

NPDES Permit No. IL0065811  
Notice No. JAR:14120501.docx

Public Notice Beginning Date: **January 21, 2015**

Public Notice Ending Date: **February 20, 2015**

National Pollutant Discharge Elimination System (NPDES)  
Permit Program

Draft Reactivated NPDES Permit to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency  
Bureau of Water,  
Division of Water Pollution Control  
Permit Section  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
217/782-0610

Name and Address of Discharger:

Berner Foods, Inc.  
2034 E. Factory Road  
Dakota, IL 61018

Name and Address of Facility:

Berner Foods, Inc.  
2034 E. Factory Road  
Dakota, IL 61018  
(Stephenson County)

The Illinois Environmental Protection Agency (IEPA) has made a tentative determination to issue a NPDES permit to discharge into the waters of the state and has prepared a draft permit and associated fact sheet for the above named discharger. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice/Fact Sheet. The last day comments will be received will be on the Public Notice period ending date unless a commentor demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the draft permit to the IEPA at the above address. Commentors shall provide his or her name and address and the nature of the issues proposed to be raised and the evidence proposed to be presented with regards to those issues. Commentors may include a request for public hearing. Persons submitting comments and/or requests for public hearing shall also send a copy of such comments or requests to the permit applicant. The NPDES permit and notice number(s) must appear on each comment page.

The application, engineer's review notes including load limit calculations, Public Notice/Fact Sheet, draft permit, comments received, and other documents are available for inspection and may be copied at the IEPA between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicate a significant degree of public interest in the draft permit, the permitting authority may, at its discretion, hold a public hearing. Public notice will be given 45 days before any public hearing. Response to comments will be provided when the final permit is issued. For further information, please call Jaime Rabins at 217/782-0610.

The applicant is engaged in blending and repackaging of processed cheese spreads and other food products (SIC 2099). Cheese making activities ceased in 2004 and the processed cheese used at this facility is produced elsewhere. Wastewater is generated from sterilizing packaged foods. Cans or jars of product are loaded into a vessel. The vessel is filled with softened water from an on-site well and heated to sterilize the product. After sterilization the water is reused otherwise it is drained to a one million gallon aerated holding pond with rock filter. An average of 0.035 MGD of retort sterilization water will be discharged from outfall 001.

Application is made for the new discharge which is located in Stephenson County, Illinois. The following information identifies the discharge point, receiving stream and stream classifications:

Outfall	Receiving Stream	Latitude		Longitude		Stream Classification	Biological Stream Characterization
002	Unnamed Tributary of Cedar Creek	42° 25' 59"	North	89° 34' 21"	West	General Use	Not Rated

To assist you further in identifying the location of the discharge please see the attached map.

The stream segment tributary to segment PWPA-01 receiving the discharge from outfall 001 is not on the draft 2014 Illinois Integrated Water Quality Report and Section 303(d) List as it has not been assessed. The receiving water has not been given an integrity rating or been listed as biologically significant in the 2008 Illinois Department of Natural Resources publication *Integrating Multiple Taxa in a Biological Stream Rating System*.

The discharge(s) from the facility shall be monitored and limited at all times as follows:

Outfall: 001 Retort Sterilization Water (DAF = 0.035 MGD)

PARAMETER	LOAD LIMITS lbs/day		REGULATION	CONCENTRATION			REGULATION
	DAF (DMF)			LIMITS mg/l			
	30 DAY AVERAGE	DAILY MAXIMUM		30 DAY AVERAGE	DAILY MAXIMUM		
Flow (MGD)							
pH							35 IAC 302.204
Temperature							35 IAC 302.211
BOD <sub>5</sub>				10	20		35 IAC 304.120(c)
Total Suspended Solids				12	24		35 IAC 304.120(c)
				Weekly Avg.	Monthly Avg.	Daily Max	
Ammonia (as N)							
Mar-May, Sep-Oct				4.8	1.9	6.9	35 IAC 302.212
Jun-Aug				3.8	1.5	7.2	
Nov-Feb					3.4	4.7	

The following explain the conditions of the proposed permit:

The special conditions clarify: flow, pH, temperature, monitoring location, DMRs, re-opener, wastewater treatment system operator, and no exposure.

