

Clean Water Act (CWA) Inspection Report

Inspection Entry Date/Time	09/19/2024 9:30 AM (PST)	Announced: No		
Inspection Exit Date/Time (approx.)	09/19/2024 12:00 PM (PST)	Access: Granted		
Weather	Sunny, 63° F			
Media/Statute(s)/Program(s)	Water, Clean Water Act, NPDES, Industrial Stormwater			
Type of Inspection	CEI - Compliance Evaluation Inspection			
Permittee Name	The Amalgamated Sugar Company, LLC			
Facility Name	Amalgamated Sugar – Twin Falls			
Facility Owner	The Amalgamated Sugar Company, LLC			
Physical Address	2320 Orchard Drive East			
City/State/Zip Code	Twin Falls, Idaho 83303			
County	Twin Falls			
Facility GPS Coordinates	42. 531995 N -114.431448 W			
Facility Mailing Address	P.O. Box 127			
FRS ID	110000468388			
EPA/IDEQ Permit Tracking #	IDR053119			
NAICS Code	311313 – Beet Sugar Manufacturing			
SIC Code	2063 – Beet Sugar Manufacturing			
Inspection Contacts:				
Organization	Name	Title	Present in Opening Conf.	Present in Closing Conf.
EPA Region 10	Jon Klemesrud	Lead Inspector	Yes	Yes
IDEQ – Twin Falls	Brandi Lowe	IPDES Compliance Officer	Yes	Yes
Amalgamated Sugar – Twin Falls	Todd Hughes	Environmental Manager	Yes	Yes
Amalgamated Sugar – Twin Falls	Jason Simpson	Plant Manager	No	No
Amalgamated Sugar – Twin Falls	Chad Larsen	Project Engineer	No	No
Amalgamated Sugar Company, LLC	Nathan Walker	Regional Environmental Manager	No	No
EPA Inspector Signature/Date	JON KLEMESRUD  Digitally signed by JON KLEMESRUD Date: 2024.11.21 09:55:03 -08'00'			
	Jon Klemesrud, FDDWES			
Supervisor Signature/Date	Contreras, Peter  Digitally signed by Contreras, Peter Date: 2024.11.21 09:59:44 -08'00'			
	Peter Contreras, Chief FDDWES			

This inspection report is based on information supplied by conversations with Mr. Todd Hughes, Mr. Chad Larsen, Mr. Nathan Walker, or direct observations made at the time of the inspection. This inspection report may also include information gathered from a review of EPA/Idaho Department of Environmental Quality (IDEQ) files and/or public records.

SECTION I – INTRODUCTION

Facility Description

Amalgamated Sugar – Twin Falls (hereinafter referred to as the “Facility”) is a sugarbeet processing factory located in Twin Falls, Idaho. The Facility is owned by Amalgamated Sugar Company LLC, which also owns processing plants in Nampa, Idaho and Paul, Idaho. There are approximately 450 employees at the Facility. Sugar is produced for approximately 10 months of the year and is packaged year-round.

The Facility was originally built in 1916 and encompasses approximately 320 acres, which generally includes a large processing/manufacturing area, beet piling area, precipitated calcium carbonate (PCC) storage pile, a warehouse/shipping area, several wastewater ponds, stormwater ponds/containment areas, a condensate storage pond, “dirt storage area” and associated “mud pond.”

Rock Creek generally travels east to west along the southern areas of the Facility, as well as north and east of the “dirt storage area” and associated “mud pond.” See **Attachment A**, Aerial Image (Google Earth). According to the Facility’s Stormwater Pollution Prevention Plan, the Facility is “located in an arid part of the state of Idaho where precipitation is about 10 inches per year.” Stormwater is generally managed on-site, where it is designed either to be infiltrated or captured in wastewater ponds to prevent/minimize discharges to Rock Creek.

Permit Information

The Facility is permitted to discharge to Rock Creek (Upper Snake River/Rock Creek watershed) under the National Pollutant Discharge Elimination System (NPDES) 2021 Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP). The 2021 MSGP became effective on March 1, 2021, and is set to expire on February 28, 2026. The NPDES tracking number issued to the Facility for MSGP coverage is IDR053119. Prior to the 2021 MSGP, the Facility was covered under the previous version of the permit, the 2015 EPA MSGP.

Permitting authority was transferred from EPA Region 10 to Idaho Department of Environmental Quality (IDEQ) on July 1, 2021, as IDEQ became the delegated authority for General NPDES Stormwater Permits under Phase IV of the scheduled transfer.

As the Facility’s industrial activity falls under the standard industrial classification (SIC) code 2063, (Beet Sugar Manufacturing), the Facility is subject to the additional requirements of Part 8, Subpart A, Sector U, Subsector U3 of the MSGP (Food and Kindred Products), including sector-specific quarterly indicator monitoring for Chemical Oxygen Demand (COD), Total Suspended Solids (TSS) and pH.

