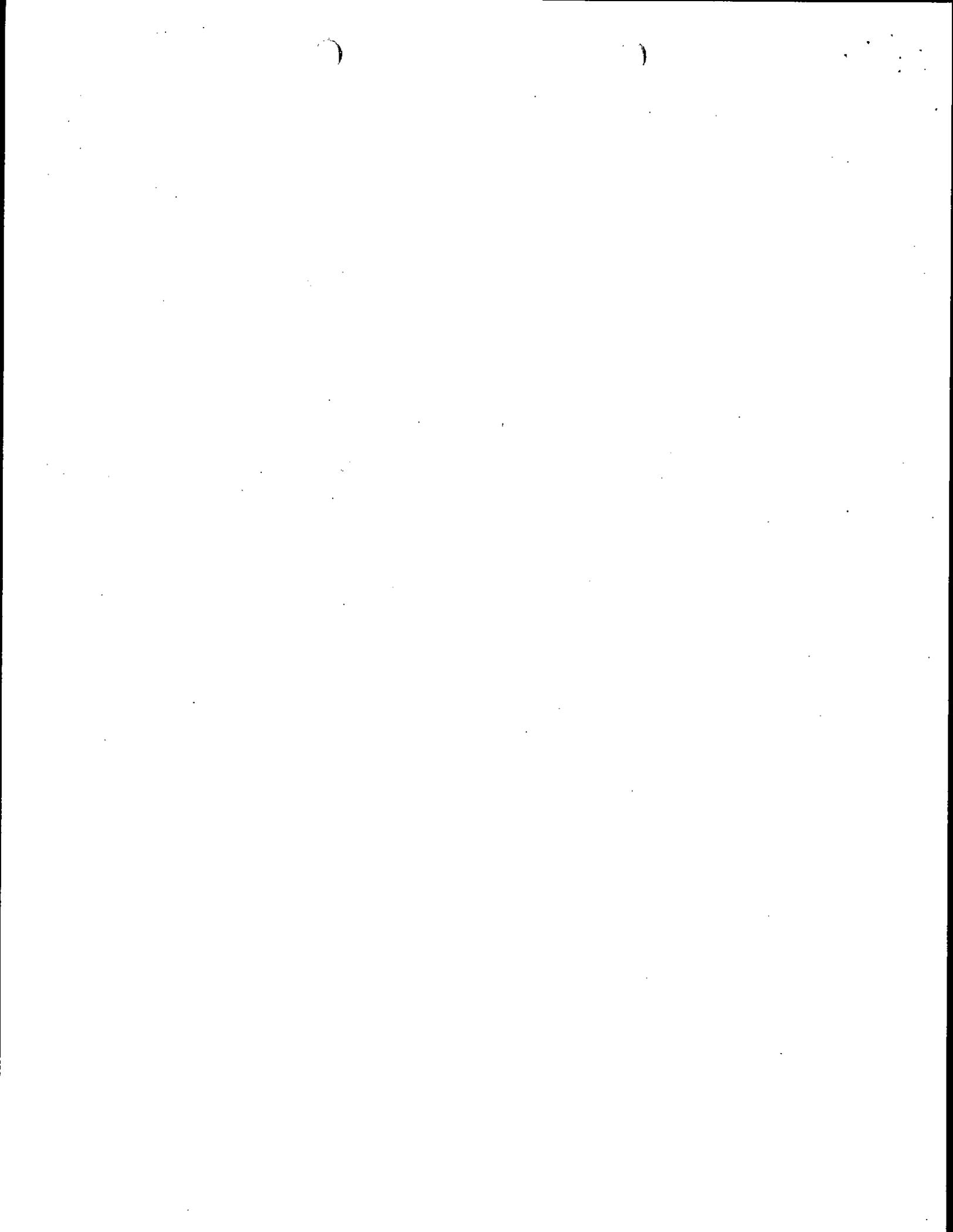
See inspection letter.