**Antidegradation Assessment for Berner Foods  
NPDES Permit No. IL0065811 Stephenson County**

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The facility is requesting a reactivated NPDES permit for the discharge of water from a retort sterilization line. Permit IL0065811 and subsequently ILG250048 was previously issued to this facility for the discharge of non-contact cooling water associated with cheese making activities, but cheese making and the resulting discharges ceased in 2004. Currently, the facility brings in processed cheese produced elsewhere, blends it with other ingredients, and repackages it. The products are sterilized using retort sterilization. Water is obtained from on-site wells, softened, heated, and then injected into vessels to sterilize the product. The water will be reused as conditions allow, otherwise it will be drained to a holding pond for treatment and ultimately discharged. The retort sterilization water was formerly mixed with other process wastewater and land applied under permit 2012-SC-0303 but production has increased and since this component is relatively clean, the company desires to discharge it to surface water rather than disposing of it using land application resources. Occasionally, a broken package or jar will allow the food product to be released into the heated water contributing BOD, TSS, and ammonia which will be treated to effluent and water quality standards in a one million gallon aerated lagoon with rock filter. The design average flow of this wastewater will be 0.035 MGD.

**Identification and Characterization of the Affected Water Body.**

The receiving water is an unnamed tributary of Cedar Creek (tributary to segment PWPA-01). The unnamed tributary of Cedar Creek is not listed as an impaired water in the draft 2014 Illinois Integrated Water Quality Report and Section 303(d) List. The Illinois EPA has not assessed this stream. The unnamed tributary of Cedar Creek is not listed as a Biologically Significant Stream nor is it given an integrity rating at this location in the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*. The unnamed tributary of Cedar Creek is not an enhanced water body pursuant to the dissolved oxygen water quality standard.

**Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses.**

The effluent will contain some organic material sourced from the spilled food product. The BOD in the effluent will meet the state effluent standard as will the total suspended solids after treatment in the lagoon. The lagoon will allow the temperature of the effluent to reach ambient conditions before discharge. Ammonia in the effluent will also meet water quality standards. There are no anticipated adverse impacts on aquatic life or other uses of the receiving stream.

**Fate and Effect of Parameters Proposed for Increased Loading.**

The BOD and ammonia in the effluent will continue to break down by natural processes after discharge. This will occur when concentrations are extremely low and will have no effect on stream dissolved oxygen.

**Purpose and Anticipated Benefits of the Proposed Activity.**

The discharge of this effluent to surface waters allows the company to reserve land application capacity for effluents that are better suited for this method of disposal. This will allow the company to operate the facility more efficiently, thereby remaining competitive in the market and preserving jobs.

**Assessments of Alternatives for Less Increase in Loading or Minimal Environmental Degradation.**

The most efficient option for disposal of the wastewater would be discharge to the municipal sewer system where any traces of BOD, suspended solids and ammonia would be reduced in the sewage treatment plant. However, since the plant is located in a rural area, there are no sanitary sewers available. The nearest sewage treatment plants are eight to ten miles away making construction of a sewer line impractical even if the sewage treatment plants had the capacity to take the additional hydraulic load. Given the relatively low levels of pollutants expected in the wastewater, discharge to surface water is a reasonable alternative.