As IDEQ has established Total Daily Maximum Loads (TMDLs) for the Upper Snake River/Rock Creek watershed, quarterly benchmark monitoring of stormwater discharges is required for TSS, Total Phosphorus (TP) and Escherichia coli (E. Coli). See **Attachment B**, 2021 Additional Monitoring Requirements Letter.

The Facility is separately permitted to discharge non-contact cooling water to Rock Creek under NPDES Individual Permit No. ID000230. The Facility also land-applies stormwater and process wastewater to agricultural fields under an IDEQ issued/administered Reuse Permit No. I-049-04. This inspection was limited to the evaluation for MSGP compliance only.

Compliance/Inspection History

According to file documentation, the Facility was last inspected for MSGP compliance by EPA on September 26, 2019. The inspection report noted potential compliance concerns regarding off-site tracking of sediment, containment measures at the coal ash pile, and incomplete SWPPP site maps. The Facility provided a “Response to Areas of Concern” in a January 21, 2020, letter to EPA.

On June 29, 2023, IDEQ conducted a focused compliance inspection after the Facility self-reported a non-stormwater discharge on June 23, 2023. The Facility had reported that approximately 7,200 gallons of non-stormwater from the PCC storage pile was discharged to Rock Creek. The focused compliance inspection resulted in a compliance determination letter, noting a single violation and corrective action requirements. The Facility submitted a follow-up Record of Resolution on December 14, 2023, which was acknowledged by IDEQ. See **Attachment C**, November 15, 2023 & December 20, 2023, IDEQ/Facility Correspondence. The Record of Resolution due date was later extended to November 1, 2024.

Inspection Chronology and Entry

The inspection consisted of an opening conference, a walk/drive-through of stormwater areas and permitted outfalls, a records review, and concluded with a closing conference. Photographs taken during the inspection are attached to this inspection report as **Attachment D**, Photograph Log.

I was joined on the inspection by IDEQ representative Brandi Lowe. To ensure staffing and availability, this inspection was announced just prior to our arrival. At approximately, 8:05AM on September 19, 2024, I called and spoke with Facility Environmental Manager, Mr. Todd Hughes. During the call, I introduced myself and discussed that I had been asked to conduct a routine on-site inspection and explained that the inspection was to assess compliance with the Facility’s coverage under the MSGP. Mr. Hughes welcomed the inspection and we agreed to begin the inspection at 9:30AM.

Ms. Lowe (IDEQ) and I arrived on-site at approximately 09:30AM on September 19, 2024. We signed-in as visitors at the main reception area and were promptly greeted by Mr. Hughes. Following our initial introduction, Mr. Hughes escorted us to his office where we had a brief opening conference. During the opening conference, I restated the purpose/scope of the inspection, I presented my EPA credentials, and we exchanged business cards. I provided Mr. Hughes with a copy of EPA’s Small Business Resources Information Sheet as well as EPA’s Industrial Stormwater Fact Sheet associated with “Food and Kindred Products Facilities.” We continued with a brief discussion regarding confidential business information (CBI), general facility operations and recent stormwater history. During our introductions, it was discussed that Mr. Hughes had only been employed by the Facility for a few months, and the Facility’s Plant Manager Mr. Jason Simpson was also new to the Facility.

We were accompanied throughout the inspection by Mr. Hughes. While discussing recent stormwater history, we were joined for a portion of the conversation by Project Engineer Mr. Chad Larsen. At times during the records review, Mr. Hughes communicated with Amalgamated Sugar LLC’s Regional Environmental Manager Mr. Nathan Walker.

SECTION II – OBSERVATIONS

Site Review

As discussed earlier in this report, the Facility generally includes a large processing/manufacturing area, beet piling area, precipitated calcium carbonate (PCC) storage pile, a warehouse/shipping area, several wastewater ponds, stormwater ponds/containment areas, a condensate storage pond, “dirt storage area” and associated “mud pond.”

Industrial activities generally include sugarbeet handling, storage, washing, and processing, storage of lime rock, calcination of lime rock, recovery, dewatering and onsite storage of PCC, process wastewater and stormwater storage and treatment, chemical storage, and usage, fueling and fuel storage. According to the Facility, most industrial activities are conducted indoors.

Potential pollutants identified by the Facility include biochemical oxygen demand (BOD), TSS, pH, nutrients, copper, iron, zinc, aluminum, nickel, trace metals, oil and grease, fuel, miscellaneous herbicides, and TNK.

As discussed earlier in this report, stormwater at the Facility generally managed on-site, where it is designed either to be infiltrated or captured in wastewater ponds to prevent/minimize discharges to Rock Creek. Stormwater/wastewater within the ponds is treated and then land applied to nearby fields under the permitted water reuse system.

