



TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
JACKSON ENVIRONMENTAL FIELD OFFICE
1625 Hollywood Drive
JACKSON, TENNESSEE 38305
PHONE (731) 512-1300 STATEWIDE 1-888-891-8332 FAX (731) 661-6283

April 18, 2019

Certified Mail
7013 2250 0001 5011 4046

Mr. Jeff Parchman, EHS Manager
Bongards Premium Cheese
3001 Hwy. 45 Bypass
Humboldt, TN 383431

Re: **Notice of Violation**
Bongards Premium Cheese
TMSP # TNR056328
Gibson County

Dear Mr. Parchman:

On April 12, 2019, Dan Hatch of the Jackson Environmental Field Office received a complaint that a foul odor was present in the drainage ditch just northwest of the Bongards facility. He and Ms. Jane Leatherland of Humboldt Utilities inspected the site for a possible sewer leak/ by-pass. It was discovered that a white milky substance was coming from stormwater outfall #1 at your facility. Further investigation found two uncovered roll-off containers with discarded cheese product in them. Some of the product had leaked on the ground and appeared to have washed into the nearby stormwater grate just upstream of stormwater outfall #1. This discharge of product from your facility is a violation of the Tennessee Water Quality Control Act and is the reason for issuance of this Notice of Violation.

After the product was cleaned out of the ditch on the evening of April 12th, process wastewater was observed leaking from an abandoned clay pipe that had been covered with soil. The process wastewater was draining to outfall #1. The source of the wastewater is currently under investigation while any discharge is being contained until the source is found.

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On April 15, 2019, Mr. Hatch reviewed the Stormwater Pollution Prevention Plan (SWPPP) to critique the updates since the product storage building was erected near outfall #1.

The following deficiencies were found:

1. The SWPPP has not been updated and certified in the last 12 months as required.
2. Erosion from the roof drains on the back side the new structure have not been addressed.
3. The SWPPP does not address the proper handling of discarded product.
4. The SWPPP did not accurately indicate stormwater flow in the area of outfall #1.
5. The SWPPP did not identify the acceptable contents of the two roll off containers.
6. The inspection requirements listed in the SWPPP were not adequate enough to identify the exposed discarded product in the roll off containers and in and around outfall #1.
7. The stains that were present on the ground around the roll off containers indicates that housekeeping measures need to be improved.

During the review of the SWPPP, it was determined that the document was quite cumbersome and needed simplifying. Please correct the deficiencies and implement a simplified plan within 90 days of receipt of this letter. Enclosed is an example of a SWPPP for you review.

I appreciate the courtesy and cooperation shown to Mr. Hatch during this investigation. If you have any questions or need additional information, feel free to contact Dan Hatch by phone at 731-512-1322 or by e-mail at Dan.Hatch@tn.gov.

Sincerely,



Conner Franklin
Environmental Program Manager
Division of Water Resources, Jackson

cc:



TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Division of Water Resources

William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 11th Floor, Nashville, Tennessee 37243
1-888-891-8332 (TDEC)

Tennessee Multi-Sector General NPDES Permit (TMSP) Compliance Inspection Report

Facility Name:	Bongards' Creameries South			NPDES Tracking Number: TNR	TNR056328
Street Address:	3001 Hwy 45 Bypass Humboldt, TN			County:	Gibson
Facility SIC Code(s):	2022	TMSP Sector(s):	U	Effective Date:	04-09-10
Inspection Date:	4-15-19	Time of Entry:	8:30	Time of Exit:	11:30

Notice of Coverage (NOC) and Stormwater Pollution Prevention Plan (SWPPP)

	Yes	No	N/A
Is the facility's NOC retained on-site or available upon request?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has the facility developed and maintained a SWPPP? Developed but not maintained.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does the SWPPP include: a detailed site map identifying drainage, outfalls, pollutant potential areas and BMPs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
an inventory of potential pollutant sources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a pollution prevention team?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a list of measures and controls to prevent pollution?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a description of good house keeping practices?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a list of erosion prevention and sediment controls? Needs clarification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a list of significant spills and leaks of toxic and hazardous pollutants?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a description of spill prevention and response procedures?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a certification page signed by the appropriate authority? Not updated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a description of employee training and dates delivered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a certification of testing for presence of non-storm-water discharge? Not updated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Quarterly Visual Examination of Stormwater Quality

	Yes	No	N/A
Has the permittee performed quarterly visual examinations in accordance with the requirements of the TMSP?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the visual examination reports retained on-site or available upon request?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Stormwater Monitoring

	Yes	No	N/A
Has the permittee performed stormwater monitoring at all of the outfalls?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have all of the required parameters been monitored?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have the samples been collected in accordance with the requirements of the TMSP and/or 40 CFR?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the monitoring reports and associated documentation retained on-site or available upon request?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the facility notify the Division within the required time frame if benchmark exceedances occurred?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comprehensive Site Compliance Evaluations and Inspections

	Yes	No	N/A
Has the permittee performed annual comprehensive site compliance evaluations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Has the permittee performed any required site inspections?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are the evaluations and inspection records retained on-site or available upon request?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Facility BMP Review

	Yes	No	N/A
Are the site BMPs in accordance with the SWPPP?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Have the BMPs been installed correctly and maintained?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Have good housekeeping measures been implemented and maintained?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Outfall and Receiving Waters (where applicable)

	Outfall # 1	Outfall # 2
Was an outfall discharging at time of inspection? If yes, explain observations (source/color/odor/foam/scum/solids etc.).	Yes	No
Condition of receiving water upstream from the outfall?	No flow	No flow
Condition of receiving water _____ feet downstream of the outfall?	No flow	No flow
Condition of receiving water _____ feet downstream of the outfall?		

Observations and Comments:

Site map does not correctly indicate stormwater flow at the north side of the property.

Two uncovered roll off containers had discarded product in them resulting in a release of material to the outfall #1..

The area around the stormwater grates at outfall #1 is stained from spills of unknown origin.

The inspection frequency was insufficient and did not detect the release at outfall #1.

Inspections did not detect an abandoned clay discharge pipe that was discharging process wastewater to outfall #1

On-Site Contact Person:	DWR Inspector:
Print Name: _____ Title: _____ Date: _____ Signature: _____ Phone: _____ Email: _____	Print Name: <u>DAN HATCH</u> Title: <u>EPS II</u> Date: <u>4-12-19</u> Signature: <u>[Signature]</u> Phone: _____ Email: _____