

**MARYLAND DEPARTMENT OF THE ENVIRONMENT  
WATER AND SCIENCE ADMINISTRATION**

**NOTICE OF TENTATIVE DETERMINATION AND PUBLIC HEARING**

**Dorchester County**

**Application for State Discharge Permit 04DP0024, NPDES Permit MD0003247:**

Valley Proteins, Inc., 5420 Linkwood Rd., Linkwood, MD 21835, submitted an application for renewal of a permit to discharge an average of 150,000 gallons per day of process wastewater and variable volumes of stormwater from a poultry rendering facility located at 5420 Linkwood Rd., Linkwood, MD to an unnamed tributary to Higgins Millpond and Transquaking River (Use I waters). The applicant has also requested expansion of the process wastewater flow to a potential average of 575,000 gallons per day.

The Department proposes to issue the permit with limits on the following parameters at Outfall 001 to be effective immediately upon the permit effective date: biochemical oxygen demand (from Apr.-Nov.: 31 lbs/day average, 39 lbs/day maximum; from Dec.-Mar.: 90 lbs/day average, 180 lbs/day maximum); total suspended solids (from Apr.-Nov.: 39 lbs/day average, 53 lbs/day maximum; from Dec.-Mar.: 110 lbs/day average, 220 lbs/day maximum); ammonia (from Apr.-Nov.: 4.2 mg/L average, 23 mg/L maximum; from Dec.-Mar.: 10 mg/L average, 23 mg/L maximum); oil and grease (from Apr.-Nov.: 13 lbs/day average, 20 lbs/day maximum; from Dec.-Mar.: 50 lbs/day average, 100 lbs/day maximum); total nitrogen (1,231 lbs/month maximum); total phosphorus (123 lbs/month maximum); pH (range of 6.0 to 9.0); dissolved oxygen (5.0 mg/L minimum); and total residual chlorine (0.011 mg/L average, 0.019 mg/L maximum). Additionally, a maximum limitation of 200 MPN/100mL is proposed for fecal coliform, to be superseded by a proposed maximum limitation of 126 MPN/100mL for E. coli within one year of permit issuance. Monitoring without limitations are proposed for flow and total Kjeldahl nitrogen.

The Department proposes a compliance schedule of three years for upgrading wastewater treatment at the facility and implementation of new limitations at Outfall 001. The value of the new limitations will be determined by the future flow volume chosen by the applicant. No later than three years following the permit effective date, the applicant must elect limitations based on a flow rate of 150,000 or a flow rate of up to 575,000 gallons per day (gpd). Each option is associated with a different set of proposed stricter limitations which will become effective upon election of a chosen path by the permittee. Once a path is selected, it cannot be changed without major permit modification. The terms of the proposed compliance schedule, including interim milestones, are expressed in a narrative condition in the draft permit.

Regardless of the path selected, the Department proposes the following new limitations at Outfall 001 to become effective once the selection is made: total nitrogen (8,477 lbs/year maximum), total phosphorus (315 lbs/year maximum), biochemical oxygen demand (from Apr.-Nov.: 6.0 mg/L average); total Kjeldahl nitrogen (2.8 mg/L annual average); and pH (range of 6.0 to 7.8).

Should the applicant elect an average flow rate of 150,000 gpd, the Department proposes the following additional new limitations at Outfall 001: biochemical oxygen demand (from Dec.-Mar.: 12 mg/L average); ammonia (from Apr.-Nov.: 1.5 mg/L average, 12.2 mg/L maximum; from Dec.-Mar.: 3.3 mg/L average, 12.5 mg/L maximum); and dissolved oxygen (6.0 mg/L minimum).

Should the applicant elect to increase the average flow rate above 150,000 gpd (up to a potential average of 575,000 gpd), the Department proposes the following additional new limitations at Outfall 001: biochemical oxygen demand (from Dec.-Mar.: 8.0 mg/L average); ammonia (from Apr.-Nov.: 1.4 mg/L average, 12.2 mg/L maximum; from Dec.-Mar.: 3.2 mg/L average, 12.2 mg/L maximum); and dissolved oxygen (from Apr.-Nov.: 6.5 mg/L minimum; from Dec.-Mar.: 6.0 mg/L minimum).

Any parameters which are not impacted by proposed new limitations following the selection of future flow by the permittee are proposed to have the limitations maintained at the levels which are effective immediately upon permit issuance.

In addition to the above numeric limitations and monitoring, the Department also proposes to require chronic whole effluent toxicity testing following the installation of the new wastewater treatment, monitoring of groundwater at several locations on the property, proper sludge management (including specific reporting requirements), odor control measures, and a prohibition on ground application of wastewater.

Written comments concerning the tentative determination will be considered in the preparation of a final determination if submitted to the Department before 5 p.m. on **Wednesday, December 15, 2021**. This comment period already incorporates the additional 60-day period provided in §1-606(d)(1)(ii) of the Environment Article. Comments should be directed to the Maryland Department of the Environment, Water and Science Administration, 1800 Washington Blvd., Ste. 455, Baltimore, MD 21230-1708, Attn: Michael Richardson, Industrial and General Permits Division, or via email to Michael.Richardson@Maryland.gov.

The Department will hold a virtual public hearing concerning the tentative determination on **Wednesday, October 20, 2021**, from **5 to 9 PM**. You may sign up for the event by going to <https://mdewwp.page.link/PublicMeetings> and searching for the registration link for 04DP0024. Alternatively, those who want to monitor the virtual hearing via telephone (they will be in a listen-only mode) can call 1-877-309-2071. The PIN is 123-003-995. Any hearing impaired person may request an interpreter for the public hearing by contacting the Office of Fair Practices at (410) 537-3964 at least ten working days prior to the scheduled hearing date. TTY users should contact the Maryland Relay Service at 1-800-201-7165.

An in-person public hearing will also be held if a written request is received by **Tuesday, October 5, 2021**. The in-person hearing would have to be scheduled and thus would not be held at the same time as the virtual hearing. Should an in-person hearing be requested notification will be placed in the local newspaper and mailed to interested parties. The request should be sent to Michael Richardson using the mailing address or email address listed earlier in this notice. Such a request must include the name, email address, mailing address, and telephone number (home and work) of the person making the request, the name of any other party whom the person making the request may represent, and the application number, 04DP0024. Failure to request a hearing by **Tuesday, October 5, 2021**, will constitute a waiver of the right to an in-person public hearing.

A copy of the application, draft permit, fact sheet, and any other relevant documents may be downloaded from the Department's website at <https://mdewwp.page.link/WWPPortal>. All documents will not be posted until **Wednesday, September 15, 2021**. At that web page, search for State Number 04DP0024, click "More Info," and then select the desired document(s) to download. Hard copies of these documents may also be obtained directly from the Department at a cost of \$0.36 per page. Any questions regarding documents or the hearing should be directed to **Robert Pudmericky at Rob.Pudmericky@Maryland.gov or by telephone at 410-537-3323**, between the hours of 8:00 AM and 5:00 PM, Monday through Friday (except for state holidays).

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