Stormwater not infiltrated or routed to the wastewater ponds is generally directed to various retention basins on-site, as well as two separate swale areas that could potentially discharge to Rock Creek. Each of the two swale areas has an associated outfall designation to Rock Creek (Outfall 001 & Outfall 002).

The Outfall 001 collection area would potentially receive stormwater from the southeast portion of the site near the PCC pile. Excess drainage from the collection area could travel overland south and east through perennial vegetation and into Rock Creek. There is no discrete outfall piping.

The Outfall 002 collection area generally includes the northwest portion of the site, excess drainage from the collection area could travel via piping to a western retention basin located west of the processing plant. The retention basin discharges to the "west pasture" that could potentially discharge to Rock Creek. There is no discrete outfall piping.

At the time of inspection, regarding stormwater site updates, it was discussed that the Facility was currently in active construction of a new wastewater treatment/reuse pond along the northeast portion of the property. The new "East Pond" would potentially replace an existing unlined pond located adjacent to Rock Creek, currently located within the western portion of the Facility. In addition, approximately 15 million gallons of wastewater/stormwater had been recently hauled/removed from the wastewater treatment pond for off-site treatment/disposal.

Since the last MSGP inspection, the Facility had also converted a previous coal-fired boiler to natural gas-firing only, significantly reducing the amount of coal storage and generation of coal ash generation on-site (previously exposed to stormwater).

The Facility had also reconstructed a portion of the access roadway along a southern section of the PCC pile. The area of roadway had been impacted during the June 29, 2023, non-stormwater discharge from the PCC pile. As a corrective action from the discharge, further berming work would be conducted within the drainage area. The Facility was awaiting the installation of new piping within the area to the "East Pond" prior to finalizing the berming/corrective action work. It was discussed that with the "East Pond" construction activity, the Record of Resolution associated with the non-stormwater discharge due date was extended by IDEQ to November 1, 2024.

Walk-Through Observations:

Location: Northeastern Retention Basin(s), Beet Pile Storage, Juice Storage Tanks, Fueling Area

Observation #: OB-001

We first toured the northeast retention basin, located near the beet storage pile (**Photo 1**). The retention basin and collection area are located north of the new "East Pond," which was under active construction at the time

of inspection. The northeast retention basin was observed to be dry, and berming was observed along the north and eastern perimeter of the Facility. We also observed the northern end of the retention basin as it curved to the west along Orchard Drive E into a drainage channel. (**Photo 2**). The drainage channel continued along the northern perimeter (**Photo 3, Photo 4**) until it reached a larger retention basin (north basin) located north of the “juice tanks.” The north basin is designed to receiving stormwater from the northern drainage channel as well as the juice tank area via culvert/piping. At the time of inspection, the north basin was observed to be dry (**Photo 5, Photo 6**).

We continued south into the “Juice Tanks” area, south of a fueling area. We observed the stormwater retention basin serving the area to be in need of maintenance, as the culvert connection to the larger retention basin was nearly full of sediment (**Photo 7, Photo 8**).

Location: PCC Pile, Outfall 001

Observation #: OB-002

The tour continued as we travelled south of the PCC pile. We observed the access road that had been repaired following the June 23, 2023, discharge to Rock Creek (**Photo 9**), as well as piping staged within the area. It was discussed that the piping would to be used to connect the wastewater system to the new “East Pond.” It was discussed that following the piping installation, the area would be graded/bermed to promote infiltration along the eastern drainage area, southeast of the PCC pile and north of the canyon rim.

We then observed the northern rim of the canyon along the southern end of the PCC pile. Within the area we observed the PCC remnants of the June 23, 2023, discharge from the RCC pile (**Photo 10**). Rock Creek was observed to be downslope of a vegetated area within the canyon. We then observed Outfall 001, which consisted of a vegetated/wooded area along the southeastern slope, south of the access road. No discharge or evidence of discharge was observed within the area (**Photo 11**). From the area near Outfall 001, we observed the southern perimeter of the Facility, north of Rock Creek (**Photo 12**).

Location: Wastewater Ponds, Southern Perimeter, Dirt Storage Area, Mud Pond

Observation #: OB-003

We continued west along southern perimeter access road and observed the Facility’s separately permitted discharge associated with non-contact cooling water (NPDES Individual Permit No. ID000230) (**Photo 13**). We also observed the wastewater/reuse ponds and area south of the ponds north of Rock Creek (**Photo 14 – Photo 16**). We then travelled north into the outdoor processing plant areas. Stormwater from these areas are directed to various collection points and routed to the wastewater/reuse ponds. We observed accumulated stormwater near a temporary pulp pile, stormwater from this area is collected via drainage and sheetflow to the wastewater/reuse ponds. (**Photo 17, Photo 18**). An empty tote storage area was also observed.

