

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
11201 RENNER BLVD.  
LENEXA, KANSAS 66219

BEFORE THE ADMINISTRATOR

IN THE MATTER OF	)	
	)	Docket No. CWA-07-2016-0037
Agri Star Meat & Poultry, LLC	)	
	)	FINDINGS OF VIOLATION AND
Respondent	)	ORDER FOR COMPLIANCE
	)	ON CONSENT
Proceedings under Section 309(a)	)	
of the Clean Water Act,	)	
33 U.S.C. § 1319(a)	)	
_____	)	

**Preliminary Statement**

1. This Administrative Order for Compliance on Consent (“Order”) is issued by the U.S. Environmental Protection Agency (“EPA”) pursuant to the authority vested in the Administrator of the EPA by Section 309(a) of the Clean Water Act (“CWA”), 33 U.S.C. § 1319(a)(3), as amended. This Authority has been delegated by the Administrator of the EPA to the Regional Administrator, EPA Region 7 and further delegated to the Director of Region 7’s Water, Wetlands and Pesticides Division.

2. Respondent, Agri Star Meat & Poultry, LLC, (“Agri Star” or “Respondent”) is and was at all relevant times a corporation under the laws of and authorized to conduct business in the State of Iowa.

3. The EPA, together with the Respondent (hereafter collectively referred to as the “Parties”) enter into this Section 309(a)(3) Order for the purpose of carrying out the goals of the CWA, 33 U.S.C. § 1251 *et seq.*, to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.”

4. It is the Parties’ intent through entering into this Order to address alleged noncompliance by the Respondent in violation of its National Pollutant Discharge Elimination System (“NPDES”) permit. As set forth in this Order, the Parties have amicably reached agreement regarding the timeframes for the Respondent to attain compliance with the CWA and its NPDES permit.

5. By entering into this Order, Respondent (1) consents to and agrees not to contest the EPA’s authority or jurisdiction to issue and enforce this Section 309(a) Order, (2) agrees to undertake all actions required by the terms and conditions of this Order, and (3) consents to be

bound by the requirements set forth herein. Respondent also waives any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this Order, including any right of judicial review under Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

6. Respondent neither admits nor denies the factual allegations or legal conclusions asserted by the EPA set forth in this Order.

### **Statutory and Regulatory Framework**

7. Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of pollutants except in compliance with, *inter alia*, Section 402 of the CWA, 33 U.S.C. § 1342. Section 402 of the CWA, provides that pollutants may be discharged in accordance with the terms of an NPDES permit issued pursuant to that Section.

8. The CWA prohibits the “discharge” of “pollutants” from a “point source” into a “navigable water” of the United States, as these terms are defined by Section 502 of the CWA, 33 U.S.C. § 1362.

### **Stormwater**

9. Section 402(p) of the CWA, 33 U.S.C. § 1342(p), sets forth requirements for the issuance of NPDES permits for the discharge of stormwater. Section 402(p) of the CWA requires, in part, that a discharge of stormwater associated with an industrial activity must conform with the requirements of an NPDES permit issued pursuant to Sections 301 and 402 of the CWA.

10. Pursuant to Section 402(p) of the CWA, the EPA promulgated regulations setting forth the NPDES permit requirements for stormwater discharges at 40 C.F.R. § 122.26.

11. 40 C.F.R. §§ 122.26(a)(1)(ii) and 122.26(c) require dischargers of stormwater associated with industrial activity to apply for an individual permit or to seek coverage under a promulgated stormwater general permit.

12. 40 C.F.R. § 122.26(b)(14)(ii) defines “stormwater discharge associated with industrial activity,” in part, as discharges from facilities classified as Standard Industrial Classification 2011 (Meat Packing Plants).

13. The Iowa Department of Natural Resources (“IDNR”) is the state agency with the authority to administer the federal NPDES program in Iowa pursuant to Section 402 of the CWA. The EPA maintains concurrent enforcement authority with authorized states for violations of the CWA.

14. The IDNR issued and implemented NPDES General Permit No. 1 for stormwater discharges associated with industrial activity. The most recent 5-year permit has an effective

date of October 1, 2012, and an expiration date of October 1, 2017, with previous 5-year permits having been issued in 1997, 2002 and 2007. The relevant provisions of each permit, as reissued, are substantially the same.

