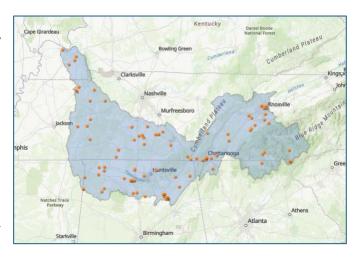


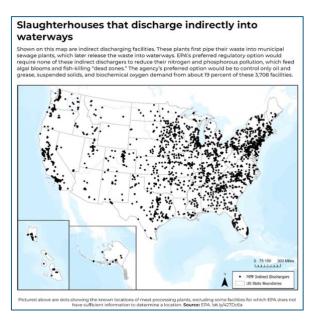
Meat and Poultry Processing

TENNESSEE RIVER BASIN

At approximately 652 miles long, the Tennessee River is the largest tributary of the Ohio River. Formed where the Holston and French Broad rivers meet, the river flows from Knoxville, Tennessee southwest toward the Chattanooga before it loops through northern Alabama, and returns to Tennessee, then flowing through Kentucky before it meets the Ohio River. According to USGS, 1 "[d]ischarges from sewage



treatment plants and industrial facilities contribute about 13,400 tons of nitrogen and 760 tons of phosphorus annually to the lower Tennessee River Basin." The U.S. EPA has identified at least 109 potential Meat and Poultry Products ("MPP") facilities discharging waste directly, or indirectly through municipal wastewater treatment facilities ("WWTPs"), into the Tennessee River Basin.



Based on a map of indirectly discharging MPP facilities produced by EPA as part of the current ELG rulemaking, it appears that many of the facilities in the Tennessee River Basin are indirect dischargers through municipal WWTPs. Based on the nature of permitting these facilities under the federal Clean Water Act, access to records for these facilities is often limited. While a large number of direct and indirect dischargers are impacting water quality in this watershed, this evaluation is focused on two illustrative examples of WWTPs and their MPP indirect dischargers. EPA has not established national pretreatment

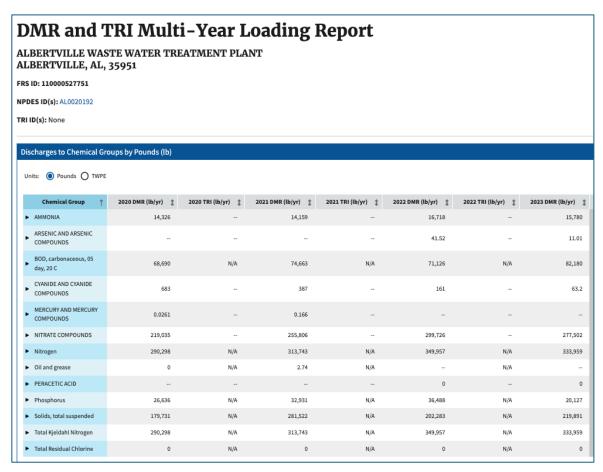
standards for indirectly discharging MPP facilities and, as a result, they are known to be significant contributors of pollutants to the nation's waters.

ALBERTVILLE, ALABAMA



In Albertville, Alabama, there are at least 6 MPP facilities discharging up to roughly 3.45 MGD of poultry slaughtering/processing and other MPP waste into the Albertville Metropolitan Utility Board Eastside WWTP ("Albertville MUB WWTP"), NPDES Permit No. AL0020192. The Albertville MUB WWTP, in turn, discharges pollutants into Turkey Creek – a tributary that flows into Short Creek, Scarham Creek, Lake Guntersville, and

Wheeler Lake/Tennessee River, Segment AL06030002-0902-100, which is <u>impaired</u> by nutrients. The discharges from Albertville MUB WWTP are contributing high loading of Ammonia, Nitrogen and Nitrate compounds, Phosphorus, BOD, and TSS to Wheeler Lake/Tennessee River every year. See <u>Multi-Year Loading Report for Albertville MUB WWTP</u>.



