



## **Appendix A**



Office of Field  
Operations  
  
Des Moines  
District Office

Neal Smith Federal Building  
210 Walnut St., Room 985  
Des Moines, IA 50309-2123  
525-727-8960  
Fax: 515-727-8991

June 10, 2013

CERTIFIED – RETURN  
RECEIPT REQUESTED

Keaton Walker  
President & CEO  
Responsible Transportation LLC  
22034 200<sup>th</sup> Street  
Sigourney, IA 52591

Dear Mr. Walker:

The Food Safety and Inspection Service (FSIS) is currently reviewing your application for federal inspection services dated December 13, 2012. Section 304.2(c)(1) of the agency's regulations (9 C.F.R. § 304.2(c)(1)) requires all applicants for inspection services at an establishment where any activity thereof may result in any discharge into navigable waters as defined by the Clean Water Act (33 U.S.C. § 1251 et seq.) (CWA) to provide FSIS with a certification issued by the State in which the discharge originates that such activity will be conducted in a manner which will not violate the applicable water quality standards of the CWA.<sup>1</sup> This certification is provided for in section 401(a) of the CWA (33 U.S.C. § 1341(a)). The regulations further provide that no grant of inspection can be issued unless such certification has been obtained, or is waived because of the failure or refusal of the State to act on a request for certification within a reasonable period (which shall not exceed 1 year after receipt of such request). For further information and guidance concerning the section 401 certification process, please see:  
[http://water.epa.gov/lawsregs/guidance/cwa/waterquality\\_index.cfm](http://water.epa.gov/lawsregs/guidance/cwa/waterquality_index.cfm).

You may demonstrate compliance with the regulatory requirement in 9 CFR 304.2(c)(1) in one of two ways:

(1) You may attest<sup>2</sup> that the operations at your establishment will not result in any discharge into any navigable waters. It is important to note that section 401 certification is triggered by the *potential* for a discharge; an actual discharge is not required. The attestation can be in

<sup>1</sup> The applicable standards are found at sections 301, 302, 303, 306, and 307 of the CWA (33 U.S.C. §§ 1311, 1312, 1313, 1316, and 1317).

<sup>2</sup> In any matter involving any branch of the U.S. Government, knowingly and willfully making a materially false, fictitious, or fraudulent statement or representation, or making or using any false writing or document knowing that the same contains any materially false, fictitious, or fraudulent statement or representation, is a crime punishable by fines, imprisonment of up to five (5) years, or both, in accordance with 18 U.S.C. § 1001.

Keaton Walker  
President & CEO  
Responsible Transportation LLC

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the form of a letter to the District Office that is processing your application for inspection services. The letter must contain the following statement: "I declare that the operations conducted at my facility [insert the name and address of your facility] will not result in a discharge into any navigable waters as defined by the Clean Water Act (33 U.S.C. § 1251 et seq.)." The letter must also include the reasons why you believe that no such discharge will occur. We recommend that your statement be supported by credible evidence, such as a report from a hydrologist or other qualified expert.

(2) If you have determined that there is the potential for a discharge into any navigable waters, or if you are unable to determine whether there is such a potential, then you must contact the appropriate State agency and request a section 401 certification. You also should provide a copy of your request for State certification to the District Office that is processing your application for inspection services. If the appropriate State agency issues the requested certification, you should provide a copy of the State certification to the District Office that is processing your application for inspection, so that FSIS can complete the processing of your application for inspection services. If the State authorities refuse to act on your request for certification or fail to act upon it within one (1) year from the date that they receive your certification request, then this regulatory requirement will be waived and FSIS will resume processing your application for federal inspection.

Please be advised that if (1) you are unwilling or unable to attest that that operations at your establishment will not result in any discharge into any navigable waters, or (2) you apply to the appropriate State agency for a certification and your application is denied, then FSIS will be unable to issue you a grant of federal inspection unless and until you demonstrate that you have come into compliance with all applicable clean water standards.

Sincerely,

  
Dawn Sprouls, D.V.M.  
District Manager

AR0003294



## **Appendix B**



## STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

January 3, 2013

KEATON WALKER  
RESPONSIBLE TRANSPORTATION, LLC  
22034 200TH ST.  
SIGOURNEY, IA 52591

Re: Acknowledgement of Receipt of Permit Renewal Fee Payment  
DNR Authorization Number: IA - 5609 - 5432  
Facility Name and Location: RESPONSIBLE TRANSPORTATION, LLC SIGOURNEY, IA

Dear KEATON WALKER:

Enclosed you will find a revised discharge authorization sheet for your storm water NPDES General Permit. You will notice that your storm water discharge to be covered under the general permit has been authorized for additional year(s). The revised date is shown on the lower portion of the cover sheet following the phrase 'Coverage Provided Through.' If any of the information on this cover sheet is incorrect or if you have any questions, please contact me at 515-281-7017.

Also enclosed is a separate sheet regarding the contact person for storm water correspondence for your project or facility. Please update our contact person sheet if any information on that sheet is incorrect. Send any revisions to:

Storm Water Coordinator  
Iowa Department of Natural Resources  
502 E. 9th Street  
Des Moines, IA 50319-0034

Sincerely,

Joe Griffin  
NPDES Section

Enclosure(s): Contact Information Sheet; Permit Authorization Sheet

File No. CON 11 - 34 -- 5609  
IDNR Field Office # 6

DEPARTMENT OF NATURAL RESOURCES / DES MOINES, IOWA 50319 / 515-281-5145 / FAX 515-281-8895

AR0003296

**DEAR STORM WATER DISCHARGER:**

We are using the following contact person and address for correspondence relating to the storm water discharge general permit. If you prefer that correspondence be sent elsewhere, please make the appropriate changes below and return this form to us so that we can update our records.

**Mail changes to:** Storm Water Coordinator  
Iowa Department of Natural Resources  
502 E. 9th St.  
Des Moines, IA 50319-0034

**DNR Permit Number:** IA - 5609 - 5432

**Contact Person:** KEATON WALKER

**Company Name:** RESPONSIBLE TRANSPORTATION, LLC

**Address:** 22034 200TH ST.

SIGOURNEY, IA 52591

**Telephone:** (641)622-3220



# STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

DEPARTMENT OF NATURAL RESOURCES  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
NOTICE OF GENERAL PERMIT COVERAGE UNDER  
GENERAL PERMIT NO. 1

## STORM WATER DISCHARGE ASSOCIATED WITH INDUSTRIAL ACTIVITY

This notice of general permit coverage for a storm water discharge associated with industrial activity is issued pursuant to the authority of section 402 (b) of the Clean Water Act (U.S.C. 1342(b)), Iowa Code 455B.174, and subrule 567--64.4(2), Iowa Administrative Code. A Notice of Intent has been filed with the Iowa Department of Natural Resources that this storm water discharge complies with the terms and conditions of NPDES General Permit No. 1. Authorization is hereby issued to discharge storm water associated with industrial activity as defined in Part VIII of the Iowa Department of Natural Resources NPDES General Permit No. 1 in accordance with the terms and conditions set forth in the permit.

