



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES &
ENVIRONMENTAL CONTROL
DIVISION OF WATER
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

Surface Water Discharges Section

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Certified Mail # 7006 3450 0003 3847 8705
Return Receipt Requested

July 11, 2012

Allen's Harim Foods, LLC
Mr. Henry Quatham - Maintenance/Engineering Manager
18752 Harbeson Road
P.O. Box 63
Harbeson, DE 19951

Re: **Manager's Deficiency Warning Letter** Response From Allen Harim Foods, LLC
Compliance Sampling & Inspection (CSI) – April 30, 2012
NPDES Permit No. DE-0000299

Dear Mr. Quatham:

On behalf of the State of Delaware, Surface Water Discharges Section, Compliance Branch, I would like to thank you for your prompt response and follow-up to the Manager's Deficiency Warning Letter that was sent to you on June 4, 2012 following the Compliance Sampling & Inspection (CSI) completed at your facility on April 30, 2012.

Your responses to the noted deficiencies/observations were reviewed, and the following feedback is provided:

Deficiencies/observations noted:

- Found that buffers used for pH calibration had exceeded their expiration date. Allen's Harim personnel immediately replaced the old buffers with new stock (they knew that date was close and had ordered new buffer . . . but failed to check recently and replace. *The steps taken by Allen Harim Foods, LLC have demonstrated satisfactory corrective action for this item . . . thank you.*

Delaware's good nature depends on you!

- The potential for storm water discharges at Outfalls 002 and 003 was again discussed, and it was noted that the monthly Discharge Monitoring Reports (DMR's) are always checked as "No Discharge" for both outfalls. Allen's Harim Foods was able to produce only minimal documented evidence that these storm water outfalls never had any discharge; if there were inspections of these outfalls before, during, or after rain events, there was little or no written documentation that any inspections had been completed. An inspection sheet is required, that will require operators, supervisors, and/or managers to sign-off on an actual outfall inspection before, during, and after any rain event to document any discharge or non-discharge. If there is discharge, Part IB.2 of your NPDES permit requires that this discharge must be sampled within the conditions specified, and analyzed for the parameters indicated.

The steps taken by Allen Harim Foods, LLC have demonstrated satisfactory corrective action for this item. Copies of the Log Book, showing all Outfall 002 & 003 inspections, comments, etc. shall be forwarded to this office for the next four (4) qualifying rain events.

- The ground areas around the "Live Hold" station are not blacktopped and are only stoned. During any heavy rain event or in the case where a sump may plug up or become inoperable in this area, runoff rain water will travel over the stoned area prior to being collected at the 002 or 003 Outfall sumps. There is a strong potential for this run-off from the Live Hold area to be highly contaminated, and is being absorbed into the stoned area and into the ground. DNREC personnel from the Surface Water Discharges Section will be in contact with representatives from Allen's Harim Foods, LLC to discuss sampling of any run-off water coming from this live hold area, and the potential for contamination of the ground water. It is highly recommended that the areas around the live hold section are blacktopped to allow the storm water that may be contaminated to be able to flow directly to the 002 and/or 003 sumps for pumping to the treatment plant, and eliminate this potential for contamination to the ground water.

While the Department is aware that this is no easy assessment/fix, the situation does need to be given serious consideration and evaluation. As stated in your letter "Allen Harim is currently evaluating the ground area around the Live Hold station." Please forward a brief monthly update report to the Department that will update progress on this evaluation. This progress report shall include a projected time-line for decisions on what actions will be taken in this critical area.

- It was again noted during this inspection, that the old "Anaerobic Pond" is no longer used as part of the Process Wastewater Treatment Plant, and is basically just being used as a permanent storage lagoon (surface impoundment). It is obvious that the pond liner is in disrepair and "bubbling up and surfacing" in many areas . . . most likely from trapped anaerobic gasses, and at times there is a real odor issue. Allen's Harim Foods, LLC cannot continue to utilize this surface impoundment as a permanent storage facility for poultry process and sanitary waste. Please reference the attachment to this letter, which shows some highlighted regulations from Title 7 Natural Resources & Environmental Control, Delaware Administrative Code, 7103 Guidance and Regulations Governing the Land Treatment of Wastes; these areas address sludge storage and the requirement for a sludge storage permit . . . etc.

The steps proposed by Allen Harim Foods, LLC have demonstrated satisfactory initial corrective action for this item. As stated in your letter of July 6, 2012, "within 60 days, Allen Harim will establish a plan for the old Anaerobic pond, and a copy will be forwarded to the Department."

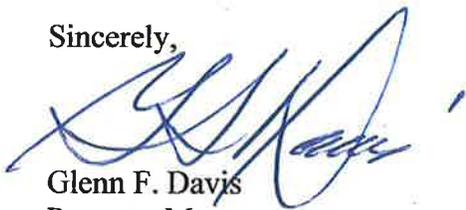
- Operations & Maintenance Manuals (individual) are available for the equipment utilized in the Wastewater Treatment Plant, however, nothing is very organized and extremely hard to document. The plant must develop a systematic and formal Operations and Maintenance Manual that is reviewed on a regular basis, and contains documented evidence that the manual is being reviewed/updated, and approved. This item has been discussed during several annual inspections, and must be addressed.

The steps proposed by Allen Harim Foods, LLC have demonstrated satisfactory initial corrective action for this item, and the Table of Contents looks good (should be very inclusive). Within seven (7) days of receipt of this letter, Allen Harim Foods, LLC shall forward a report to this office that definitively establishes a timeline for the completion of this O & M Manual update and revision.

The Surface Water Discharges Section is attempting to gain voluntary compliance in accordance with 7 Del.C. § 6019. All formal response must be mailed to my attention at Delaware-DNREC, Division of Water, Surface Water Discharges Section, Compliance & Enforcement Branch, 89 Kings Highway, Dover, DE 19901, or emailed to glenn.davis@state.de.us.

On behalf of the State of Delaware, Surface Water Discharges Section, Compliance & Enforcement Branch, I would again like to thank you for the cooperation and participation in this Compliance Sampling Inspection program to help assure the continued quality of NPDES effluent waters and the self-reporting data. If you have any questions, please contact me at 302-739-9946.

Sincerely,



Glenn F. Davis
Program Manager
Surface Water Discharges Section
Compliance & Enforcement Branch
State of Delaware – DNREC

ecopy: Mr. Robert Underwood – DNREC
Ms. Nicole Smith – DNREC