We left the main Facility location and drove south across Rock Creek, along Eastland Drive S. and arrived at the Facility’s satellite “Dirt Storage Area” and “Mud Pond” area. The areas were bermed to contain stormwater, with vegetative areas located along the east and north perimeters adjacent to Rock Creek. From this location we also observed the eastern wall of the larger wastewater pond (**Photo 19, Photo 20**).

Location: Northern Receiving Areas, Outfall 005, Outfall 008

Observation #: OB-004

Following our time at the satellite location, we returned to the western portion of the Facility and observed the northwestern perimeter. Stormwater from these areas is collected within a drainage channel and routed to northwest retention basin. It was discussed that stormwater leaving the retention basin would travel as overland flow through a vegetative pasture where it could potentially travel southwest towards Rock Creek as Outfall 002. The pasture area was fenced, it was discussed that the pasture is used by a private party for grazing of livestock. Along the perimeter fencing we observed the Facility's permit coverage signage (**Photo 21 – Photo 23**). The Facility tour concluded as we returned to Mr. Hughes's office for the records review.

SECTION III – Records Review

The following records were reviewed as part of the inspection:

Record: Discharge Monitoring Reports (DMRs), AIM/Corrective Action Documentation, Analytical Lab Report

Ref #: RR-001

As discussed earlier within this report, the Facility is subject to quarterly benchmark monitoring for TSS, TP and E. Coli, as well as quarterly indicator monitoring for COD and pH. Prior to the inspection, I reviewed quarterly DMR data submitted over the past 5-years (July 2019 – July 2024). This was also completed by a review of an exceedance report generated by EPA's Integrated Compliance Information System (ICIS).

The review noted only three stormwater discharge/sampling events, which occurred on January 1, 2020, May 19, 2020, and March 6, 2024, all from Outfall 002. As discussed earlier in this report, Outfall 002 is located along western perimeter of the Facility, as the northwest retention basin discharges to the "west pasture" north of Rock Creek.

As there is no discrete outfall piping associated with Outfall 002, I inquired about the sampling location. Mr. Hughes called Mr. Walker via phone, and it was discussed that the most recent sample (March 6, 2024) was collected southwest of the "west pasture" as stormwater was observed flowing downslope over a rock outcropping to Rock Creek. It was discussed that due to vegetation and fencing, access is somewhat limited.

Samples were collected in-house and analyzed by Magic Valley Labs, located in Twin Falls, Idaho. The three discharge events resulted in reported benchmark exceedances for TSS, TP, and E. Coli (summarized below).

Quarter (Q):	Parameter:	Reported Value:	Benchmark Value:
Q1 2020	Total Suspended Solids	80 mg/L	52 mg/L
Q1 2020	Total Phosphorus	1.48 mg/L	0.10 mg/L
Q2 2020	Total Phosphorus	1.66 mg/L	0.10 mg/L
Q2 2020	E. Coli	24200 NPM/100 mL	406 NPM/100 mL
Q1 2024	Total Phosphorus	0.56 mg/L	0.10 mg/L

Mr. Hughes presented a digital copy of the analytical lab results from the March 6, 2024, sampling event. All parameters were analyzed by Magic Valley Labs in Twin Falls, Idaho.

At the time of inspection, according to Facility documentation for the March 6, 2024, discharge event “a plowed snow pile was placed north of a stormwater retention pond and the culvert berm was damaged causing some stormwater to bypass collection in said retention pond. Therefore, per the 2021 MSGP, section 5.1.1.4, a control measure was not operated or maintained properly.” An Additional Implementation Measure (AIM) Level 1 corrective action response was performed which included repairing the damaged culvert berm on March 11, 2024. See **Attachment E**, 2024 AIM Level 1 Response Documentation.

According to Facility documentation (contained within the SWPPP and 2020 Annual Report), for the January 1, 2020, and May 19, 2020, discharge events, the events/exceedances occurred “because either run-on ditch water or canal irrigation carried the runoff to the pasture used to manage stormwater from the facility as BMP.” As a corrective action, an updated procedure was implemented for changing the valve configuration after canal water is turned off such that stormwater may be routed to the west stormwater retention pond in the non-ag season and coordinated/controlled during periods of irrigation simultaneous to precipitation. This resulted in an update to the site SWPPP.”

The DMR review also noted that the in-house sampling that was conducted for the non-stormwater PCC pile discharge on June 23, 2024, was not reported under the MSGP Permit DMR. According to the IDEQ inspection report associated with the June 29, 2023, focused compliance inspection, IDEQ determined that the water discharging from the PCC pile was not a stormwater permitted outfall nor a component of the storm water system and therefore, is not covered under the MSGP.” As discussed earlier in this report, the non-stormwater discharge from the PCC pile resulted in a compliance determination letter from IDEQ identifying the discharge as violation and corrective action requirements (**Attachment C**).