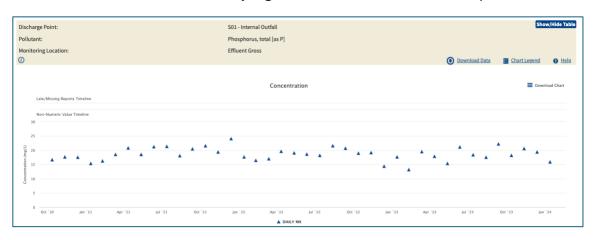
The <u>NPDES permit</u> for Albertville MUB WWTP does not contain any <u>concentration limits</u> for Phosphorus, TKN, or Nitrate-Nitrite – only monitoring requirements – and, based on ECHO data, appears to authorize <u>very high loading</u> of TSS (1,050,105 lbs./yr. - 2023), BOD (174,835

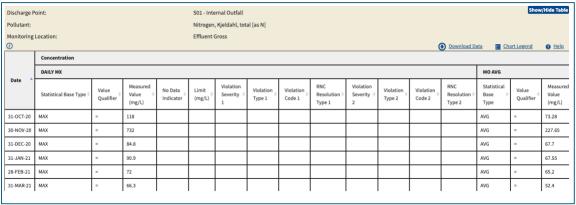
lbs./yr. - 2023), and Ammonia-N (54,961 lbs./yr. - 2023), allowing pollutants from MPP facilities to pass through and be discharged ultimately into Wheeler Lake/Tennessee River.

Known MPP dischargers³ to the Albertville MUB WWTP include Alatrade Foods (IU088400463), Emmaus Foods, LLC (IU088400474), OK Foods (IU084800451), OK Foods (IU084800467), Tyson Chicken Albertville Processing Plant (IU084800042), and Wayne Farms Albertville Fresh Plant (IU084800088).

Wayne Farms Albertville Fresh Plant⁴ is a Poultry Slaughtering and Processing Plant that discharges up to 1.1 MGD of wastewater into the Albertville MUB WWTP. This facility's State Indirect Discharge Permit, IU084800088, only contains concentration limits on BOD, pH, TSS, and Oil and Grease. The failure to include any concentration limits on Ammonia, Phosphorus, and TKN was not explained or justified. The facility is discharging significant concentrations of Phosphorus, TKN, BOD, TSS, and other pollutants to Albertville MUB WWTP – see ECHO DMRs and monitoring reports for IU084800088. For example:

- The facility's DMR monitoring report from <u>February 19, 2024,</u> shows a monthly average TKN concentration of 80.97 mg/l and a monthly average Phosphorus concentration of 15.9 mg/l. The permit does not contain any monitoring requirements for Ammonia.
- ECHO DMRs show consistently high concentrations of Total Phosphorus and TKN.





Tyson Chicken Albertville Processing Plant⁶ is a Poultry Slaughtering and Processing Facility that discharges up to a monthly average of 1.5 MGD of wastewater into the Albertville MUB WWTP. The State Indirect Discharge Permit for this facility, IU084800042, contains concentration limits on BOD, pH, TSS, Oil and Grease, and Phosphorus. The concentration limits for Phosphorus are very high at 20 mg/l monthly average and 40 mg/l daily maximum, and there are no concentration limits for Ammonia, Nitrogen, or Nitrate compounds, despite a recognition that poultry processing wastewater typically contains elevated concentrations of Organic and Inorganic Nitrogen compounds. Regardless of permit limits, the facility is discharging significant volumes and concentrations of Phosphorus, TKN, Ammonia, TSS, COD, BOD, and Oil and Grease to Albertville MUB WWTP – see monitoring reports for IU084800042. For example:

- The facility's DMR report from February 27, 2023, shows discharges with a monthly average TKN concentration of 58.58 mg/l (daily max. 106), a monthly average Ammonia-N of 12.35 mg/l (daily max. 27.3), a monthly average Phosphorus concentration of 22.42 mg/l exceeding permit limit (daily max. 81.1 exceeding permit limit), and a monthly average BOD of 297.63 mg/l (daily max. 529 exceeding permit limit).
- The facility's DMR report from February 27, 2024,8 shows discharges with a monthly average BOD concentration of 387.6 mg/l (daily max. of 700 exceeding permit limit), a monthly average TSS of 132.38 mg/l (daily max. of 340), a monthly average Ammonia-N of 13.25 mg/l (daily max. 16.1), and a monthly average TKN concentration of 59.13 mg/l (daily max. 77.9).