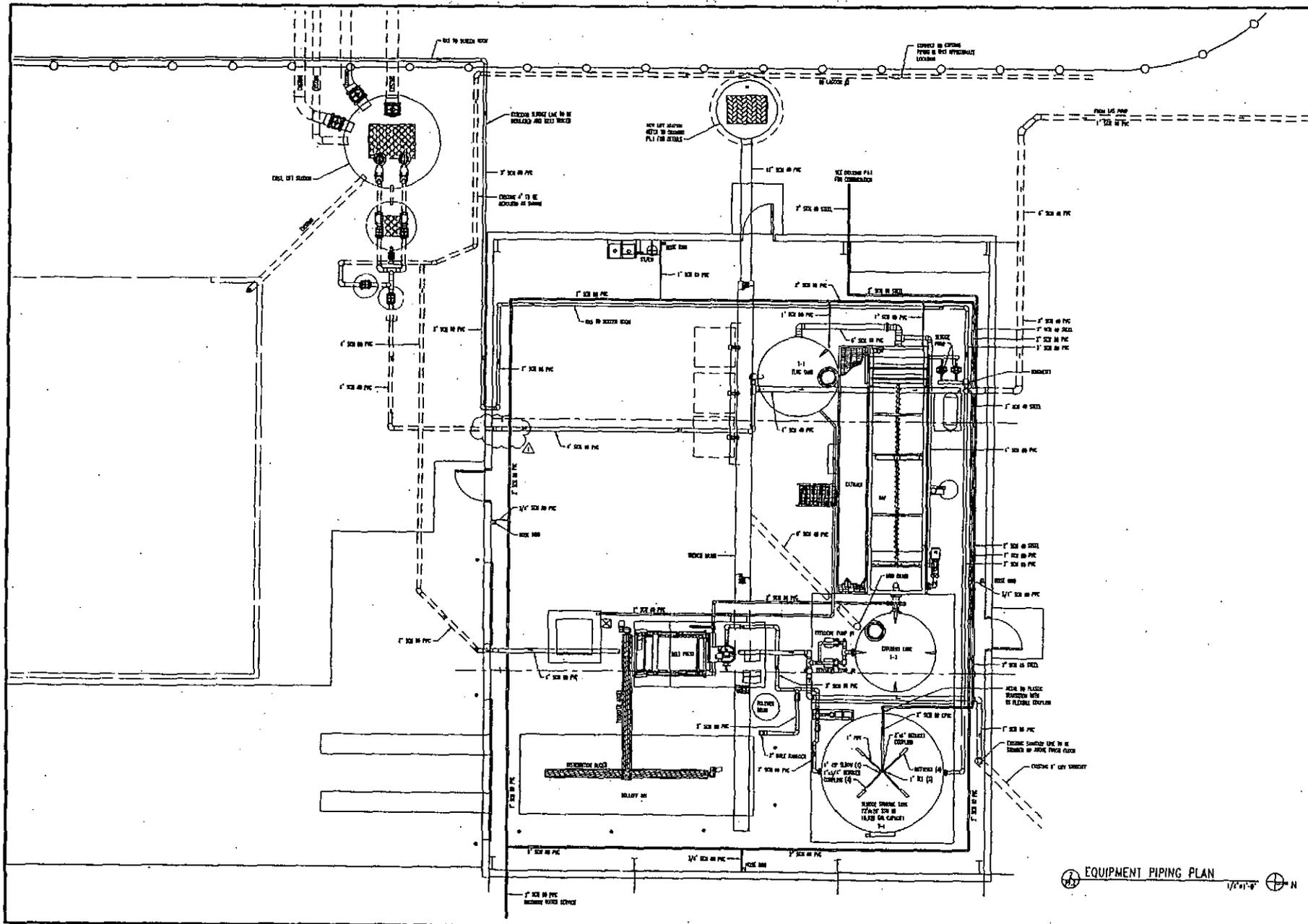
OBSERVATIONS

Nitric acid-based cleaner used for CIPs is pumped to CIP cleaning tank.

A lot of the sterilization of the cookers and mixers is done with steam instead of chemicals.

Floor cleaning is done with chlorine-based cleaner (200 ppm Cl).





GARMANN

MILLER
A FLS CO. DIV. OF THE FLS GROUP
22247 CH. 2-1-1/2 RD. WILSON, OH

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NEW BUILDING FOR
ATYS US, INC
WASTE WATER PRETREATMENT SYSTEM
11577 NORTH COUNTY ROAD 204
ASHLAND, OHIO