Record: Stormwater Pollution Prevention Plan (SWPPP)

Ref #: RR-002

At the time of the inspection, I requested to review the Facility’s SWPPP. Mr. Hughes provided a copy of the SWPPP to review on-site and emailed a digital version. In recognition of Mr. Hughes’s time/schedule, I conducted a cursory review of the SWPPP on-site, and I discussed that I would review the SWPPP fully post-inspection.

The review noted that the SWPPP was developed using an EPA 2021 Industrial SWPPP template. The SWPPP was well documented and met the minimum requirements of the MSGP. The SWPPP was last certified/revised on May 26, 2021. It was noted that the SWPPP should be updated to incorporate the current/new Facility contacts, as well as the new “East Pond” once online.

It was discussed that stormwater training occurs annually, as well as to new hires. The most recent annual training occurred in January 2024 and February of 2024. Sign-in sheets are maintained by the Facility’s Safety Manager but were not reviewed as part of this inspection.

Site Inspection Reports, Visual Assessments & Annual Reports

Ref #: RR-003

At the time of inspection, I requested to review Quarterly Site Inspection Reports, Visual Assessments and Annual Report documentation 2020 - present. Site inspection reports and visual assessments are maintained on an electronic database maintained/developed by Mr. Hughes.

Inspections occurred on March 6, 2024, June 28, 2024, August, 13, 2024, March 3, 2023, June 13, 2023, September 26, 2023, December 21, 2023, February 18, 2022, June 23, 2022, September 26, 2022, December 27, 2022, May 12, 2021, September 30, 2021, December 27, 2021, January 1, 2020, June 22, 2020 September 29, 2020, December 14, 2020.

Visual assessments (including no discharge documentation) occurred on March 6, 2024, June 28, 2024, August, 13, 2024, March 3, 2023, June 13, 2023, September 26, 2023, December 21, 2023, February 18, 2022, June 23, 2022, September 26, 2022, December 27, 2022, March 25, 2021, May 12, 2021, September 30, 2021, December 17, 2021, January 1, 2020, June 22, 2020 September 29, 2020, December 14, 2020.

As a subsample, I reviewed site inspection reports and visual assessment documentation from the following inspections/assessments: August 13, 2024, June 28, 2024, March 29, 2024, March 6, 2024, January 11, 2023, December 27, 2022, September 26, 2022, June 23, 2022, February 18, 2022. The records were generated using the MSGP templates and were well documented.

Annual Reports (2019-2023) were also reviewed as part of this inspection.

SECTION IV– SAMPLING ACTIVITIES AND ANALYTICAL RESULTS

No sampling was conducted for this inspection.

SECTION V - AREAS OF CONCERN

The presentation of Area(s) of Concern (AOC) does not constitute a formal compliance determination or violation. The following AOCs were identified as part of the inspection:

AOC Reference #: AOC-1	pH Analysis Exceeding 15-Minute Holding Time
Regulation and/or Permit Requirement: Table 8.U.6 of the MSGP identifies indicator monitoring requirements applicable for Subsector U3, including for Chemical Oxygen Demand (COD), Total Suspended Solids (TSS) and pH. Table 5 of the EPA MSGP Industrial Stormwater Monitoring and Sampling Guide (April 2021) states that pH has a 15-minute holding time; therefore, the sample must be analyzed within 15-minutes of collection. As discussed earlier in this report, when reviewing the analytical lab results from the March 6, 2024, sampling event, the pH sample was analyzed by the contract laboratory, exceeding the 15-minute holding time. Mr. Hughes was not employed by the Facility during the March 6, 2024, sampling/discharge event, but discussed that he is aware of the short holding time and is prepared to analyze for pH if/when the next discharge event occurs.	
AOC Reference #: AOC-2	Stormwater Culvert/Retention Basin Near “Juice Tanks”
Regulation and/or Permit Requirement: Section 2.1.2.3.a of the 2021 MSGP states that “you must maintain all control measures that are used to achieve the effluent limits in this permit in effective operating condition, as well as all industrials equipment and systems, in order to minimize pollutant discharges.”	

As discussed earlier in this report, during the Facility walk/drive through of stormwater areas near the “juice tanks,” we observed the culvert connection to the larger retention basin was nearly full of sediment (**Photo 7, Photo 8**). It was discussed that the stormwater retention basin/culvert was in need of maintenance to ensure proper drainage from the juice tank area to the north retention basin (as designed).

SECTION VI – CLOSING CONFERENCE AND POST INSPECTION ACTIVITIES

Closing Conference

Following the Facility tour and records review, a closing conference was held with Hughes where I discussed my general observations, including potential areas of concern. We also had a brief discussion regarding EPA’s general compliance review process. I then thanked him for his time cooperation with the inspection and Ms. Lowe and I departed the Facility.