Ripley Green Hills Poplar Point Lawson Parmited Water Dischargers Major (NPDES)(1 of 3) NPDES - Major: DECATUR UTILITIES WWTP REGISTRY JD: 110060361282 PRIMARY NAME: DECATUR UTILITIES WWTP LOCATION ADDRESS: 902 WILSON STREET NW. CITY, NAME: DECATUR COUNTY NAME: MORGAN SIPS. COCK. 01100 Zoom 10 Priceville 691 /6

DECATUR, ALABAMA

In Decatur, Alabama, there are at least 3 MPP facilities⁹ discharging up to roughly 2.4 MGD of poultry slaughtering, further processing, and other waste into Decatur Utilities WWTP. Discharges from Decatur Utilities WWTP flow directly into Wheeler Lake/Tennessee River, Segment AL06030002-1107-102, which is impaired by Phosphorus pollution. The NPDES permit for Decatur Utilities WWTP, NPDES ID AL0048593, does not contain any concentration limits for Phosphorus, TKN, Nitrate-Nitrite, or Total Nitrogen – only

monitoring requirements – and ECHO shows a <u>very high Max Available Load</u> is permitted for TSS (3,287,555 lbs./yr. - 2023), BOD (2,739,690 lbs./yr. - 2023), and Ammonia (2,191,460

lbs./yr. - 2023), allowing pollutants from MPP facilities to pass through and be discharged directly into Wheeler Lake/Tennessee River.

According to EJScreen, Decatur WWTP is located in an area that has 12 State EJ Indexes above the 80th percentile, including the 96th percentile for wastewater discharges. Discharges of pollutants from Decatur Utilities WWTP are contributing high loading of Nitrogen and Nitrate compounds, Phosphorus, and Ammonia to Wheeler Lake/Tennessee River every year. See Multi-Year Loading Report for Decatur Utilities WWTP.



Two of the MPP facilities discharging into Decatur Utilities WWTP, described below, are the largest industrial dischargers to the WWTP and have SID Permits, see <u>pg. 279¹⁰</u> of the permit. The other facility, Gemstone Foods, discharges to the system without an SID permit.

Wayne Farms Poultry Further Processing, ¹¹ 100 Plugs Dr., Decatur, AL (Further Processing of Poultry), discharges up to 1.66 MGD to Decatur WWTP. This facility's State Indirect Discharge Permit, IU085200478, only contains concentration limits on pH and Phosphorus, and the limits for Phosphorus are very high at 20 mg/l monthly average and 40 mg/l daily maximum. Despite acknowledging the receiving water is impaired by nutrients, the Alabama Department of Environmental Management ("ADEM") did not place any limits on Ammonia, Nitrogen, or Nitrate compounds – simply stating that the Total Phosphorus limits should prevent an increase in nutrient loading. The failure to include limits on TSS, COD, BOD, and Oil and Grease was not explained or justified. As a result of the inadequate permit, the facility is discharging significant volumes and concentrations of Phosphorus, TKN, Ammonia, TSS, COD, BOD, and Oil and Grease to Decatur Utilities WWTP – see monitoring reports IU085200478. For example, the facility's DMRs from January 2024 shows BOD loading of 22,505 lbs./day, a Maximum Daily TKN concentration of 15.1 mg/l, and a Total Phosphorus concentration of 6.06 mg/l.¹²

