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# Feed Mill Environmental Opportunities: Jamie Burr (Tyson Foods) U.S. Poultry & Egg Association Environmental Management Seminar Presentation

## Arkansas Environmental, Energy, and Water Law Blog

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Mr. Jamie Burr undertook a presentation titled *Feed Mill Environmental Opportunities* ("Presentation") at the U.S. Poultry & Egg Association's Environmental Management Seminar held on October 5th

Mr. Burr serves as Associate Director of Environmental Technical Services at Tyson Foods.

The Presentation addressed a variety of environmental compliance regulatory requirements associated with feed mills. The regulatory programs covered included:

- Clean Air Act Air Permitting
- Clean Water Act Stormwater
- Resource Conservation and Recovery Act ("RCRA") Subtitle C Hazardous Waste
- Emergency Planning and Community Right-to-Know Act ("EPCRA")
- Clean Water Act Spill Prevention Control and Counter Measure ("SPCC") Regulations

The *Presentation* included suggestions for better monitoring feed mill environmental compliance for purposes of governmental inspections and evaluations. A number of photographs were utilized to illustrate points in Mr. Burr's presentation.

### Clean Air Act

The Clean Air Act discussion reviewed the utilization of Potential to Emit calculations in estimating emissions at feed mills. A checklist of questions posed included:

- Up to date?
- Current processes?
- Include Hazardous Air Pollutants?
- Current AP-42 factors?

Also addressed was the Clean Air Act New Source Performance Standard for Boilers and some of the issues associated with these requirements. Mr. Burr discussed:

- 50% rule
- Cost aggregation (EPA guidance suggests 3-5 years)
- Fuel Usage

- Startup/Shutdown and Malfunction Log

The Clean Air Act discussion addressed both cyclone and bag house operations in the context of feed mills. Suggestions for ensuring appropriate operation of the equipment were provided.

The role of Clean Air Act NESHAP 7D was also discussed. In particular, Mr. Burr noted Tyson Foods' work to interpret some issues associated with this rule. This included the submission of an applicability determination to the United States Environmental Protection Agency addressing a number of questions.

#### **Clean Water Act/Stormwater**

The key points addressed in the context of feed mills/stormwater included thoughts such as:

- Permit and Stormwater Prevention Plan up to date?
- Discharge monitoring reports filed on time? Signed by correct person?
- State notification after exceedance?
- Stormwater Pollution Prevention Plan modified after benchmark exceedance?
- Additional requirements for Clean Water Act 303(d)/TMDL streams?
- Inspections up to date?
- Annual comprehensive evaluation?
- Identified issues from inspections resolved?
- All pollution sources identified?

#### **Resource Conservation and Recovery Act/Subtitle C/Hazardous Waste**

The discussion addressing Subtitle C of the RCRA posed questions such as:

- Waste Determination completed?
- Hazardous/Universal waste stored correctly?
- CESQG/SQG threshold?
- What are some potential hazardous wastes?
- Certain ingredient spills
- Take a close look at testing for Aflatoxins

#### **Emergency Planning and Community Right-to-Know Act**

Suggestions for EPCRA included:

- Evaluation of all ingredients/chemicals to ensure they appear on Tier 2 report?
- New ingredients – notification to LEPC/SERC?
- Copper, Zinc, and Manganese reported?
- Formaldehyde?
- Live production using warehouse space for other storage such as litter treatment

#### **Clean Water Act/SPCC**

The Clean Water Act SPCC issues identified included:

- Is a plan required?
- Review/updates?
- Inventory of oil correct?
- Facility diagrams correct?
- Tanks have alarm or visual monitoring?
- Secondary containment calculations correct?
- Condition/cleanliness of secondary containment?
- Tank inspections up to date?

#### **Summary Recommendations**

Mr. Burr's summary recommendations included:

- Same environmental programs apply to the mill as a plant – it's just a different process
- Improperly operated air pollution control devices can become a stormwater issue
- Don't overlook Subtitle C of the Resource Conservation and Recovery Act

[A copy of the slides from Mr. Burr's presentation can be downloaded here.](#)