SECTION VII – LIST OF APPENDICES

Attachment A – Aerial Image (Google Earth)

Attachment B – EPA 2021 Additional Monitoring Requirements Letter

Attachment C – November 15, 2023 & December 20, 2023, IDEQ/Facility Correspondence

Attachment D – Photograph Log

Attachment E - 2024 AIM Level 1 Response Documentation

ATTACHMENT A

Aerial Image (Google Earth®)



ATTACHMENT B

EPA 2021 Additional Monitoring Requirements Letter



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
 1200 Sixth Avenue, Suite 155
 Seattle, WA 98101

WATER DIVISION

June 28, 2021

Reply to:
 Attn of: MS 19-C04

The Amalgamated Sugar Co. LLC
 Attn: Ian Kihara
 P.O. Box 127
 Twin Falls, Idaho 83303
 IKihara@amalsugar.com

Re: Additional Monitoring Requirements for The Amalgamated Sugar Co. LLC under the National Pollutant Discharge Elimination System Multi-Sector General Permit, Permit Reference No. IDR053119

Dear Mr. Kihara:

The purpose of this letter is to notify you of watershed specific monitoring requirements that must be implemented at your facility to maintain permit coverage under the U.S. Environmental Protection Agency's 2021 Multi-Sector General Permit for Storm water Discharges Associated with Industrial Activity (MSGP). Based on the information provided in your Notice of Intent (NOI), storm water from the Amalgamated Sugar CO. LLC facility at 2320 Orchard Drive East in Twin Falls, Idaho (Facility) discharges into Rock Creek. The State of Idaho Department of Environmental Quality (IDEQ) has established Total Daily Maximum Loads (TMDLs) for TP, TSS, and e. coli for the Upper Snake River/ Rock Creek watershed.

Basis for EPA to Add Additional Requirements

Part 2.2.2.1 of the MSGP, Existing Discharge to an Impaired Water with an EPA Approved or Established TMDL, states, "If you discharge to an impaired water with an EPA-approved or established TMDL, EPA will inform you whether any additional measures are necessary for your discharge to be consistent with the assumptions and requirements of the applicable TMDL and its wasteload allocation, or if coverage under an individual permit is necessary per Part 1.3.8."

Specific Requirements

The Facility is required to conduct storm water monitoring for TSS, TP, and *E. coli* following the standard benchmark monitoring procedures outlined in the MSGP at Part 4.

Parameter	Benchmark Values	Source of Value
TSS	52 mg/L	Upper Snake/Rock Subbasin TMDL (July 2000)

Parameter	Benchmark Values	Source of Value
TP	0.100 mg/L	Upper Snake/Rock Subbasin TMDL (July 2000) and 2005 Upper Snake Rock TMDL Modification Report
E. coli	126 colony forming units /100 mL (geometric mean) with a "trigger" value of 406 colony forming units /100 mL	Upper Snake/Rock Subbasin TMDL (July 2000) and 2005 Upper Snake Rock TMDL Modification Report

If you have any questions, please contact Margaret McCauley of my staff at (206) 553–1772 or by email at mccauley.margaret@epa.gov.

Sincerely,

Mathew J. Martinson, P.E., BCEE, Branch Chief
Permitting, Drinking Water and Infrastructure
Branch

cc: Tobby Kennedy, Idaho Department of Environmental Quality

ATTACHMENT C

November 15, 2023 & December 20, 2023, IDEQ/Facility Correspondence

650 Addison Avenue West, Suite 110
Twin Falls, ID 83301 • (208) 736-2190



Brad Little, Governor
Jess Byrne, Director

November 15, 2023

Christina Daton, Environmental Engineer
The Amalgamated Sugar Company LLC – Twin Falls Factory
2320 Orchard Dr. East
Twin Falls, ID 83301
CDayton@amalsugar.com

Subject: Focused Compliance Inspection for The Amalgamated Sugar Company – Twin Falls Factory,
Idaho Pollutant Discharge Elimination System Permit IDR053081

Dear Ms. Dayton:

On June 29, 2023, the Idaho Department of Environmental Quality (DEQ) conducted a focused compliance inspection of The Amalgamated Sugar Company LLC – Twin Falls Factory. The purpose of this inspection was to investigate a discharge from the precipitated calcium carbonate pile and determine compliance with applicable IPDES permits and the *Rules Regulating the Idaho Pollutant Discharge Elimination System Program* (IDAPA 58.01.25). DEQ appreciates the assistance provided by you, Ian Kihara, Nathan Walker, and Dean Delorey during the inspection. A copy of the 2023 Focused Compliance Inspection Report is attached.

At the time of the inspection, the following was determined:

1. Approximately 7,200 gallons of wastewater emanated from the on-site precipitated calcium carbonate pile and discharged to Rock Creek.
2. The discharge has been determined to be a point source.

After investigating the incident and inspection findings, the following violation was identified:

Non-Authorized, Non-Storm Water Discharge

Part 1.2.2.1 of the 2021 MSGP outlines acceptable non-storm water discharges.