Wayne Farms Poultry Fresh Processing, ¹³ 254 Ipsco Street, Decatur, AL (Poultry Slaughter), discharges up to 0.719 MGD to the Decatur WWTP. This facility's State Indirect Discharge Permit, IU085200100, only contains concentration limits on pH and Phosphorus, and the limits for Phosphorus are very high at 20 mg/l monthly average and 40 mg/l daily maximum. Despite acknowledging the receiving water is impaired by nutrients, ADEM did not place any limits on Ammonia, Nitrogen, or Nitrate compounds – simply stating that the Total Phosphorus limits should prevent an increase in nutrient loading. The failure to include limits on TSS, COD, BOD, and Oil and Grease was not explained or justified. As a result of the inadequate permit, the facility is discharging significant volumes and concentrations of Phosphorus, TKN, Ammonia, TSS, COD, BOD, and Oil and Grease to Decatur Utilities WWTP – see monitoring reports for IU085200100. For example, the facility's DMRs from January 2024 show Maximum daily loading of 62 lbs./day of Ammonia-N, a Maximum Daily TKN concentration of 49.4 mg/l with Maximum daily loading of 367 lbs./day, and a Maximum Daily Total Phosphorus concentration of 10.3 mg/l with Maximum daily loading of 76.3 lbs./day.¹⁴

Appendix I - List of Potential MPP Facilities from EPA Data (Direct, Indirect, and "Non-Discharging")

Facility Name	Latitude	Longitude
412 Meat Processing Inc.	35.632471	-88.27882
Adam Farms, LLC	35.1436934	-83.96713
ALABAMA FARMERS COOPERATIVE INC	34.608333	-86.973333
ALBERTVILLE TRUCK SHOP	34.26625	-86.191
Al's Hickory House BBQ	35.475724	-86.409016
American Alliance Partners LLC	34.610974	-87.048184
Americold Logistics	34.294594	-86.21819
AVIAGEN FEED MILL	34.829961	-86.965864
B & F Fish Market LLC	35.63412	-88.059544
Barry's Barbeque	34.488953	-85.929139
Beck's Sinclair's Fresh Fish & Seafood Market	36.302656	-88.31428
BIG HEART PET BRANDS	34.606389	-86.970278
Bighams Ham Company	35.294906	-86.745769
BIRMINGHAM HIDE & TALLOW-RINGGOLD	34.835	-85.16083
BIRMINGHAM HIDE AND TALLOW, INC.	34.803889	-86.470833
Blackberry Farm	35.687812	-83.862232
Blalock Meat Processing	34.969417	-83.35679
Blankenship Farms Meat Processing	35.357099	-84.792944
Brasstown Beef, LLC	35.179176	-83.387802
Central Protein Provisioners	35.42695	-86.75749
Century Harvest Farms Foundation	35.653799	-84.184016
CFCM, LLC	36.276844	-88.29121
Cherry Meat Company	35.627328	-86.668469
ConAgra Brands	35.587859	-84.27003
Cool Cat	36.317428	-87.898131
Copper Cellar Corp	35.977778	-83.96784
Cox Butcher Shop	34.858872	-87.782631
Crowes Butcher Shop	34.692442	-85.69257
Custom Cut Solutions	34.251524	-86.23509
Custom Foods of America Inc	35.976624	-83.971764
D & D Fish & Caviar Co	36.113369	-87.993787
DARLING INGREDIENTS INC. (DBA BAKERY FEEDS)	34.289833	-86.218333
DC'S Fish Market	35.030628	-85.534794
Dillard House	34.972286	-83.384333
Doyle's Fish Market	35.763298	-87.98322
Edgefield Prime Meat Company	35.50656	-85.287782