**Owner:** RESPONSIBLE TRANSPORTATION, LLC  
22034 200TH ST.  
SIGOURNEY IA 52591  
(319)461-4580

**Permit Coverage Issued To:**

RESPONSIBLE TRANSPORTATION, LLC  
22034 200TH ST.  
in SIGOURNEY, KEOKUK COUNTY  
located at

1/4 Section	Section	Township	Range
NW	30	76	11W

**Coverage Provided Through:** 11/19/2013  
**Standard Industrial Classification Code:** 2011  
**NPDES Permit Discharge Authorization Number:** 5609 - 5432  
**Discharge Authorization Date:** 11/19/2002

DEPARTMENT OF NATURAL RESOURCES / DES MOINES, IOWA 50319 / 515-281-5145 / FAX 515-281-8895

AR0003298



**Responsible  
Transportation**

## **Appendix C**





## **GENERAL INFORMATION –**

### **INDUSTRIAL NPDES PERMIT APPLICATION AND OPERATION PERMIT APPLICATION**

#### **Applicability of Forms**

**Form 1 (General Information)** requires you to provide general information on your facility and must be submitted by every applicant for a permit, unless you are applying for an operation permit, in which case Form 6 is required in lieu of Form 1.

**Supplement – Sulfate and Chloride Data** requires you to submit the results of analysis of at least one sample of your final effluent for both sulfate and chloride and must be submitted by every applicant for an NPDES permit (the Supplement is not required for operation permit applications).

**Form 5 (Certification)** must be signed by a responsible official and must be submitted by every applicant for a permit, both NPDES and operation.

**Form 2 (Facilities Which Discharge Nonprocess Wastewater)** must be completed in conjunction with Form 1 (General Information) and may be used only by operators of facilities which discharge *nonprocess* wastewater which is not regulated by federal effluent limitation guidelines or new source performance standards. Examples of nonprocess wastewater include, but are not limited to, noncontact cooling water, boiler blowdown, and sanitary waste.

**Form 3 (Facilities Which Discharge Process Wastewater - Existing Sources)** must be completed in conjunction with Form 1 (General Information) and must be used by operators of facilities which discharge process wastewater. Process wastewater is any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

**Form 4 (Facilities Which Discharge Process Wastewater - New Sources)** must be completed in conjunction with Form 1 (General Information) and must be used by operators of facilities that are new sources or new dischargers. However, facilities which discharge only nonprocess wastewater that is not regulated by an effluent limitations guideline or new source performance standard may use Form 2. Educational, medical, and commercial chemical laboratories may use this form or Form 3. See the Glossary for definitions of new source and new discharger.

**Form 2F (Facilities Which Discharge Storm Water Associated With Industrial Activity)** must be completed in conjunction with Form 1 (General Information) and must be used by operators of facilities which discharge storm water associated with industrial activity or by operators of storm water discharges that the State of Iowa is evaluating for designation as a significant contributor of pollutants to waters of the United States, or as contributing to a violation of a water quality standard. See the Glossary for the definition of "Storm Water Associated With Industrial Activity".

**Form 6 (Operation Permit Application)** must only be completed by those applying for an operation permit (most often for land application of wastewater). Form 6 requires you to provide general information on your facility and must be submitted in conjunction with Form 5.

**Where to File Applications** - Completed electronic applications for NPDES permits must be submitted on the Wastewater Permit Information Exchange (WWPIE) system at <https://programs.iowadnr.gov/wwpie/>. Operation permit applications are not available on WWPIE at this time. If you choose to complete a paper application, it must be mailed to the Iowa Department of Natural Resources, 502 E. 9<sup>th</sup> Street, Des Moines, Iowa 50319, Attn: NPDES Section.

**Completeness** - Your application will not be considered complete unless you answer every question on each form and pay the \$85 permit application fee. If an item does not apply to you, enter "NA" (for not applicable) to show that you have considered the item.



**Public Availability of Submitted Information** - You may not claim as confidential any information required by this application, whether the information is reported on the forms or in an attachment. Section 402(j) of the Clean Water Act requires that all permit applications will be available to the public. This information will be made available to the public upon request

Any information you submit which goes beyond that required by this application you may claim as confidential, but claims for information which are effluent data will be denied. If you do not assert a claim of confidentiality at the time of submitting the information, the information may be made public without further notice to you. Claims of confidentiality will be handled in accordance with Chapter 17A of the Code of Iowa and 567 Chapter 2 of the Iowa Administrative Code.

**Signature Requirements** - Federal and State Regulations require applications to be signed as follows:

For a corporation: by a responsible corporate official. For purposes of this section, a responsible corporate official means (1) A president, secretary, treasurer, or vice president in charge of a principal business function, or any other person who performs similar policy- or decision-making functions; or (2) The manager of manufacturing, production, or operating facilities, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

**Note:** Specific assignments or delegation of authority to responsible corporate officers are not required. The department will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to an applicable corporate position.

For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or for a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a unit of the agency (e.g., EPA Regional Administrators).

**Use of Certified Laboratory Required** - The results of all analyses submitted as part of a permit application, operation report, order, or rule must be performed by a laboratory certified by this department. Contact the department at 515-725-0343 for a list of certified laboratories. A searchable list of certified laboratories is also available on the State Hygienic Laboratory website at <http://www.shl.uiowa.edu/services/labcertification/reports/public/index.xml>.



## GLOSSARY

**NOTE:** This Glossary includes terms used in the instructions and in Forms 1, 2, 2F, 3, 4, and 6. If you have any questions concerning the meaning of any of these terms, please contact the Department at (515) 281-7409.

**ALiquot** means a sample of specified volume used to make up a total composite sample.

**ByPASS** means the intentional diversion of wastes from any portion of a treatment facility or collection system.

**COMPOSITE SAMPLE** means a combination of at least 8 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of the facility over a 24-hour period. A composite sample must be flow proportional; either the time interval between each aliquot or the volume of each aliquot must be proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot. Aliquots may be collected manually or automatically. For GC/MS Volatile Organic Analysis (VOA), aliquots must be combined in the laboratory immediately before analysis. Four (4) (rather than eight) aliquots or grab samples should be collected for VOA. These four samples should be collected during actual hours of discharge over a 24-hour period and need not be flow proportioned.

**CONTACT COOLING WATER** means water used to reduce temperature which comes into contact with a raw material, intermediate product, waste product other than heat, or finished product.

**CWA** means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act) Pub. L. 92-500, as amended by Pub. L. 95-217 and Pub. L. 95-576, 33 U.S.C. 1251 et seq.

**DIRECT DISCHARGE** means the discharge of a pollutant as defined below.

**DIRECTOR** means the EPA Regional Administrator or the State Director as the context requires.

**DISCHARGE (OF A POLLUTANT)** means any addition of any pollutant or combination of pollutants to navigable waters or waters of the state from any point source. "Discharge of a pollutant" includes additions of pollutants into navigable waters or waters of the state from surface runoff which is collected or channeled by human activity; discharges through pipes, sewers, or other conveyances owned by a state, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. "Discharge of a pollutant" does not include an addition of pollutants by any indirect discharger.