15. Any individual seeking coverage under NPDES General Permit No. 1 is required to submit a Notice of Intent (“NOI”) to the IDNR in accordance with the requirements of Part II.C of the Permit. As required by Section III.C.1, a Stormwater Pollution Prevention Plan (“SWPPP”), which includes at least the minimum requirements set forth in Section III.C.4 of the Permit, must be completed and maintained on site before the NOI is submitted to the IDNR and fully implemented concurrently with operations at the facility.

### **EPA’s General Allegations**

16. Respondent is and was at all times relevant to this action the owner and/or operator of a facility known as Agri Star Meat & Poultry, LLC, located at 220 West Street, Postville, Iowa 52162 (“Facility”), operating under SIC code 2011.

17. Stormwater, snow melt, surface drainage and runoff water leave Respondent’s Facility and discharge in several locations, including, but not limited to, the City of Postville’s (“City”) municipal separate storm sewer system (“MS4”), and into Hecker Creek and Williams Creek which are tributaries of the Yellow River.

18. The runoff and drainage from Respondent’s Facility is “stormwater” as defined by 40 C.F.R. § 122.26(b)(13).

19. Stormwater contains “pollutants” as defined by Section 502(6) of the CWA, 33 U.S.C. § 1362(6).

20. The Facility has “stormwater discharges associated with industrial activity” as defined by 40 C.F.R. § 122.26(b)(14)(x), and is a “point source” as defined by Section 502(14) of the CWA, 33 U.S.C. § 1362(14).

21. The Yellow River and its tributaries, as identified in Paragraph 17, above, are each a “navigable water” as defined by Section 502(7) of the CWA, 33 U.S.C § 1362(7).

22. Stormwater runoff from Respondent’s industrial activity results in the addition of pollutants from a point source to navigable waters, and thus is the “discharge of a pollutant” as defined by CWA Section 502(12), 33 U.S.C. § 1362(12).

23. Respondent’s discharge of pollutants associated with an industrial activity, as defined by 40 C.F.R. § 122.26(b)(14)(xi), requires a permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.

24. After receipt of a NOI from Respondent, dated on or about September 8, 2005, the IDNR issued coverage under NPDES General Permit No. 1, Permit Authorization No. IA-10124-

9928 (hereafter “Permit”), to Respondent, effective September 9, 2005. Upon Respondent’s payment of renewal fees and submission of applications for renewal, the IDNR has extended the Permit to Respondent during several permit cycles, with the current Permit being effective from September 9, 2013, through September 9, 2016. The Permit governs stormwater discharges at the Facility associated with industrial activity, including facilities with the SIC Code of 2011.

25. Respondent has operated under the Permit at all times relevant to this Order. At all relevant times related to these proceedings, the provisions of the Permit applicable to Respondent have remained substantially the same.

26. On or about May 13, 2015, the EPA performed an Industrial Stormwater Compliance Evaluation Inspection (“Inspection”) of Respondent’s facility under the authority of Section 308(a) of the CWA, 33 U.S.C. § 1318(a), to evaluate Respondent’s compliance with its Permit and the CWA.

27. During the Inspection, the EPA inspector reviewed Respondent’s records related to the Permit and observed the facility and the receiving stream to which stormwater is discharged.

28. At the time of the Inspection, Respondent was unable to provide a copy of its SWPPP to the EPA inspector.

29. At or near the conclusion of the Inspection, the EPA inspector issued to Respondent a Notice of Potential Violation (“NOPV”) identifying issues that may be violations of Respondent’s Permit, including, but not limited to: SWPPP and associated maps not provided; visual inspection reports not provided; sampling data not provided for each stormwater outfall, improper erosion controls to reduce or minimize soil erosion, and potential unidentified outfalls.

30. On or about May 21, 2015, Respondent provided a response to the NOPV and provided copies of the Facility’s SWPPP and site map, certified by the Facility’s representative on August 1, 2011, copies of visual inspection reports, copies of sampling data for each stormwater outfall, and explained the flow path of a potential unidentified outfall noted in the NOPV.