It is a violation of the Permit that a discharge from the precipitated calcium carbonate pile of approximately 7,200 gallons of contaminated water discharged to Rock Creek on June 23, 2023.

DEQ is providing this notice so you may correct the violations with the facility. At this time, you must take the following actions by December 15, 2023:

1. Provide a Record of Resolution that includes a selection and schedule of implementation of Best Management Practices near the PCC pile. This Record of Resolution should include the violation,

the action taken to resolve it (i.e., appropriate BMPs), the date of resolution (schedule for implementation of BMPs), and the person(s) resolving it.

2. Submit the Record of Resolution to DEQ via the IPDES E-Permitting System.

Thank you for your help with the inspection process. DEQ encourages you to continue your compliance efforts. Responsibility for compliance with the IPDES Permit rests with the permittee.

If you have any questions, I may be reached at (208) 736-2019 or brandi.lowe@deq.idaho.gov.

Sincerely,



Brandi Lowe
IPDES Compliance Officer

Attachments: Focused Compliance Inspection Report

- c: Ann Lefler, Wastewater Compliance & Enforcement Supervisor, DEQ State Office
Dr. Amie Parris, Regional IPDES Supervisor, Twin Falls Regional Office
Tim Beach, IPDES Compliance Officer, Twin Falls Regional Officer
Tiffany Bowman, Waste Remediation Manager, Twin Falls Regional Officer
Kevin Kruger, Water Quality Engineer, Twin Falls Regional Officer
2023FAU319



December 20, 2023

Christina Dayton
Environmental Engineer
Amalgamated Sugar Company
2320 Orchard Drive East
Twin Falls, ID 83301
CDayton@amalsugar.com

Re: Compliance Determination Letter – Amalgamated Sugar Company, Idaho Pollutant Discharge Elimination System (IPDES) Permit IDR053119

Attention Ms. Dayton:

The Idaho Department of Environmental Quality (DEQ) is following up regarding the inspection cover letter issued on November 15, 2023, which identified the following violation:

Non-Authorized, Non-Storm Water Discharge

The facility discharged approximately 7,200 gallons of contaminated water that emanated from the precipitated calcium carbonate pile to Rock Creek on June 23, 2023.

Based upon the submission made December 14, 2023, outlining implementation of a diversion ditch and updates to the facilities Storm Water Pollution Prevention Plan (SWPPP), DEQ has determined that you are currently partially compliant regarding this matter.

DEQ is providing this notice so that you may continue to correct the violations with the facility. At this time, you must take the following action by August 1, 2024.

1. Provide pictures of the implemented diversion ditch and a copy of the updated Storm Water Pollution Prevention Plan by August 1, 2024, via the E-Permitting website.

DEQ appreciates your cooperation regarding this matter and encourages you to continue your compliance efforts; responsibility for compliance with the IPDES permit rests with the permittee. If you have any questions concerning this matter, please do not hesitate to contact me at (208) 737-3862 or brandi.lowe@deq.idaho.gov.

Sincerely,

A handwritten signature in black ink that reads "Brandi Lowe".

Brandi Lowe
IPDES Compliance Officer

c: Ian Kihara, Plant Manager, Amalgamated Sugar Company
Dean DeLorey, Director of Environmental Affairs, Amalgamated Sugar Company
Nathan Walker, Regional Environmental Manager, Amalgamated Sugar Company
Ann Lefler, WW Compliance and Enforcement Supervisor, DEQ State Office
Dr. Amie Parris, Regional IPDES Supervisor, DEQ Twin Falls Regional Office
Tim Beach, IPDES Compliance Officer, DEQ Twin Falls Regional Office

ATTACHMENT D

Photograph Log

All photographs taken by Jon Klemesrud on September 19, 2024

Nikon Coolpix AW100

Photograph Log – Amalgamated Sugar – Twin Falls



Photo #:01 (DSCN3929)

Description: Facing north, photo of northeast stormwater retention basin.



Photo #:02 (DSCN3930)

Description: Facing west, photo of the outlet of the northeast retention basin, extending along the northern perimeter via channel. Channel is bermed to the north along Orchard Drive E.



Photo #:03 (DSCN3931)

Description: Facing east, photo of stormwater channel along the northern perimeter between northeast and north retention basins.



Photo #:04 (DSCN3932)

Description: Facing west, photo of stormwater channel along the northern perimeter between northeast and north retention basins.

Photograph Log – Amalgamated Sugar – Twin Falls



Photo #:05 (DSCN3933)

Description: Facing south, photo of north retention basin, north of the "juice tanks."



Photo #:06 (DSCN3934)

Description: Facing south, photo of north retention basin's piped connection to the northern stormwater channel along Orchard Drive E.