**DISPOSAL SYSTEM** means a system for disposing of sewage, industrial waste, or other wastes, or for the use or disposal of sewage sludge. "Disposal system" includes sewer systems, treatment works, point sources, dispersal systems, and any systems designed for the usage or disposal of sewage sludge.

**EFFLUENT LIMITATION** means any restriction imposed by the Director on quantities, discharge rates, and concentrations of pollutants which are discharged from point sources into waters of the state, the waters of the contiguous zone, or the ocean.

**EFFLUENT LIMITATION GUIDELINE** means a regulation published by the Administrator under Section 304(b) of the Clean Water Act to adopt or revise effluent limitations.

**ENVIRONMENTAL PROTECTION AGENCY (EPA)** means the United States Environmental Protection Agency.

**EXISTING SOURCE or EXISTING DISCHARGER** means any source which is not a new source or a new discharger.

**FACILITY** means any Hazardous Waste Management facility, Underground Injection Control well, NPDES point source, Prevention of Significant Deterioration stationary source, or any other facility or activity (including land or appurtenances



thereto) that is subject to regulation under the Resource Conservation and Recovery Act, Underground Injection Control, National Pollutant Discharge Elimination System, or Prevention of Significant Deterioration programs.

**GRAB SAMPLE** means a representative, discrete, portion of sewage, industrial waste, other waste, storm water, surface, or ground water of at least 100 milliliters taken without regard to flow rate and at a randomly selected time over a period not exceeding fifteen (15) minutes.

**HAZARDOUS SUBSTANCE** means any of the substances designated under 40 CFR Part 116 pursuant to Section 311 of CWA. (NOTE: These substances are listed in Table 2 of the instructions to Form 3.)

**INDIRECT DISCHARGER** means a nondomestic discharger introducing pollutants to a publicly owned treatment works.

**INDUSTRIAL WASTE** means any liquid, gaseous, radioactive, or solid waste substance resulting from any process of industry, manufacturing, trade, or business, or from the development of any natural resource.

**MGD** means millions of gallons per day.

**MILLIGRAMS PER LITER (MG/L)** means milligrams of solute per liter of solution (equivalent to parts per million-assuming unit density). A microgram (ug) is 1/1000 of a milligram.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)** means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring, and enforcing permits and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of CWA.

**NPDES PERMIT** means an operation permit, issued after the department has obtained approval of its National Pollutant Discharge Elimination System (NPDES) program from the administrator, that authorizes the discharge of any pollutant into a navigable water.

**NEW DISCHARGER** means any building, structure, facility, or installation: (i) from which there is or may be a new or additional discharge of pollutants at a site which on or before October 18, 1972 had never discharged pollutants; (ii) which has never received an effective NPDES permit for discharges at that site; and (iii) which is not a "new source." This definition includes an indirect discharger which commences discharging into waters of the United States. It also includes any existing mobile point source, such as an offshore oil drilling rig, seafood processing vessel, or aggregate plant that begins discharging at a location for which it does not have an existing permit.

**NEW SOURCE** means any building, structure, facility or installation from which there is or may be a discharge of pollutants to a navigable water, the construction of which commenced after the promulgation of standards of performance under Section 306 of the Act which are applicable to such source, provided that:

1. The building, structure, facility or installation is constructed at a site at which no other source is located; the building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or the production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors, such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
2. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraph "1" but otherwise alters, replaces, or adds to existing process or production equipment.
3. Construction of a new source as defined pursuant to this rule has commenced if the owner or operator has:
  - Begun, or caused to begin, as part of a continuous on-site construction program, any placement, assembly, or installation of facilities or equipment; or significant site preparation work including clearing, excavation,



- or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
- Entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in the operation of the new source within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this definition.

**NON-CONTACT COOLING WATER** means water used to reduce temperature which does not come into direct contact with any raw material, intermediate product, waste product (other than heat), or finished product.

**OPERATION PERMIT** means a written permit by the director authorizing the operation of a wastewater disposal system or part thereof or discharge source and, if applicable, the discharge of wastes from the disposal system or part thereof or discharge source to waters of the state. An NPDES permit will constitute the operation permit in cases where there is a discharge to a water of the United States and an NPDES permit is required by the Act.

**OPERATOR** means the person responsible for the overall operation of a facility.

**OTHER WASTE** means heat, garbage, municipal refuse, lime, sand, ashes, offal, oil, tar, chemicals, and all other wastes which are not sewage or industrial waste.

**OUTFALL** means a point source.

**OWNER** means the person who owns a facility or part of a facility.

**PERMIT** means an authorization, license, or equivalent control document issued by EPA or an approved State to implement the requirements of 40 CFR Parts 122, 123, and 124.

**POINT SOURCE** means any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, concentrated aquatic animal production facility, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

**POLLUTANT** means sewage, industrial waste, or other waste.

**PRIMARY INDUSTRY CATEGORY** means any industry category listed in the NRDC Settlement Agreement (Natural Resources Defense Council v. Train, 8 ERC 2120 [D.D.C. 1976] modified 12 ERC 1833 [D.D.C. 1979]).

**PROCESS WASTEWATER** means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

**PUBLICLY OWNED TREATMENT WORKS or POTW** means any device or system used in the treatment (including recycling and reclamation) of municipal sewage or industrial wastes of a liquid nature which is owned by a municipal corporation or other public body created by or under Iowa law and having jurisdiction over disposal of sewage, industrial wastes or other wastes, or a designated and approved management agency under Section 208 of the Act (a State or municipality). This definition includes any sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment.

**SECONDARY INDUSTRY CATEGORY** means any industry category which is not a primary industry category.



**SEWAGE** means the water-carried waste products from residences, public buildings, institutions, or other buildings, including the bodily discharges from human beings or animals together with such groundwater infiltration and surface water as may be present.

**STORM WATER ASSOCIATED WITH INDUSTRIAL ACTIVITY** means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under 40 CFR 122. For the categories of industries identified in paragraphs (i) through (x) of this definition, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR part 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water.

For the categories of industries identified in paragraph (xi) of this definition, the term includes only storm water discharges from all the areas (except access roads and rail lines) that are listed in the previous sentence where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. For the purposes of this paragraph, material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product, or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally, State, or municipally owned or operated that meet the description of the facilities listed in these paragraphs (i)-(xi) of the definition) include those facilities designated under 40 CFR 122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" for purposes of this definition.