### **EPA’s Specific Allegations**

#### **Count 1**

#### **Failure to Make SWPPP Available**

31. The allegations stated in Paragraphs 1 through 30 above are re-alleged and incorporated herein by reference.

32. Part III.C.2.A of Respondent’s Permit requires that the pollution prevention plan shall be retained onsite.

33. Part III.C.2.B of Respondent's Permit requires that the owner or operator of a facility with a stormwater discharge covered by the permit shall make plans available within three hours of being requested.

34. Respondent was unable to produce the SWPPP for the EPA's review on the day of the Inspection, May 13, 2015; a copy of the SWPPP was not provided by the Respondent to the EPA until May 21, 2015.

35. Respondent's failure to make the SWPPP available during the EPA Inspection is a violation of the terms and conditions of its Permit, and a violation of Sections 301(a) and 402(p) of the CWA, 33 U.S.C. §§ 1311(a) and 1342(p).

## **Count 2**

### **Failure to Develop an Adequate SWPPP and Failure to Amend SWPPP**

36. The allegations stated in Paragraphs 1 through 35 above are re-alleged and incorporated herein by reference.

37. Part III.C. of Respondent's Permit requires that a stormwater pollution prevention plan be developed for each facility covered by the Permit, and that the SWPPP shall: be prepared in accordance with good engineering practices; identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges associated with industrial activity from the facility; and describe and ensure the implementation of practices which will be used to reduce pollutants in stormwater discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit.

38. Part III.C.3. of Respondent's Permit requires that the SWPPP shall be amended whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential to discharge pollutants, or if the SWPPP proves to be ineffective in achieving the general objectives of controlling pollutants in stormwater discharges associated with industrial activities.

39. Part I of Respondent's SWPPP provides an introduction and the regulatory requirements, Part II of the SWPPP provides a Site Description, Part III provides an inventory and description of areas, materials, and activities at the Facility with the potential to contribute significant amounts of pollutants to stormwater. Part IV of the SWPPP provides suggested and recommended best management practices ("BMPs") for the Facility. Part IV of the SWPPP also states that "Facility staff should continue to evaluate the site on a yearly basis for potential improvements." Part V of the SWPPP provides Monitoring Requirements, Part VI of the SWPPP provides Compliance and Reporting Requirements, Part VIII provides SWPPP Certifications, Appendix A of the SWPPP is the Facility Site Map, and Appendix B of the SWPPP provides a copy of the NPDES Permit.

40. Based on observations and information collected during the EPA Inspection, Respondent's SWPPP failed to meet the following conditions of the NPDES permit:

- a. Respondent's SWPPP failed to identify all outfalls, their drainage areas, and each existing structural control measure serving the Facility, including, but not limited to the unmarked outfall location north of West Street and immediately south of the eastern cell of the former City of Postville Wastewater lagoon system and the unmarked outfall location serving the southeast corner of the Site that is labeled on the Site Map as, "runoff exits this site by overland flow."
- b. Respondent's SWPPP failed to identify and require best management practices for areas with a high potential for soil erosion, including gully formations throughout the facility, an area where recent construction activities occurred near the western perimeter of the Facility buildings, and the discharge of sediment onto neighboring property from the unmarked outfall near the southeast corner of the Facility.
- c. Respondent's SWPPP failed to properly identify all outdoor storage of materials with the potential to discharge pollutants.
- d. Respondent's SWPPP failed to properly identify the chemical inventory and/or chemical waste materials and their locations.
- e. Respondent failed to amend the SWPPP after there was a change in design, construction, operation or maintenance at the facility that had an impact on the potential to discharge pollutants or when controls were determined to be ineffective including: the addition of the trailer parking area, and the addition of the paint booth and maintenance building located near the northwest corner of the Facility.
- f. Respondent's SWPPP failed to identify and implement best management practices for non-stormwater discharges including: discharge from the Facility truck wash building, uncovered trash dumpsters, steam condensate, and unknown discharges from roof drains.
- g. Respondent's SWPPP failed to develop a plan to provide training for personnel at all levels of responsibility of the components and goals of the stormwater pollution prevention plan.

41. Respondent's failure from at least August 1, 2011 through May 2015 to develop an adequate SWPPP, failure to properly amend the SWPPP to accurately reflect changes to the Facility, and failure to require adequate best management practices for controlling pollutants in stormwater discharges associated with industrial activity are violations of the terms and conditions of its Permit, and as such, are violations of Section 301(a), 33 U.S.C. § 1311(a), and the permit issued pursuant to Section 402(p) of the CWA, 33 U.S.C. § 1342(p).