Emmaus Foods, LLC	34.28175	-86.21542
Family Brands, LLC	35.791732	-84.25604
Farm Fresh Foods, LLC	34.308434	-86.28177
Fatback Pig Project LLC	34.310531	-86.722978
GEMSTONE FOODS	34.609507	-87.034496
GOLD COAST FATS & OILS, LLC	34.998875	-85.315386
GOLD RIVER FEED PRODUCTS	35.48743	-86.40844
Great American Deli	35.079305	-85.058973
H & P Meats	35.007608	-85.662747
Halsey Food Service	34.692319	-86.740412
Hampton Meat Processing	35.485948	-84.806471
Hickory Smoked Foods Inc.	35.467817	-86.79111
HILLSBORO FEED COMPANY LLC	34.648889	-87.204167
Hitman Smoked Products, LLC	35.384422	-87.99907
Homestead Egg Company Inc	35.973015	-83.912278
Knott's Wholesale Foods	36.30355	-88.320207
Koch Foods, LLC	35.03235	-85.30525
KOCH FOODS, LLC	34.99316	-85.38909
L. O. Bishop BBQ	34.664446	-88.114241
Laird Sheep Co.	36.865088	-88.348033
Light Hill Meats	35.38272	-86.97031
LINK & CURE LLC	35.035227	-85.304892
M/J FEED MILL AL, LLC	34.394858	-87.724306
Magnolia Provision Company Inc.	36.014974	-83.932772
Mann Fish Company, LLC	36.93481	-88.311009
MEDALLION MANUFACTURING LLC	36.78	-88.475833
Mountain Fresh Foods LLC	35.106904	-84.01009
North American Caviar Inc	36.363964	-88.250091
O.K. Foods, Inc. Plant 2	34.253324	-86.17928
Old Hickory Smokehouse	35.45169	-86.866915
Pete's Country Meats	35.059983	-87.391862
PILGRIMS PRIDE CORP OF DE	34.808333	-86.958333
PILGRIM'S PRIDE CORPORATION	34.346468	-86.28122
Pilgrim's Pride Corporation	35.03663	-85.312583
Pilgrim's Pride Corporation	35.038092	-85.303013
PILGRIM'S PRIDE CORPORATION	34.725278	-87.7975
PILGRIM'S PRIDE CORPORATION	34.381817	-86.909614
PILGRIM'S PRIDE CORPORATION OF DELAWARE	34.989795	-85.387753
Pilgrims's Pride Corporation	34.462852	-87.669235
Pott's Meats	35.531862	-86.31238
		

RCF, LLC	34.60455	-86.9784
RFC LLC dba Gemstone Foods LLC	34.79476	-87.66796
Rick's Barbecue, Inc	35.190872	-87.339805
Shoals Provision Inc.	34.86549	-87.656338
Simmons' Barbecue Inc	34.348266	-86.30283
Simpson's Meats	35.757048	-83.96469
Smoky Mountain Country Hams	35.561376	-84.298045
Southeastern Meats, Inc.	35.032855	-85.191101
Southern Pride Processing, LLC	34.9355	-84.03425
Starnes Bar-B-Q	37.053654	-88.617432
SUNSHINE MILLS, INC.	34.443597	-88.150378
T. HO FOODS	36.0177454	-84.02806
Tennesse Valley Packing Co., Inc.	35.621198	-87.030689
TENNESSEE FARMERS COOPERATIVE	35.863889	-83.9475
TN Slaughter House, Inc.	36.106181	-87.6438
Travis Meats, Inc.	36.015678	-84.044288
Tri-State Fish	35.067105	-85.74527
TUCKER MILLING, LLC	34.349306	-86.269472
TYSON CHICKEN INC ALBERTVILLE FEED MILL	34.287574	-86.21717
TYSON FARMS, INC.	35.277222	-86.123611
Tyson Foods Inc.	35.4780921	-86.475652
Tyson Foods, Inc.	34.27059	-86.19635
VALLEY FEED CO	34.675278	-86.023333
Wamplers Farm Sausage	35.836353	-84.322284
Wayne Farms LLC	34.260016	-86.20211
Wayne Farms LLC	34.608293	-87.042452
Wayne Farms LLC	34.611145	-87.048202
Wayne Farms LLC	34.611328	-87.04985
WAYNE FARMS LLC - GUNTERSVILLE FEED MILL	34.346944	-86.288472
WAYNE FARMS LLC-DECATUR E & W FP POULTRY PLANT	34.613525	-87.043338
Weaver Meat Processing	34.37001	-86.99665
WFSP Foods LLC	34.6128	-87.043357
WORLD PET CARE LLC	34.446944	-88.151667