- (i) Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards which are exempted under category (xi) of this definition);
- (ii) Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28 (except 283 and 285), 29, 311, 32 (except 323), 33, 3441, 373;
- (iii) Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 CFR 434.11(1) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas of non-coal mining operations which have been released from applicable State or Federal reclamation requirements after 12/17/1990 and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; (inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator; inactive mining sites do not include sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, nor sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim);
- (iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;
- (v) Landfills, land application sites, and open dumps that receive or have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;
- (vi) Facilities involved in the recycling of materials, including metal scrap yards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;
- (vii) Steam electric power generating facilities, including coal handling sites;
- (viii) Transportation facilities classified as Standard Industrial Classifications 40, 41, 42 (except 4221-4225), 43, 44, 45 and 5171 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only



those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified under paragraphs (i)-(vii) or (ix)-(xi) of this definition are associated with industrial activity;

(ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with 40 CFR 503;

(x) Construction activity including clearing, grading and excavation activities except: operations that result in the disturbance of less than five acres of total land area which are not part of a larger common plan of development or sale;

(xi) Facilities under Standard Industrial Classifications 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, 4221-4225, (and which are not otherwise included within categories (ii)-(x)).

**STORM WATER RUNOFF** means water discharged as a result of rain, snow, or other precipitation.

**TOXIC POLLUTANT** means any pollutant listed as toxic under Section 307(a)(1) of CWA.

**TOXICITY TEST** means any test which includes the use of aquatic algal, invertebrate, or vertebrate species to measure acute or chronic toxicity, and any biological or chemical measure of bioaccumulation.

**UPSET** means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

**WATER OF THE STATE** means any stream, lake, pond, marsh, watercourse, waterway, well, spring, reservoir, aquifer, irrigation system, drainage system, and any other body or accumulation of water, surface or underground, natural or artificial, public or private, which are confined within, flow through or border upon the state or any portion thereof.



## U.S. ENVIRONMENTAL PROTECTION AGENCY

## National Pollutant Discharge Elimination System (NPDES)

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## Specific State Program Status

Click [here](#) [PDF Format] to view a map depicting state authorization status.Click [here](#) to view state-specific comments.Click [here](#) to view the general state program status table.

State	Approved State NPDES Permit Program	Approved to Regulate Federal Facilities	Approved State Pretreatment Program	Approved General Permits Program	Approved Biosolids (Sludge) Program
Alabama	10/19/1979	10/19/1979	10/19/1979	06/28/1991	
Alaska*	10/31/2008	10/31/2008	10/31/2008	10/31/2008	
American Samoa					
Arizona	12/05/2002	12/05/2002	12/05/2002	12/05/2002	04/01/2004
Arkansas	11/01/1986	11/01/1986	11/01/1986	11/01/1986	
California	05/14/1973	05/05/1978	09/22/1989	09/22/1989	
Colorado	03/27/1975			03/04/1982	
Connecticut	09/26/1973	01/09/1989	06/03/1981	03/10/1992	
Delaware	04/01/1974			10/23/1992	
District of Columbia					
Florida	05/01/1995	05/01/2000	05/01/1995	05/01/1995	
Georgia	08/28/1974	12/08/1980	03/12/1981	01/28/1991	
Guam					
Hawaii	11/28/1974	08/01/1979	08/12/1983	09/30/1991	
Idaho					
Illinois	10/23/1977	09/20/1979		01/04/1984	
Indiana	01/01/1975	12/09/1978		04/02/1991	
Iowa	08/10/1978	08/10/1978	06/03/1981	08/12/1992	
Johnston Atoll					
Kansas	06/28/1974	08/28/1985		11/24/1993	
Kentucky	09/30/1983	09/30/1983	09/30/1983	09/30/1983	
Louisiana	08/27/1996	08/27/1996	08/27/1996	08/27/1996	
Maine	01/12/2001	01/12/2001	01/12/2001	01/12/2001	
Maryland	09/05/1974	11/10/1987	08/30/1985	09/30/1991	
Massachusetts					
Michigan	10/17/1973	12/09/1978	06/07/1983	11/29/1993	09/28/2006



NPDES Permit Program Basics Information

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## EPA State Program Status

## Midway Island

Minnesota	06/30/1974 12/09/1978	07/16/1979	12/15/1987
Mississippi	05/01/1974 01/28/1983	05/13/1982	09/27/1991
Missouri	10/30/1974 06/26/1979	06/03/1981	12/12/1985
Montana	06/10/1974 06/23/1981		04/29/1983
Nebraska	06/12/1974 11/02/1979	09/07/1984	07/20/1989
Nevada	09/19/1975 08/31/1978		07/27/1992
New Hampshire			
New Jersey	04/13/1982 04/13/1982	04/13/1982	04/13/1982
New Mexico			
New York	10/28/1975 06/13/1980		10/15/1992
North Carolina	10/19/1975 09/28/1984	06/14/1982	09/06/1991
North Dakota	06/13/1975 01/22/1990	09/16/2005	01/22/1990
Northern Mariana Islands			
Ohio	03/11/1974 01/28/1983	07/27/1983	08/17/1992 03/16/2005
Oklahoma**	11/19/1996 11/19/1996	11/19/1996	09/11/1997 11/19/1996
Oregon	09/26/1973 03/02/1979	03/12/1981	02/23/1982
Pennsylvania	06/30/1978 06/30/1978		08/02/1991
Puerto Rico			
Rhode Island	09/17/1984 09/17/1984	09/17/1984	09/17/1984
South Carolina	06/10/1975 09/26/1980	04/09/1982	09/03/1992
South Dakota	12/30/1993 12/30/1993	12/30/1993	12/30/1993 10/22/2001
Tennessee	12/28/1977 09/30/1986	08/10/1983	04/18/1991
Texas***	09/14/1998 09/14/1998	09/14/1998	09/14/1998 09/14/1998
Utah	07/07/1987 07/07/1987	07/07/1987	07/07/1987 06/14/1996
Vermont	03/11/1974	03/16/1982	08/26/1993
Virgin Islands	06/30/1976 12/26/2007		12/26/2007
Virginia	03/31/1975 02/09/1982	04/14/1989	04/20/1991
Wake Island			
Washington	11/14/1973	09/30/1986	09/26/1989
West Virginia	05/10/1982 05/10/1982	05/10/1982	05/10/1982
Wisconsin	02/04/1974 11/26/1979	12/24/1980	12/19/1986 07/28/2000
Wyoming	01/30/1975 05/18/1981		09/24/1991

## State Specific Comments:

**Alaska\*** The Alaska Dept of Environmental Conservation (DEC) began a phased 3 year program to assume the NPDES permitting authority on 10/31/2008. As of 9/30/12, DEC is responsible for all facilities in Alaska except for the following: outer continental shelf facilities, 301(h) facilities (~11), tribal facilities (~4), 1 federal facility, and oil and gas facilities. On Oct 31, 2012, DEC will assume authority for oil and gas facilities.

**Oklahoma\*\*** Partial Program. It has not been authorized to issue permits for activities associated with oil and gas exploration, drilling, operations, and pipelines, and for CAFOs and certain other discharges from agriculture. EPA is the permitting authority.

6/19/13

**EPA State Program Status**

discharges from agriculture. EPA is the permitting authority for those facilities since it is not in Oklahoma DEQ's jurisdiction. All parts of the program within jurisdiction of Oklahoma DEQ are authorized.

**Texas\*\*\***

Partial Program. It has not been authorized to issue permits for activities associated with the exploration, development, or production of oil or gas or geothermal resources, including transportation of crude oil or natural gas by pipeline. EPA is the permitting authority for those facilities since it is not in Texas Commission on Environmental Quality's jurisdiction. All parts of the program within jurisdiction of the Texas Commission on Environmental Quality are authorized.