### **Count 3**

#### **Failure to Conduct Employee Training**

42. The allegations stated in Paragraphs 1 through 41 above are re-alleged and incorporated herein by reference.

43. Part III.C.4.B.(8) of Respondent's Permit requires that employee training programs shall inform all personnel at all levels of responsibility of the components and goals of the SWPPP. The Permit requires that the SWPPP identify periodic dates for such training.

44. Part IV of Respondent's SWPPP states that "All appropriate employees whose job could impact stormwater pollution prevention will be trained on all aspects of the Storm Water Pollution Prevention Plan on an annual or as needed basis."

45. Respondent failed to produce documentation of employee training for calendar years 2012 and 2014 in violation of the Permit.

46. Respondent's failure to conduct employee SWPPP training for Facility employees is a violation of the terms and conditions of its Permit, and is a violation of Sections 301(a) and 402(p) of the CWA, 33 U.S.C. §§ 1311(a) and 1342(p).

### **Count 4**

#### **Non-Stormwater Pollutants**

47. The allegations stated in Paragraphs 1 through 46 above are re-alleged and incorporated herein by reference.

48. Part III.A. of Respondent's Permit states that, "[a]ll discharges covered by this permit shall be composed entirely of storm water."

49. Part III.C.4.H. of Respondent's Permit states that, "the plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-stormwater component(s) of the discharge."

50. The EPA Inspection documented potential sources of uncontrolled non-stormwater pollutants throughout the Facility, including, but not limited to:

- a. discharge of process wastewater from the Truck wash located south of the railroad tracks and west of Outfall #2;
- b. discharge of leachate or fluids from uncovered dumpsters;

- c. discharge of unknown substances from one or more roof drains located on the production building;
- d. spilled paint in multiple locations near stormwater inlets;
- e. concrete washout near the unmarked outfall near the northeast corner of the site; and
- f. exposed drums and containers with unknown substances comingled with stormwater near Outfall 001 outside of any secondary containment structure.

51. The failure to account for and implement best management practices to control the sources of non-stormwater pollutants, as observed and documented by the EPA's Inspection, are violations of the terms and conditions its Permit, and are violations of Section 301(a) and 402(p) of the CWA, 33 U.S.C. § 1311(a) and 33 U.S.C. § 1342(p).

### **Count 5**

#### **Failure to Follow Proper Sampling Procedures**

52. The allegations stated in Paragraphs 1 through 51 above are re-alleged and incorporated herein by reference.

53. Part V of Respondent's permit provides Monitoring and Reporting Requirements and requires that such samples are collected and analyzed in accordance with 40 C.F.R. Part 136. Part V B.8.A of the NPDES permit lists the sampling parameters for Animal Handling/Meat Packing facilities.

54. Part VI of Respondent's SWPPP lists Compliance and Reporting Requirements for Annual Storm Water Sampling at the three previously identified outfall locations, including sampling parameters and frequency.

55. The EPA inspection determined that Respondent failed to analyze the samples for hydrogen ion activity (pH) and fecal coliform for calendar years 2012, 2013 and 2014, and for biochemical oxygen for calendar year 2012 within the allowable holding time required by applicable provisions of 40 C.F.R. Part 136.

56. Respondent's failure to follow proper sampling and analysis procedures in accordance with 40 C.F.R. Part 136 is a violation of the terms and conditions of its Permit, and is a violation of Sections 301(a) and 402(p) of the CWA, 33 U.S.C. §§ 1311(a) and 1342(p), and implementing regulations.



**Reasonable Time to Achieve Compliance**

57. Pursuant to Section 309(a)(5)(A) of the CWA, 33 U.S.C. § 1319(a)(5)(A), and having taken into account the seriousness of the violations, the EPA finds that forty-five (45) days is a reasonable time for Respondent to comply with the terms and conditions of its NPDES Permit, IA-10124-9928.

**Order for Compliance**

58. Based on the Findings of Fact and Findings of Violation set forth above, and pursuant to Section 309(a)(3) of the CWA, 33 U.S.C. § 1319(a)(3), the EPA hereby ORDERS, and Respondent hereby CONSENTS to take, the actions described below.