Photo #:07 (DSCN3935)

Description: Facing north, photo of retention basin along the north end of the "juice tanks." Culvert connection to northern retention basin observed to be in need of maintenance.



Photo #:08 (DSCN3936)

Description: Facing north, photo of retention basin along the north end of the "juice tanks." Culvert connection to northern retention basin observed to be in need of maintenance.

Photograph Log – Amalgamated Sugar – Twin Falls



Photo #:09 (DSCN3937)

Description: Facing west, photo of repaired access road south of the PCC storage pile.



Photo #:10 (DSCN3938)

Description: Facing southwest, photo of northern canyon rim south of the PCC pile. Area had been impacted from June 23, 2023, non-stormwater discharge from the PCC storage pile.



Photo #:11 (DSCN3939)

Description: Facing southeast, photo of Outfall 001. A vegetated area downslope of the southeastern access road, towards Rock Creek.



Photo #:12 (DSCN3940)

Description: Facing west, photo of the southern perimeter and vegetated area north of Rock Creek.

Photograph Log – Amalgamated Sugar – Twin Falls



Photo #:13 (DSCN3941)

Description: Facing southeast from the southern end of the process water pond, photo of discharge location of permitted outfall associated with Facility's individual NPDES discharge permit.



Photo #:14 (DSCN3942)

Description: Facing southwest from the southern end of the process water ponds, photo of the southern perimeter area, north of Rock Creek.



Photo #:15 (DSCN3943)

Description: Facing west, photo of wastewater pond.



Photo #:16 (DSCN3944)

Description: Facing southwest, photo of area south of wastewater pond.

Photograph Log – Amalgamated Sugar – Twin Falls



Photo #:17 (DSCN3945)

Description: Facing southwest, photo of surge basin associated with wastewater/process water ponds near pulp storage/factory area.



Photo #:18 (DSCN3946)

Description: Facing east, photo of temporary pulp pile. Stormwater is routed to wastewater/process water ponds.



Photo #:19 (DSCN3947)

Description: Facing north, photo of Rock Creek from the “dirt storage area.”



Photo #:20 (DSCN39348)

Description: Facing southeast, photo of Rock Creek from the “dirt storage area.”

Photograph Log – Amalgamated Sugar – Twin Falls



Photo #:21 (DSCN3949)

Description: Facing west from the western stormwater retention basin, photo of overland area within the west pasture towards Outfall 002.



Photo #:22 (DSCN3950)

Description: Facing west, photo of MSGP/stormwater coverage signage, posted west of the main parking area.



Photo #:23 (DSCN3951)

Description: Facing south, photo of the westernmost stormwater retention basin.

ATTACHMENT E

2024 AIM Level 1 Response Documentation

Attachment J AIM Response – Level 1

Instructions:

Within 24 hours of becoming aware of a condition identified in 5.2 (AIM) of the 2021 MSGP, document the existence of the condition and subsequent actions. Note that this information must be summarized in the annual report (as required in Part 7.4 of the 2021 MSGP). Keep copies of this documentation with this SWPPP.

Description of Condition: Stormwater discharge analytical showed an exceedance of the Total Phosphorous Impaired Waters Benchmark Value of 0.100 mg/L, per the additional monitoring requirements notification issued by the EPA on 6/28/2021, with a reported result of 0.56 mg/L.

Current Date: 5/28/2024

AIM Level 1: For Benchmark Threshold Exceedances (4-quarterly annual average or summation of parameter results exceeds four-times the parameter threshold) unless you qualify for an exception in MSGP Part 5.2.6:

Description of Exceedance: Total Phosphorous (TP): 0.100 mg/L

Location of Exceedance: Outfall 002 – Rock Creek

Control Measures Reviewed: A plowed snow pile was placed north of a stormwater retention pond and the culvert berm was damaged causing some stormwater to bypass collection in said retention pond. Therefore, per the 2001 MSGP, section 5.1.1.4, a control measure was not operated or maintained properly.

Date/Time of Review: March 6, 2024, at approximately 3:00 P.M.

Implementation of Additional Measures: No additional control measures needed.

If Applicable, Reason for No Further Action: The culvert berm was repaired within 6 days. The control measures are the stormwater retention pond and the vegetated pasture. Together, these measures prevent stormwater discharges by retaining stormwater onsite and allowing for infiltration. The damaged culvert allowed snowmelt/stormwater to bypass the pond. This was too much water at too fast of a rate for the field to infiltrate during freezing weather. A stormwater discharge is not expected in the future with the exception of a large rain event.

Modification to or Additional Control Measures and Date They Began: Damaged culvert berm repaired on March 11th, 2024. No further action needed at this time.

14 Day Infeasibility: Not Applicable

45 Day Implementation: If Applicable, document date of implementation of control measures

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Responsible Official / Duly Authorized Representative: Jorge DeVarona

Signature: Jorge DeVarona **Date:** 5/28/24