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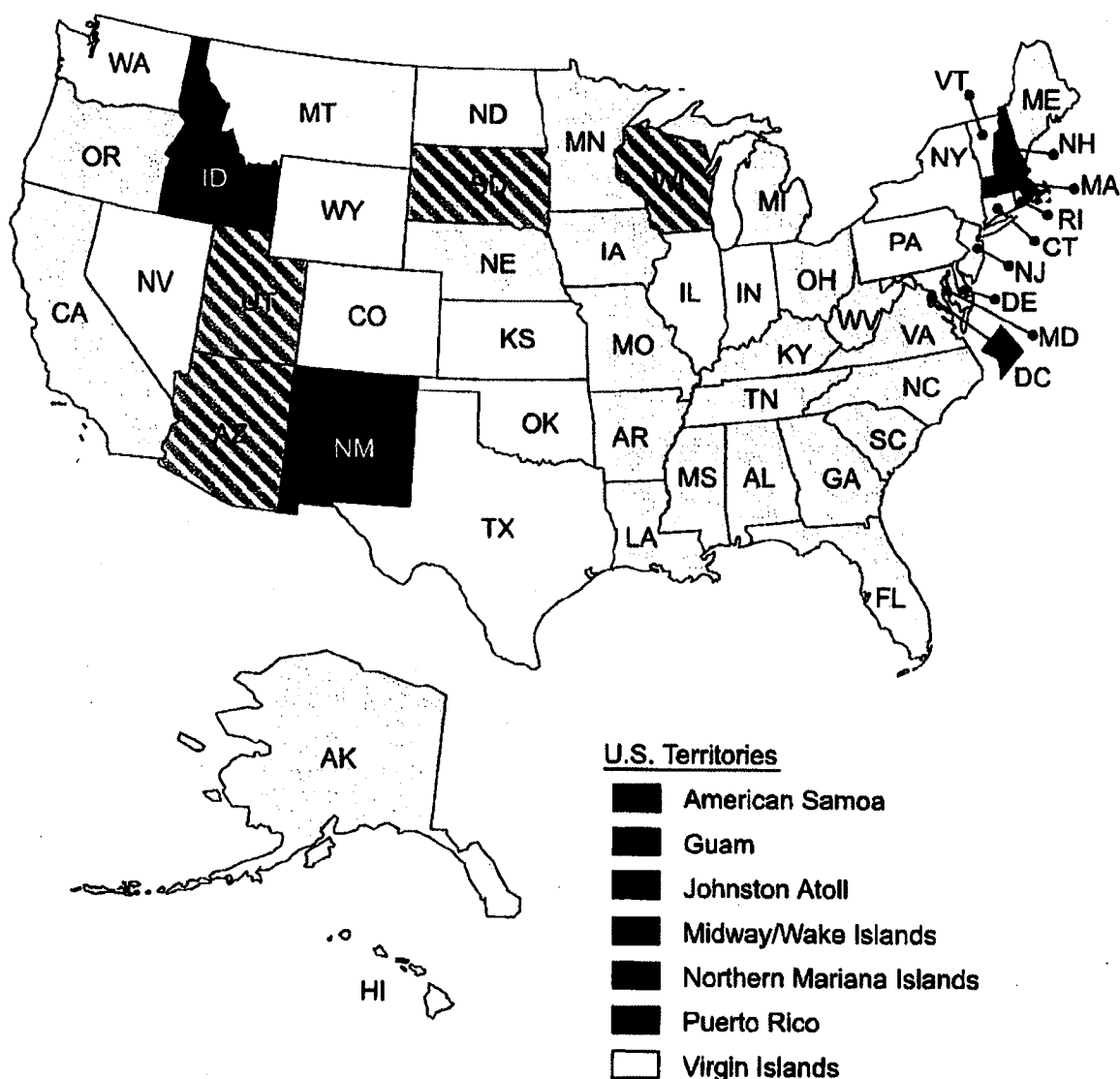
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# State NPDES Program Authority





## STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

February 14, 2013

**CERTIFIED MAIL**

Keaton Walker, President/CEO  
Responsible Transportation, LLC  
22034 200<sup>th</sup> Street  
Sigourney, IA 52591

RE: NPDES Final Permit # 54-75-1-00

Dear Mr. Walker,

Enclosed is the final NPDES permit that authorizes the land application of wastewater from Responsible Transportation, LLC. This permit contains operational conditions and monitoring and reporting requirements. The issuance date of this permit is March 1, 2013; please become familiar with all requirements in the enclosed final permit.

The facility is required to use new monthly operation report forms once a final permit is issued. Paper and electronic monthly operating report forms are available from your regional DNR field office. The facility is encouraged to use the electronic reporting form. Please contact Russell Royce at Field Office 6, (319) 653-2135 or [Russell.Royce@dnr.iowa.gov](mailto:Russell.Royce@dnr.iowa.gov) for more information.

If you have any questions, please contact me at (515) 281-4067 or [Karen.Lodden@dnr.iowa.gov](mailto:Karen.Lodden@dnr.iowa.gov).

Sincerely,

A handwritten signature in black ink that reads "Karen Lodden".

Karen Lodden  
Environmental Specialist  
NPDES Permits Section

Enclosures

c: Field Office 6

# **Iowa Department of Natural Resources**

## **Operation Permit for a Land Application System**

**PERMITTEE:**

Responsible Transportation, LLC  
22034 200<sup>th</sup> Street  
Sigourney, IA 52591

**IDENTITY AND LOCATION OF FACILITY:**

Responsible Transportation  
NW ¼ of Section 30, T76N, R11W  
Keokuk County, Iowa

**OPERATION PERMIT NUMBER:** 5475100

**DATE OF ISSUANCE:** March 1, 2013

**DATE OF EXPIRATION:** February 28, 2018

**Land Application System:**

No waste discharge into waters of the State of Iowa shall be caused, allowed or permitted from the wastewater land application system.

**YOU ARE REQUIRED TO FILE FOR RENEWAL  
OF THIS PERMIT BY:** September 1, 2017

This permit is issued pursuant to the authority of Iowa Code section 455B.174 and rule 567--64.3, Iowa Administrative Code. You are authorized to operate the disposal system in accordance with the terms set forth in this permit.

You may appeal any condition of this permit by filing a written notice of appeal and request for administrative hearing with the director of this department within 30 days of your receipt of this permit.

Any existing unexpired Iowa operation permit previously issued by the department for the facility identified above is revoked by the issuance of this Iowa operation permit.

### **DESCRIPTION**

Wastewater from a meat processing facility is treated in a lagoon system consisting of an anaerobic lagoon and two aerobic storage lagoon cells. The treated wastewater is disposed of by land application using a center pivot irrigation system. The 40-acre land application area is in the NW ¼ of Section 30, T76N, R11W, Keokuk County, Iowa. No discharge to a water of the state from the storage lagoon or the land application area is permitted.