¹ U.S. Geological Survey, *Nutrients in Streams and Rivers in the Lower Tennessee River Basin*, Fact Sheet FS-025-01, available at:

https://pubs.usgs.gov/fs/fs02501/htdocs/nonpoint.html#:~:text=Discharges%20from%20sewage%20treatment%20plants,the%20lower%20Tennessee%20River%20Basin. **Exhibit 1**

² ADEM, *Final NPDES Permit No. AL0020192 MUB Wastewater Treatment Plant* (May 1, 2022), available at: https://lf.adem.alabama.gov/WebLink/DocView.aspx?id=104784807&dbid=0. **Exhibit 2**

³ ADEM, *Draft NPDES Permit No. AL0020192 MUB Wastewater Treatment Plant* (Feb. 7, 2022), available at: https://adem.alabama.gov/newsEvents/notices/mar22/npdes/3mub.pdf. **Exhibit 3**

⁴ ADEM, Final Permit SID Permit No. IU084800088 Wayne Farms Albertville Fresh (Sept. 1, 2020), available at: https://lf.adem.alabama.gov/WebLink/DocView.aspx?id=104368513&dbid=0. **Exhibit 4**

⁵ ADEM, Discharge Monitoring Report Wayne Farms LLC Albertville Fresh Plant 1/1/24 to 1/31/24, (Feb. 19, 2024), available at: https://lf.adem.alabama.gov/WebLink/DocView.aspx?id=105300409&dbid=0. Exhibit 5

⁶ ADEM, *Final Permit SID Permit No. IU084800042 Tyson Chicken* (Dec. 1, 2020), available at: https://lf.adem.alabama.gov/WebLink/DocView.aspx?id=104412706&dbid=0. **Exhibit 6**

⁷ ADEM, Discharge Monitoring Report Tyson Chicken Albertville Processing Plant 1/1/23 to 1/31/23, (Feb. 27, 2023), available at: https://lf.adem.alabama.gov/WebLink/DocView.aspx?id=105031112&dbid=0. Exhibit 7

⁸ ADEM, Discharge Monitoring Report Tyson Chicken Albertville Processing Plant 1/1/24 to 1/31/24, (Feb. 27, 2024), available at: https://lf.adem.alabama.gov/WebLink/DocView.aspx?id=105305038&dbid=0. Exhibit 8

⁹ ADEM, Final NPDES Permit No. AL0048593 Decatur WWTP (Oct. 1, 2018), available at: https://lf.adem.alabama.gov/WebLink/DocView.aspx?id=31502775&dbid=0 and ADEM. Draft Permit NPDES Permit No. AL0048593 Decatur WWTP (Jan. 10, 2024), available at: https://lf.adem.alabama.gov/WebLink/DocView.aspx?id=105266119&dbid=0. Exhibit 9

¹¹ ADEM, Final Permit SID Permit No. IU085200478 Wayne Farms Decatur AL Prepared Foods (April 1, 2020), available at: https://lf.adem.alabama.gov/WebLink/DocView.aspx?id=104276294&dbid=0. **Exhibit 10**

¹² ADEM, Discharge Monitoring Report Wayne Farms LLC 1/1/24 to 1/31/24 (Feb. 26, 2024). Exhibit 11

¹³ ADEM, *Final Permit SID Permit No. IU085200100 Wayne Farms LLC Decatur* (Aug. 1, 2020), available at: https://lf.adem.alabama.gov/WebLink/DocView.aspx?id=104346056&dbid=0. **Exhibit 12**

¹⁴ ADEM, Discharge Monitoring Report Wayne Farms LLC Decatur Fresh Processing Plant 1/1/24 to 1/31/24 (Feb. 28, 2024). **Exhibit 13**