

January 24, 2018

To: Jim Macy
Director
Nebraska Department of Environmental Quality
1200 N Street, Suite 400
Lincoln, NE 68508

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Nebraska Dept of Environmental Quality

By: _____ DEQ#123 _____

Case No: 3418 –Western Sugar Cooperative Cooperation

Dear Director Macy:

In follow up to the NDEQ complaint number 44141, Case, Number 3418 dated August 1, 2017 against Western Sugar Cooperative Corporation (the owner) and based on the meeting held with NDEQ staff on November 16, 2017, we have prepared the following proposed plan and action steps to be taken by Western Sugar in response to the complaint.

Western Sugar proposes the steps set forth below be taken for improved monitoring and evaluation of use of the existing wastewater ponds referred to as the North Pond (a/k/a Mud Pond) and the South Pond (a/k/a Evaporation Pond).

North Mud Pond:

Western Sugar will complete a site evaluation of the current pond conditions including topographic survey of the berms/dikes, elevation of the pond bottom, and a geotechnical evaluation of the pond dikes and bottom. This information will be summarized and provided to NDEQ by 5/31/18.

Western Sugar will submit a groundwater monitoring plan to include the installation of groundwater monitoring wells upstream and down from the pond. The groundwater monitoring plan will be submitted by 3/31/18. Upon approval of the plan, monitoring wells will be installed within 90 days of NDEQ approval.

Moving forward, Western Sugar will provide quarterly sample data sets of mud water discharge. Sampling would begin at the end of the first quarter of 2018, and would be provided to NDEQ within 45 days of the end of each quarter.

In addition, as requested, Western Sugar will provide a narrative on the operations of the plant including description of the beet washing process, descriptions of all wastes held in the basin, volumes of flow, waste components and concentrations of typical waste stream. This information will be provided by 2/28/18.



South Evaporation Pond:

Western Sugar will complete a site evaluation of the current pond condition including topographic survey of the berms/dikes, elevation of the pond bottom, and a geotechnical evaluation of the pond dikes and bottom. This will be completed and provided to NDEQ by 5/31/18.

Western Sugar will submit a groundwater monitoring plan to include the installation of groundwater monitoring wells upstream and down from the pond. The groundwater monitoring plan will be submitted by 3/31/18. Upon approval of the plan, monitoring wells will be installed within 90 days of NDEQ approval.

Western Sugar will implement a reporting system for any discharge to the pond. This will include summary of discharge dates, volumes, and sample data of waste discharge to the pond during each event. Western Sugar will include a summary narrative as to the reason for any such diversion of wastewater flow. Western Sugar will provide NDEQ with this reporting information within 45 days of the end of each quarter.

In addition, as requested, Western Sugar will provide a narrative on the operations of the plant including description of the wastewater treatment process, descriptions of all wastes held in the basin, volumes of flow, waste components and concentrations of typical waste stream. This information will be provided by 2/28/18.

Following these steps the owner would plan to schedule a series of progress meetings and reports to be submitted to NDEQ.

We look forward to working with NDEQ in addressing the concerns of this complaint, and in moving the facility forward in a positive direction with proper planning and improvements pending the findings of further review of the facility and operations.

Sincerely,

Baker & Associates, Inc.



Jack Baker, P.E.

cc: Stephen D. Mossman, Attorney, Mattson Ricketts Law Firm