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

By

*Karen Ludden*

Karen Ludden, Environmental Specialist  
NPDES Section

**ENVIRONMENTAL SERVICES DIVISION**

Facility Name: Responsible Transportation  
Iowa Operation Permit Number: 5475100

**OPERATING REQUIREMENTS FOR THE LAND APPLICATION SYSTEM FOR DISPOSAL OF WASTEWATER**

The permittee is authorized to operate the disposal system described on page 1 in accordance with the conditions set forth below:

1. The permittee shall report to this department any direct discharge of waste into a watercourse from the land disposal operations. Such notification shall be given by telephone call to our Washington office at (319) 653-2153 within twenty-four (24) hours of the discharge occurrence. In addition, the permittee shall provide the following information, in writing, within five (5) days of such discharge.
  - a) A description of the cause of discharge;
  - b) The period of discharge, including the exact dates and times of discharge. If the discharge has not ceased, notification shall include the anticipated duration of the discharge.
  - c) The estimated volume of water that was discharged.
  - d) The steps being taken to reduce, eliminate and prevent occurrence of any discharge.

**2. Approved Land Application Areas**

You are authorized to land apply wastewater only to the following site owned by the permittee:

40 acres in the NW ¼ of Section 30, T76N, R11W in Keokuk County, Iowa

The approved land application area is shown on page 6 of this permit.

**3. Operational Conditions**

- a) Wastewater must be treated in the lagoons prior to being land applied. This permit prohibits bypassing the treatment lagoons and directly applying wastewater onto any of the approved land application areas.
- b) No wastewater generated off-site may be accepted for disposal.
- c) A minimum of 2 feet of freeboard shall be maintained in the lagoons at all times.
- d) Wastewater shall not be applied within 300 feet of dwellings or public use areas (not including public roads).
- e) Wastewater shall not be applied within 50 feet of the property lines of an application field.
- f) Wastewater shall not be applied within 400 feet of potable water supply wells not located on the application field.
- g) Wastewater shall not be surface applied within 200 feet of potable water supply wells

Facility Name: Responsible Transportation

Iowa Operation Permit Number: 5475100

located on the application field.

- h) Wastewater shall not be applied within 300 feet of a continuous flowing stream or any physiographic feature that may provide direct connection to the groundwater.
- i) Wastewater shall not be applied within 1000 feet of a shallow public well.
- j) Wastewater shall not be applied within 500 feet of a public lake or impoundment.
- k) Wastewater shall not be applied within one-half mile of a public lake or impoundment used as a source of water by a potable water supply.
- l) If wastewater is spray irrigated, the spraying shall be limited to daylight hours when winds are 15 mph or less.
- m) No ponding of the applied wastewater shall be allowed to occur.
- n) Wastewater shall not be applied to flooded areas until the ground has sufficient time to dry.
- o) Wastewater shall not be land applied during periods of ground frost.
- p) Land application of wastewater is not allowed while it is raining.
- q) Land application of wastewater shall be stopped if runoff occurs.
- r) The wastewater application rate shall not exceed one inch/hour.
- s) If rainfall occurs, the amount of rainfall shall be subtracted from the allowable wastewater application rate listed in item "r" above.
- t) The total annual application of nitrogen from all sources (including any application of commercial fertilizer or animal wastes) shall not exceed 200 lbs/acre/year.
- u) The grass or crops on the land application area shall be harvested and removed, if necessary, so the nutrient requirement is not exceeded.
- v) The disposal area shall be posted along public roads and public use areas. A minimum of one sign shall be placed on each side of each disposal area. The perimeter distance between any two signs shall not exceed 500 feet. Each sign shall clearly identify the nature of the facility and advise against trespassing in letters not less than 2 inches high. Signs shall be posted a minimum of seven consecutive days prior to using a site for land application and shall remain in place for a minimum of fourteen consecutive days following each application.

#### 4. Monitoring and Reporting Requirements

You must monitor as specified on page 5 of this permit and report the results to the department

Facility Name: Responsible Transportation  
Iowa Operation Permit Number: 5475100  
or the samples were collected.

- a) Samples and measurements taken shall be representative of the volume and nature of the monitored wastewater.
- b) Analytical and sampling methods specified in 40 CFR Part 136 or other methods approved in writing by the department shall be utilized. Samples collected for operational testing need not be analyzed by approved analytical methods; however, commonly accepted test methods should be used.
- c) You are required to report all data including calculated results needed to determine compliance with the limitations contained in this permit. The results of any monitoring not specified in this permit performed at the compliance monitoring point and analyzed according to 40 CFR Part 136 shall be included in the calculation and reporting of any data submitted in accordance with this permit. This includes daily maximums and minimums and 30-day and 7-day averages for all parameters that have concentration (mg/l) and mass (lbs/day) limits. In addition, flow data shall be reported in million gallons per day (MGD).
- d) Results of all monitoring shall be recorded on forms provided by, or approved by, the department, and shall be submitted to the appropriate regional field office of the department by the fifteenth day following the close of the reporting period. Your reporting period is on a MONTHLY basis, ending on the last day of each reporting period.
- e) Any records of monitoring activities and results shall include for all samples: the date, exact place and time of the sampling; the dates the analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses.
- f) Chapter 63 of the Iowa Administrative Code contains further explanation of these monitoring requirements.

#### Definition of Terms

The term *Nitrogen, Total (as N)* means the sum of the measured values of Total Kjeldahl Nitrogen plus Nitrate Nitrogen plus Nitrite Nitrogen.

The term *Flow (Volume Land Applied)* means the total volume of wastewater applied to any individual land application area during a calendar year.