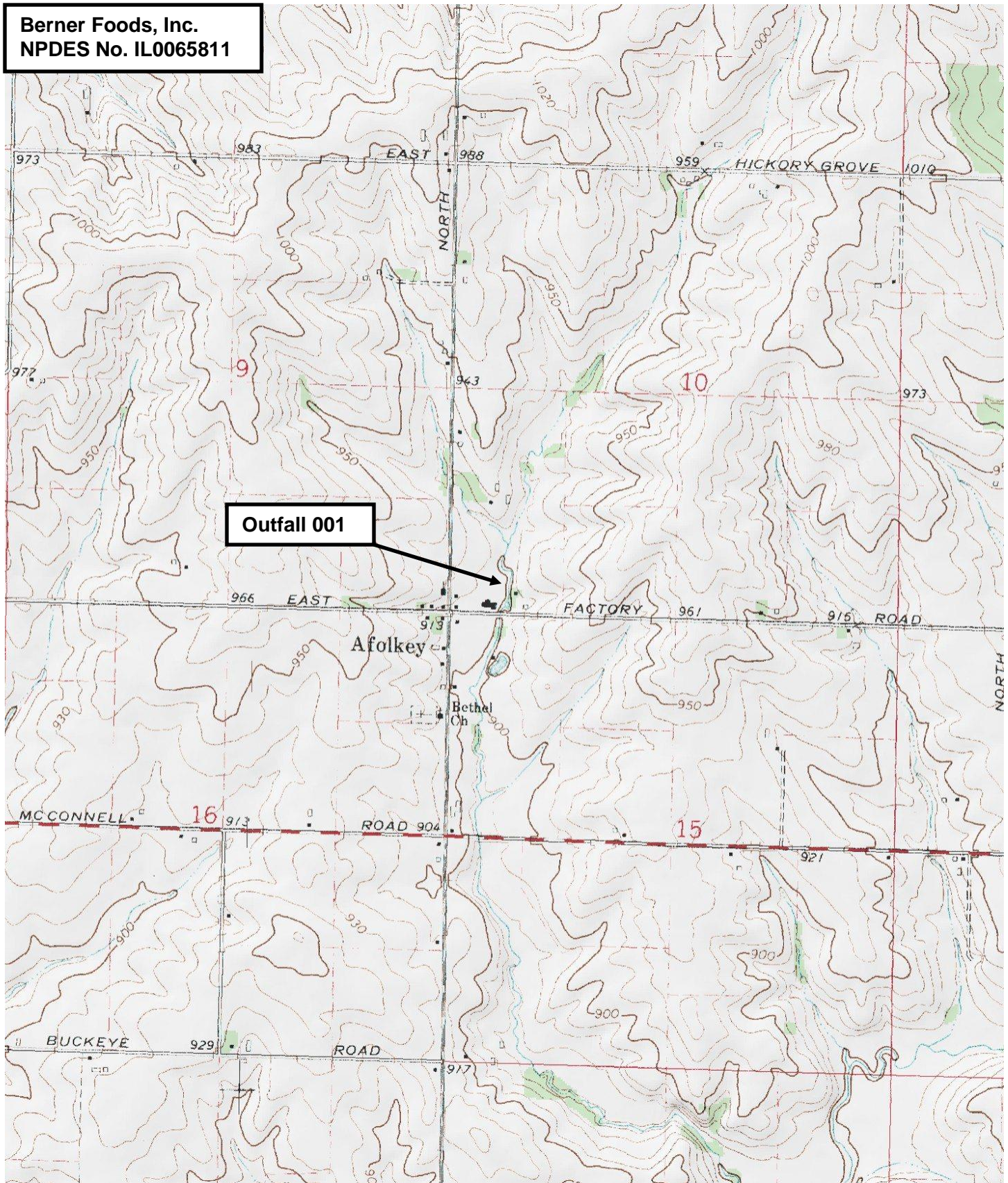
**Summary Comments of the Illinois Department of Natural Resources, Regional Planning Commissions, Zoning Boards or Other Entities**

An Eco-CAT endangered species consultation submitted on December 2, 2014 to the Illinois Department of Natural Resources resulted in the determination that no endangered or threatened species reside in the area. Consultation was immediately terminated.

**Agency Conclusion.**

This preliminary assessment was conducted pursuant to the Illinois Pollution Control Board regulation for Antidegradation found at 35 Ill. Adm. Code 302.105 (antidegradation standard) and was based on the information available to the Agency at the time the draft permit was written. We tentatively find that the proposed activity will result in the attainment of water quality standards; that all existing uses of the receiving stream will be maintained; that all technically and economically reasonable measures to avoid or minimize the extent of the proposed increase in pollutant loading have been incorporated into the proposed activity; and that this activity will benefit the community by allowing the facility to remain competitive and preserve jobs. Comments received during the NPDES permit public notice period will be evaluated before a final decision is made by the Agency.

**Berner Foods, Inc.**  
**NPDES No. IL0065811**



NPDES Permit No. IL0065811

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue East

Post Office Box 19276

Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Reactivated (NPDES) Permit

Expiration Date:

Issue Date:

Effective Date:

Name and Address of Permittee:

Facility Name and Address:

Berner Foods, Inc.  
1625 Leider Lane  
Dakota, IL 61018

Berner Foods, Inc.  
1625 Leider Lane  
Dakota, IL 61018  
(Stephenson County)

Discharge Number and Name:

002 Retort Sterilization Water

Receiving Waters:

Unnamed Tributary of Cedar Creek

In compliance with the provisions of the Illinois Environmental Protection Act, Title 35 of Ill. Adm. Code, Subtitle C and/or Subtitle D, Chapter 1, and the Clean Water Act (CWA), the above-named permittee is hereby authorized to discharge at the above location to the above-named receiving stream in accordance with the standard conditions and attachments herein.