59. Respondent shall immediately cease the discharge of all non-stormwater pollutants except as specifically authorized by its Permit.

60. By no later than September 15, 2016, Respondent shall submit a written report and proposed plan(s) to the EPA, with a copy to the IDNR, that includes the following elements and, where appropriate, a proposed schedule for implementation:

- a. Revised sampling procedures to ensure the procedures meet all applicable requirements of 40 C.F.R. Part 136 and General Permit No. 1;
- b. A policy and schedule for conducting, documenting and retaining copies of employee training in accordance with General Permit No. 1;
- c. A report with the results of a comprehensive stormwater and non-stormwater evaluation of the Facility to ensure all non-stormwater discharges are routed to the Facility's Wastewater Treatment Plant and prevented from discharging to stormwater outfalls;
- d. A description of all control measures installed and implemented, or planned, to prevent the discharge of non-stormwater pollutants and conduct proper operation and maintenance at the Facility as required by the Permit, based on the results of the comprehensive evaluation completed in accordance with Subparagraph c, above, including BMPs, structural controls and good housekeeping practices, and described in the newly developed SWPPP, and if any such measures cannot be completed by the submittal date, provide detailed schedule for installation of such additional control measures;
- e. A proposed compliance sampling plan, including an explanation of the stormwater events and rounds of sampling selected (e.g., multiple sampling events of 0.5" of greater rainfall), to evaluate discharges from each of the stormwater outfalls identified through the comprehensive evaluation completed in accordance with subparagraph c, above, and the effectiveness of

stormwater controls, for at least the following pollutants: Escherichia coli (E. coli), Fecal Coliform, total suspended solids (“TSS”), biological oxygen demand (“BOD”), pH, oil and grease, chemical oxygen demand (“COD”), total Kjeldahl nitrogen (“TKN”).

- f. A policy and/or methodology for evaluating any inspection and sampling data and incorporating any necessary changes into the SWPPP; and
- g. A proposed schedule to revise all components of the SWPPP to ensure the SWPPP is specific to the site conditions of the Facility, meets all applicable requirements of General Permit No.1, and takes into consideration information collected through the comprehensive evaluation and compliance sampling required by this Order.

61. The EPA will review the report and proposed plan submitted by the Respondent pursuant to Paragraph 60, and if appropriate, provide written comments and require modification and resubmission of a portion or all of such items pursuant to Paragraph 62, below. Review and comment on the Respondent’s submissions by the EPA does not relieve Respondents of the responsibility to comply with its Permit, the CWA, applicable State law, or this Order.

62. If required by the EPA pursuant to Paragraph 61, above, Respondent shall within 30 days of receipt of any written comments from the EPA, make modifications and changes as directed by the EPA, and resubmit such items to the EPA. Upon request, the EPA may grant, in writing, a longer period of time for resubmission of such documents.

63. Any decision by the EPA regarding a request for an extension of time pursuant to Paragraph 62, above, will be made in writing, and if granted, will set forth the new compliance date for the item(s) in question. The decision by the EPA regarding the extension shall not be subject to appeal; however, the EPA will not unreasonably withhold approval.

64. Respondent shall implement its plan submitted pursuant to Paragraph 60, in accordance with the schedule set forth therein, as may be modified following any comments from the EPA pursuant to Paragraphs 61 through 63.

### **Reporting**

65. By no later than January 15, 2017, July 15, 2017, and January 15, 2018, Respondent shall provide to the EPA, with a copy to IDNR, a report containing, at a minimum, the following information for the previous six (6) calendar months (i.e., July through December and January through June, as applicable):

- a. A copy of the report for each visual monitoring event, quarterly site inspection, annual comprehensive site evaluation, and results of sampling that has been conducted;

- b. A description of all employee training that has been conducted;
- c. A detailed description of all actions, structural controls and non-structural controls that have been implemented or that are planned to bring the Facility into full compliance with all conditions and limitations of the Permit, including any updates or amendments to the SWPPP; and
- d. Respondent's January 15, 2018, report should confirm that all requirements of this Order have been met and may petition the EPA for termination of this Order.