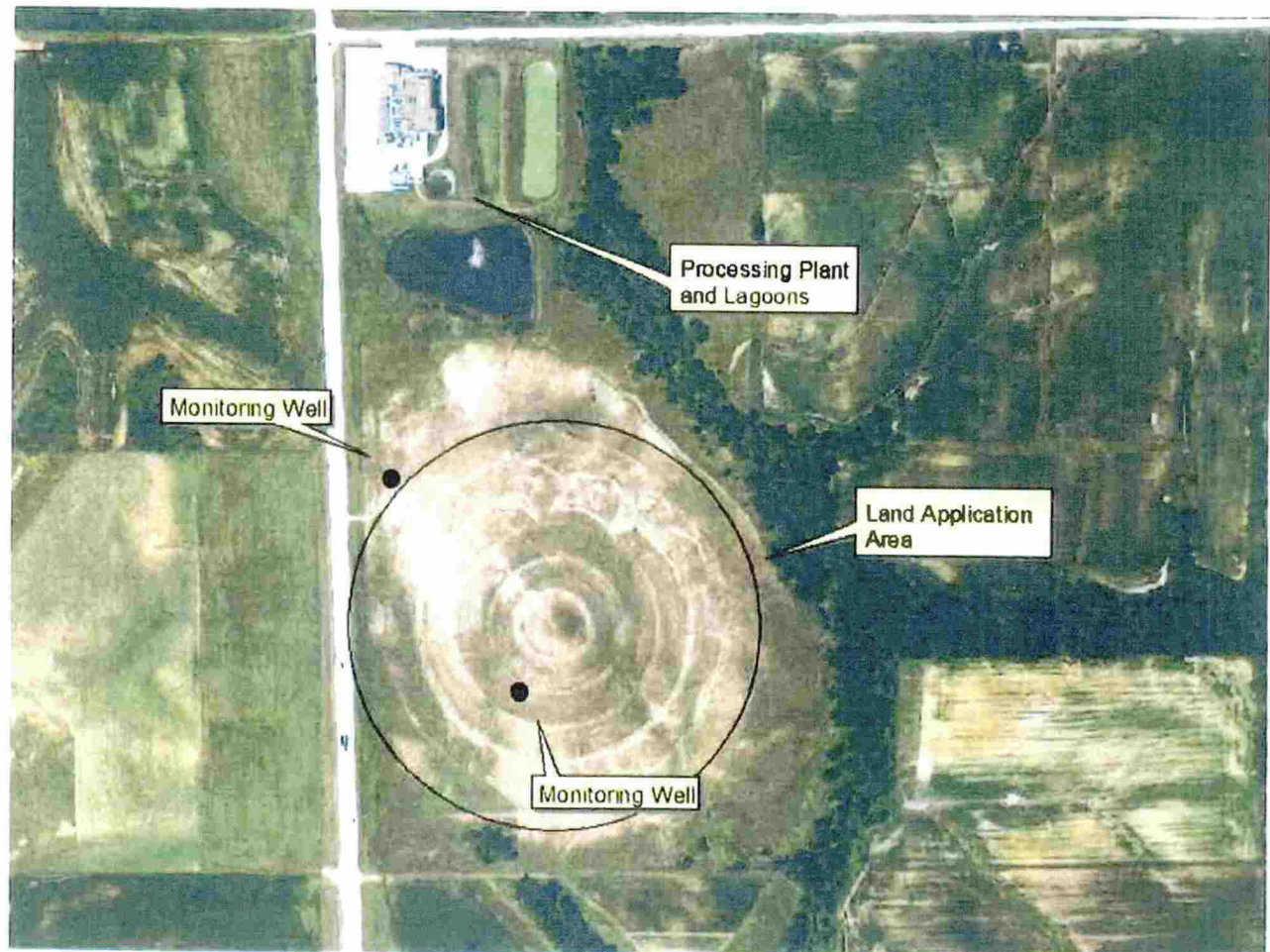
Facility Name: Responsible Transportation

Iowa Operation Permit Number: 54751100

Outfall	Wastewater Parameter	Sample Frequency	Sample Type	Monitoring Location
The following monitoring requirements shall be in effect from March 1, 2013 to February 28, 2018				
001	NITROGEN, TOTAL (AS N)	7/WEEK OR DAILY	CALCULATED	YEAR TO DATE TOTAL POUNDS PER ACRE APPLIED
001	FLOW	7/WEEK OR DAILY	24 HOUR TOTAL	RAW WASTEWATER TO THE STORAGE LAGOONS
001	FLOW (VOLUME LAND APPLIED)	7/WEEK OR DAILY	24 HOUR TOTAL	PRIOR TO LAND APPLICATION
001	NITROGEN, TOTAL (AS N)	1 EVERY 3 MONTHS	24 HOUR COMPOSITE	WASTEWATER FROM STORAGE FINAL LAGOON CELL, PRIOR TO LAND APPLICATION
001	PHOSPHORUS, TOTAL (AS P)	1 EVERY 3 MONTHS	24 HOUR COMPOSITE	WASTEWATER FROM STORAGE FINAL LAGOON CELL, PRIOR TO LAND APPLICATION
001	COLIFORM, FECAL	1 EVERY 3 MONTHS	GRAB	DOWNGRAIENT MONITORING WELL
001	NITRATE NITROGEN (AS N)	1 EVERY 3 MONTHS	GRAB	DOWNGRAIENT MONITORING WELL
001	SOLIDS, TOTAL DISSOLVED	1 EVERY 3 MONTHS	GRAB	DOWNGRAIENT MONITORING WELL
001	COLIFORM, FECAL	1 EVERY 3 MONTHS	GRAB	UPGRAIENT MONITORING WELL
001	NITRATE NITROGEN (AS N)	1 EVERY 3 MONTHS	GRAB	UPGRAIENT MONITORING WELL
001	SOLIDS, TOTAL DISSOLVED	1 EVERY 3 MONTHS	GRAB	UPGRAIENT MONITORING WELL
001	CELL DEPTH	2 TIMES PER WEEK	MEASUREMENT	AEROBIC LAGOON 2
001	CELL DEPTH	2 TIMES PER WEEK	MEASUREMENT	AEROBIC LAGOON 1

Facility Name: Responsible Transportation  
Iowa Operation Permit Number: 54751100

### APPROVED LAND APPLICATION AREA



## STANDARD CONDITIONS

### 1. ADMINISTRATIVE RULES

Rules of this Department that govern the operation of your facility in connection with this permit are published in Part 567 of the Iowa Administrative Code (IAC) in Chapters 60-65, 67 and 121. Reference to the term "rule" in this permit means the designated provision of Part 567 of the IAC.

### 2. DEFINITIONS

- (a) 7 day average means the sum of the total daily discharges by mass, volume or concentration during a 7 consecutive day period, divided by the total number of days during the period that measurements were made. Four 7 consecutive day periods shall be used each month to calculate the 7-day average. The first 7-day period shall begin with the first day of the month.
- (b) 30 day average means the sum of the total daily discharges by mass, volume or concentration during a calendar month, divided by the total number of days during the month that measurements were made.
- (c) daily maximum means the total discharge by mass, volume or concentration during a twenty-four hour period.

### 3. DUTY TO COMPLY

You must comply with all conditions of this permit. Any permit noncompliance is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Issuance of this permit does not relieve you of the responsibility to comply with all local, state and federal laws, ordinances, regulations or other legal requirements applying to the operation of your facility. *{See 567 IAC 64.7(4) "e"}*

### 4. DUTY TO REAPPLY

If you wish to continue to discharge after the expiration date of this permit, you must file a complete application for reissuance at least 180 days prior to the expiration date of this permit. *{See 567 IAC 64.8(1)}*

### 5. NEED TO HALT OR REDUCE ACTIVITY

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. *{See 567 IAC 64.7(5) "j"}*

### 6. DUTY TO MITIGATE

You shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. *{See 567 IAC 64.7(5) "i"}*

### 7. PROPERTY RIGHTS

This permit does not convey any property rights of any sort or any exclusive privilege. *{See 567 IAC 64.4(3) "b"}*

### 8. SIGNATORY REQUIREMENTS

Applications, reports or other information submitted to the Department in connection with this permit must be signed and certified as required by 567 IAC 64.3(8).