DATE	11/28/05
PROJECT NO.	05004
DESIGNER	CSM
DATE	11/17/05
SCALE	
PIPING PLAN	PI.2

EQUIPMENT PIPING PLAN 1/8"=1'-0" N



April 2003

Storm Water Program

In response to the need for comprehensive NPDES requirements for discharges of storm water, Congress amended the CWA in 1987 to require the U.S. EPA to establish phased NPDES requirements for storm water discharges. U.S. EPA published its Phase I regulations in the Federal Register on November 16, 1990, (40 CFR 122.26) those regulations included permit application requirements and deadlines for certain categories of storm water discharges associated with industrial activity, and discharges from municipal separate storm sewer systems (MS4s) serving populations of 100,000 or more. U.S. EPA published its Phase II regulations in the Federal Register on December 8, 1999 which amended 40 CFR 122.26, and created 40 CFR 122.30 through 122.37. Phase II created requirements for some MS4s serving populations less than 100,000, ended an exemption for publicly owned industrial facilities, and revised the industrial program (which includes construction). As an NPDES delegated state, Ohio EPA is responsible for implementing the federal storm water program.

Municipal

On the municipal side, the Phase I regulations covered discharges of storm water from large and medium MS4s. Large municipalities with a separate storm sewer system serving a population greater than 250,000 and medium municipalities with a service population between 100,000 and 250,000 had to obtain NPDES

permits. Initial application deadlines for large and medium municipalities were November 16, 1992 and May 17, 1993, respectively.

As part of their individual NPDES permit applications, the large and medium MS4s had to develop a storm water management program (SWMP). The Phase II regulations required small MS4s in urbanized areas, defined by the census bureau, to develop SWMPs and apply for permit coverage by March 10, 2003.

Industrial

The list of storm water discharges associated with industrial activity is extensive. All storm water discharges associated with industrial activity that discharge to waters of the state or through a MS4 are required to obtain NPDES permit coverage. Discharges of storm water to a combined sewer system or to a sewage treatment plant (aka, publicly owned treatment works - POTW) are excluded.

A brief description of the categories of industrial activity covered under the storm water program include:

- i) Facilities covered by effluent limitation guidelines,
- ii) Facilities covered by standard industrial classification (SIC) 24 (except 2434), 26 (except 265 and 267), 28 (except 283 and 285), 29, 31, 32 (except 323), 33, 3441, and 373,
- iii) Facilities covered by SIC 10-14,

iv) Hazardous waste treatment, storage, and disposal facilities,

v) Landfills, land application and open dump sites,

vi) Steam electric power generating facilities including coal handling sites,

vii) Recycling facilities including scrap yards, battery reclaimers, salvage yards, and automobile junkyards, including those classified as SIC 5015 and 5093,

viii) Transportation facilities classified as SIC 40, 41, 42 (except 4221-25), 43, 44, 45, and 5171, that have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations,

ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system for facilities with a design flow greater than 1.0 MGD or required to have a pretreatment program,

x) Construction activity disturbing one or more acres of land (the original Phase I threshold was five acres, but as of March 10, 2003, it was lowered to one acre),

xi) Facilities classified as SIC 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 323, 34 (except 3441), 35, 36, 37 (except 373), 38, 39, and 4221-25.

In depth information about standard

Storm Water Program

industrial classification codes can be found using the following website: <http://www.osha.gov/oshstats/sicser.html>

Under Phase I, facilities under category xi that did not have materials exposed to storm water were not required to file an application of any kind. Phase II expanded the "no exposure" exemption to also include categories i through ix. Also, to be eligible for the exemption, Phase II requires the filing of a No Exposure Certification form.

As a result of changes made to the Phase I storm water regulations by the "Transportation Act" of 1991, municipalities with a population or a service population less than 100,000 were only required to obtain storm water permits for three types of industrial activities that they owned/operated. Those activities were airports, power plants, and uncontrolled sanitary landfills. Requirements for municipalities with a population greater than 100,000 that own/operate facilities with storm water discharges associated with industrial activity remained unchanged. The Phase II regulations required municipalities with a population less than 100,000 to consider all their existing industrial operations and apply for permit coverage or the no exposure exemption by March 10, 2003.

Industrial and construction activities in Ohio have two possible options for applying for a storm water discharge permit. The first option is to submit an individual NPDES permit application. The second option is to file a notice of intent (NOI) form requesting coverage under a general permit.

The general permit process is usually easier and faster than the individual permit process. Some industrial activities, such as landfills, mining, and bulk terminals (SIC 5171) are not eligible for industrial storm water general permit coverage.

For Additional Information

Additional information, general storm water permits, and associated forms can be found on our website at: <http://www.epa.state.oh.us/dsw/storm>

Any questions on the storm water program can be directed to the Central Office Storm Water Section or to the appropriate district office staff.

Central Office Storm Water Staff

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