Permittee is not authorized to discharge after the above expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit the proper application as required by the Illinois Environmental Protection Agency (IEPA) not later than 180 days prior to the expiration date.

Alan Keller, P.E.  
Manager, Permit Section  
Division of Water Pollution Control

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NPDES Permit No. IL0065811

Effluent Limitations and Monitoring

1. From the effective date of this permit until the expiration date, the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfall: 001 Retort Sterilization Water (DAF = 0.035 MGD)

PARAMETER	LOAD LIMITS lbs/day DAF (DMF)		CONCENTRATION LIMITS mg/l			SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM			
Flow (MGD)	See Special Condition 1					1/Month	
pH	See Special Condition 2					1/Month	Grab
Temperature	See Special Condition 2					1/Month	Grab
BOD <sub>5</sub>			10	20		1/Month	Grab
Total Suspended Solids			12	24		1/Month	Grab
			Weekly Avg.	Monthly Avg.	Daily Max		
Ammonia (as N) Mar-May, Sep-Oct Jun-Aug Nov-Feb			3.8 4.3	1.5 1.7 4.0	6.9 14.2 9.4	1/Week	Grab

Stormwater shall be managed in accordance with special condition 8.

Special Conditions

SPECIAL CONDITION 1. Flow shall be measured in units of Million Gallons per Day (MGD) and reported as a monthly average and a daily maximum value on the monthly Discharge Monitoring Report.

SPECIAL CONDITION 2. The pH shall be in the range 6.5 to 9.0. The monthly minimum and monthly maximum values shall be reported on the DMR form.

SPECIAL CONDITION 3. This facility is not allowed any mixing with the receiving stream in order to meet applicable water quality thermal limitations. Therefore, discharge of wastewater from this facility must meet the following thermal limitations prior to discharge into the receiving stream.

A. The discharge must not exceed the maximum limits in the following table during more than one percent of the hours in the 12 month period ending with any month. Moreover, at no time shall the water temperature of the discharge exceed the maximum limits in the following table by more than 1.7°C (3°F).

	<u>Jan.</u>	<u>Feb.</u>	<u>Mar.</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug.</u>	<u>Sept.</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>
°F	60	60	60	90	90	90	90	90	90	90	90	60
°C	16	16	16	32	32	32	32	32	32	32	32	16

B. In addition, the discharge shall not cause abnormal temperature changes that may adversely affect aquatic life unless caused by natural conditions.

C. The discharge shall not cause the maximum temperature rise above natural temperatures to exceed 2.8°C (5°F).

D. The monthly maximum value shall be reported on the DMR form.

SPECIAL CONDITION 4. Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.

SPECIAL CONDITION 5. The Permittee shall record monitoring results on Discharge Monitoring Report (DMR) Forms using one such form for each outfall each month.

In the event that an outfall does not discharge during a monthly reporting period, the DMR Form shall be submitted with no discharge indicated.

The Permittee may choose to submit electronic DMRs (NetDMR) instead of mailing paper DMRs to the IEPA. More information, including registration information for the NetDMR program, can be obtained on the IEPA website, <http://www.epa.state.il.us/water/net-dmr/index.html>.

The completed Discharge Monitoring Report forms shall be submitted to IEPA no later than the 15<sup>th</sup> day of the following month, unless otherwise specified by the permitting authority.

Permittees not using NetDMR shall mail Discharge Monitoring Reports with an original signature to the IEPA at the following address:

Illinois Environmental Protection Agency  
 Division of Water Pollution Control  
 1021 North Grand Avenue East  
 Post Office Box 19276  
 Springfield, Illinois 62794-9276

Attention: Compliance Assurance Section, Mail Code # 19

SPECIAL CONDITION 6. If an applicable effluent standard or limitation is promulgated under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act and that effluent standard or limitation is more stringent than any effluent limitation in the permit or controls a pollutant not limited in the NPDES Permit, the Agency shall revise or modify the permit in accordance with the more stringent standard or prohibition and shall so notify the permittee.

SPECIAL CONDITION 7. The use or operation of this facility shall be by or under the supervision of a Certified Class K operator.

SPECIAL CONDITION 8. A condition of No Exposure shall be maintained in at this facility in accordance with 40 CFR 122.26(g).