### 9. EFFECT OF A PERMIT

Compliance with a permit during its term constitutes compliance, for purposes of enforcement, with the limitations and standards set out in 567 IAC Chapters 61 and 62. *{See 567 IAC 64.4(3) "a"}*

### 10. TRANSFER OF TITLE OR OWNER ADDRESS CHANGE

If title to your facility, or any part of it, is transferred the new owner shall be subject to this permit. You are required to notify the new owner of the requirements of this permit in writing prior to any transfer of title. The Director shall be notified in writing within 30 days of the transfer. No transfer of the authorization to discharge from the facility represented by the permit shall take place prior to notifying the department of the transfer of title. Whenever the address of the owner is changed, the department shall be notified in writing within 30 days of the address change. Electronic notification is not sufficient; all title transfers or address changes must be reported to the department by mail. *{See 567 IAC 64.14}*

### 11. PROPER OPERATION AND MAINTENANCE

All facilities and control systems shall be operated as efficiently as possible and maintained in good working order. A sufficient number of staff, adequately trained and knowledgeable in the operation of your facility shall be retained at all times and adequate laboratory controls and appropriate quality assurance procedures shall be provided to maintain compliance with the conditions of this permit. *{See 567 IAC 64.7(5) "f"}*

### 12. DUTY TO PROVIDE INFORMATION

You must furnish to the Director, within a reasonable time, any information the Director may request to determine compliance with this permit or determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, in accordance with 567 IAC 64.3(1)(c). You must also furnish to the Director, upon request, copies of any records required to be kept by this permit.

### 13. PERMIT MODIFICATION, SUSPENSION OR REVOCATION

- (a) This permit may be modified, suspended, or revoked and reissued for cause including but not limited to those specified in 567 IAC 64.3(1).
- (b) This permit may be modified due to conditions or information on which this permit is based, including any new standard the department may adopt that would change the required effluent limits. *{See 567 IAC 64.3(11)}*
- (c) If a toxic pollutant is present in your discharge and more stringent standards for toxic pollutants are established under Section 307(a) of the Clean Water Act, this permit will be modified in accordance with the new standards. *{See 567 IAC 64.7(5) "g"}*

The filing of a request for a permit modification, revocation or suspension, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

### 14. SEVERABILITY

The provisions of this permit are severable and if any provision or application of any provision to any circumstance is found to be invalid by this department or a court of law, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected by such finding.

### 15. FAILURE TO SUBMIT FEES

This permit may be revoked, in whole or in part, if the appropriate permit fees are not submitted within thirty (30) days of the date of notification that such fees are due. *{See 567 IAC 64.16(1)}*

## STANDARD CONDITIONS

### 16. REPORTING A DISCHARGE (TWENTY-FOUR HOUR REPORTING)

You shall report any noncompliance that may endanger human health or the environment, including, but not limited to, violations of maximum daily limits for any toxic pollutant or hazardous substance. Information shall be provided orally within 24 hours from the time you become aware of the circumstances. A written submission including a description of noncompliance and its cause; the period of noncompliance including exact dates and times, whether the noncompliance has been corrected or the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent a recurrence of the noncompliance must be provided within 5 days of the occurrence.

*{See 567 IAC 63.12}*

### 17. OTHER NONCOMPLIANCE

You shall report all instances of noncompliance not reported under Condition #13 at the time monitoring reports are submitted. You shall give advance notice to the appropriate regional field office of the department of any planned activity which may result in noncompliance with permit requirements.

*{See 567 IAC 63.14}*

### 18. PLANNED CHANGES

The permittee shall give notice to the appropriate regional field office of the department 30 days prior to any planned physical alterations or additions to the permitted facility. Notice is required only when:

- (a) Notice has not been given to any other section of the department; (Note: Facility expansions, production increases or process modifications which may result in new or increased discharges of pollutants must be reported to the Director in advance. If such discharges will exceed effluent limitations, your report must include an application for a new permit. If any modification of, addition to, or construction of a disposal system is to be made, you must first obtain a written permit from this Department.) *{See 567 IAC 64.7(5)"a" and 64.2}*
- (b) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as defined in 567—60.2(455B);
- (c) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices; or
- (d) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in the permit.

*{See 567 IAC 63.13 and 63.14}*

### 19. NOTICE OF CHANGED CONDITIONS

You are required to notify the director of any changes in existing conditions or information on which this permit is based. This includes, but is not limited to, the following:

- a) If your facility is a publicly owned treatment works (POTW) or otherwise may accept waste for treatment from an indirect discharger or industrial contributor (see 567 IAC 64.3(5) for further notice requirements).
- (b) If your facility is a POTW and there is any substantial change in the volume or character of pollutants being introduced by a source introducing pollutants into the POTW at the time of issuance of the permit.

- (c) As soon as you know or have reason to believe that any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in this permit.

- (d) If you have begun or will begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

- (e) No construction activity that will result in disturbance of one acre or more shall be initiated without first obtaining coverage under NPDES General Permit No. 2 for "Storm water discharge associated with construction activity".

### 20. MONITORING AND RECORDS OF OPERATION

- (a) Maintenance of records. You shall retain for a minimum of three years all paper and electronic records of monitoring activities and results including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records. *{See 567 IAC 63.2(3)}*
- (b) Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than two years, or both.

### 21. USE OF CERTIFIED LABORATORIES

Effective October 1, 1996, analyses of wastewater, groundwater or sewage sludge that are required to be submitted to the department as a result of this permit must be performed by a laboratory certified by the State of Iowa. Routine, on-site monitoring for pH, temperature, dissolved oxygen, total residual chlorine and other pollutants that must be analyzed immediately upon sample collection, settleable solids, physical measurements, and operational monitoring tests specified in 567 IAC 63.3(4) are excluded from this requirement.

### 22. INSPECTION OF PREMISES, RECORDS, EQUIPMENT, METHODS AND DISCHARGES

You are required to permit authorized personnel to:

- (a) Enter upon the premises where a regulated facility or activity is located or conducted or where records are kept under conditions of this permit.
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit.
- (c) Inspect, at reasonable times, any facilities, equipment, practices or operations regulated or required under this permit.
- (d) Sample or monitor, at reasonable times, to assure compliance.

### 23. OTHER INFORMATION

Where you become aware that you failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, you must promptly submit such facts or information. Where you become aware that you failed to submit any relevant facts in the submission of in any report to the director, including records of operation, you shall promptly submit such facts or information.

*{See 567 IAC 60.4(2)"a" and 567 IAC 63.7}*



**Responsible  
Transportation**

## **Appendix E**



## STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

April 18, 2013

Inspector in Charge  
Responsible Transportation, LLC  
22034 200<sup>th</sup> St.  
Sigourney, IA 52591

To Whom it May Concern:

The Responsible Transportation plant has its own industrial wastewater treatment system authorized by DNR NPDES operating permit #54-75-1-00. I inspected this wastewater system on 4-2-2013 and find the system adequate for their wastewater treatment needs.

Sincerely,

FIELD SERVICES & COMPLIANCE BUREAU

A handwritten signature in cursive script that reads "Paul Brandt".

Paul Brandt  
Environmental Specialist Senior

J:\pbrandt\ww\RT-USDA-0413

xc:File - Industrial WW