### Submissions

66. All submissions to the EPA pursuant to the requirements of this Order shall contain the following certification signed by an authorized official, as described at 40 C.F.R. § 122.22:

*I certify that Agri Star Meat & Poultry, LLC has complied with all the applicable requirements of the Order for Compliance. I also 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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted 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.*

67. All documents required to be submitted to the EPA by this Order, shall be submitted by mail to:

Lantz Tipton, or his successor  
Compliance Officer (WENF)  
Water Wetlands and Pesticides Division  
U.S. Environmental Protection Agency - Region 7  
11201 Renner Boulevard  
Lenexa, Kansas 66219.

68. A copy of documents required to be submitted to the IDNR by this Order, shall be submitted by mail to:

Ted Petersen, Supervisor  
IDNR Field Office #5  
7900 Hickman Rd. Suite 200  
Windsor Heights, Iowa 50324.

## **General Provisions**

### **Effect of Compliance with the Terms of this Order**

69. Compliance with the terms of this Order shall not relieve the Respondent of liability for, or preclude the EPA from, initiating an administrative or judicial enforcement action to recover penalties for any violations of the CWA, or to seek additional injunctive relief, pursuant to Section 309 of the CWA, 33 U.S.C. § 1319.

70. This Order does not constitute a waiver or a modification of any requirements of the CWA, 33 U.S.C. § 1251 *et seq.*, all of which remain in full force and effect. The EPA retains the right to seek any and all remedies available under Sections 309(b), (c), (d) or (g) of the CWA, 33 U.S.C. § 1319(b), (c), (d) or (g), for any violation cited in this Order. Issuance of this Order shall not be deemed an election by the EPA to forgo any civil or criminal action to seek penalties, fines, or other appropriate relief under the CWA for any violation whatsoever.

### **Access and Requests for Information**

71. Nothing in this Order shall limit the EPA's right to obtain access to, and/or to inspect the Respondent's facility, and/or to request additional information from the Respondent, pursuant to the authority of Section 308 of the CWA, 33 U.S.C. § 1318 and/or any other authority.

### **Severability**

72. If any provision or authority of this Order, or the application of this Order to the Respondent, is held by federal judicial authority to be invalid, the application to the Respondent of the remainder of this Order shall remain in full force and effect and shall not be affected by such a holding.

### **Effective Date**

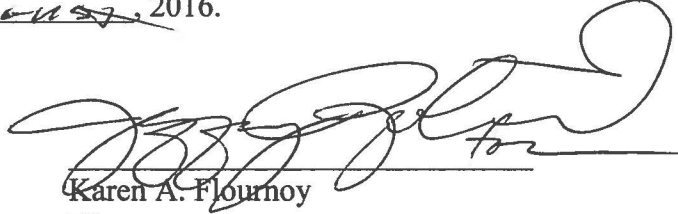
73. This Order shall be effective upon receipt by the Respondent of a fully executed copy hereof. All time periods herein shall be calculated therefrom unless otherwise provided in this Order.

### **Termination**


74. This Order shall remain in effect until a written notice of termination is issued by an authorized representative of the EPA. Provided that Respondent is otherwise in compliance with the terms of this Order, the EPA expects to issue the written notice of termination within thirty (60) days of receipt of the last report referenced in paragraph 65.

**For the Complainant, United States Environmental Protection Agency, Region 7:**

Issued this 22nd day of August, 2016.



Karen A. Flourney  
Director  
Water, Wetlands and Pesticides Division



Patricia Gillispie Miller  
Senior Counsel  
Office of Regional Counsel

**For the Respondent, Agri Star Meat & Poultry, LLC:**

David L. Van Kampen                      August 12, 2016  
Signature    Date

David L. Van Kampen  
Name

COO  
Title

CERTIFICATE OF SERVICE

I certify that on the date noted below I hand delivered the original and one true copy of this Findings of Violation and Administrative Order for Compliance on Consent to the Regional Docket Clerk, United States Environmental Protection Agency, 11201 Renner Blvd., Lenexa Kansas 66219.

I further certify that on the date noted below I sent a copy of the foregoing Order for Compliance on Consent by first class certified mail, return receipt requested, to:

Brent Beebe  
Director of Operations  
Agri Star Meat & Poultry, LLC  
220 N. West Street  
Postville, Iowa 52162;

and by first class mail to:

Ted Petersen, Supervisor  
IDNR Field Office #5  
502 East 9th Street  
Des Moines, Iowa 50319.

August 23, 2016  
Date

[Handwritten Signature]  
Signature