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

BEFORE THE ADMINISTRATOR

)

)

)

)

)

)

IN THE MATTER OF

Prairie Farms Dairy, Inc.,

Respondent

Proceedings under Section 309(g) of the Clean Water Act, 33 U.S.C. § 1319(g) Docket No. CWA-07-2019-0197

COMPLAINT AND CONSENT AGREEMENT/ FINAL ORDER

COMPLAINT

Jurisdiction

1. This is an administrative action for the assessment of civil penalties instituted pursuant to Section 309(g) of the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act ("CWA"), 33 U.S.C. § 1319(g), and in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination or Suspension of Permits ("Consolidated Rules"), 40 C.F.R. Part 22.

2. Complainant, the U.S. Environmental Protection Agency Region 7 ("EPA") and Respondent, Prairie Farms Dairy, Inc., ("Respondent"), have agreed to a settlement of this action before the filing of a complaint, and thus this action is simultaneously commenced and concluded pursuant to Rules 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules, 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3).

3. This Complaint and Consent Agreement/Final Order serves as notice that the EPA has reason to believe that the Respondent has violated Section 402 of the CWA, 33 U.S.C. § 1342, and regulations promulgated thereunder.

Parties

4. The authority to act under Section 309(g) of the CWA, 33 U.S.C. § 1319(g), is vested in the Administrator of the EPA. The Administrator has delegated this authority to the Regional Administrator, EPA Region 7, who in turn has delegated the authority under Section 309(g) to the Division Director of the Enforcement and Compliance Assurance Division of EPA Region 7 (collectively referred to as the "Complainant").

5. Prairie Farms Dairy, Inc., is and was at all relevant times a corporation under the laws of the State of Illinois and authorized to do business in Iowa.

Consent Agreement/Final Order In the Matter of Prairie Farms Dairy, Inc. EPA Docket No. CWA-07-2019-0197 Page 2 of 16

Statutory and Regulatory Framework

6. Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits discharge of pollutants from a point source into navigable waters of the United States, except in compliance with, *inter alia*, a permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342. Section 402 provides that pollutants may be discharged into navigable waters of the United States only in accordance with the terms of a National Pollutant Discharge Elimination System ("NPDES") permit issued pursuant to that section.

7. 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.

8. 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, 33 U.S.C. § 1342, and the implementing regulations.

9. The EPA retains concurrent enforcement authority with authorized state NPDES programs under Section 309 of the CWA, 33 U.S.C. § 1319.

EPA's General Allegations

10. Respondent is a "person," as defined by Section 502(5) of the CWA, 33 U.S.C. § 1362(5).

11. At all times relevant to this action, Respondent owned and operated the Swiss Valley Farms Wastewater Treatment Facility ("Facility") located at 11744 Edgewood Avenue, Monona, Iowa 52159.

12. Respondent's Facility discharges wastewater to Silver Creek.

13. Silver Creek is a "navigable waters" of the United States, as defined by Section 502(7) of the CWA, 33 U.S.C. § 1362(7).

14. Respondent's wastewater contains "pollutants" as defined by Section 502(6) of the CWA, 33 U.S.C. § 1362(6).

15. Respondent's Facility is a "point source" that "discharges pollutants" into "navigable waters" of the United States, as these terms are defined by Section 502 of the CWA, 33 U.S.C. § 1362.

16. On or about June 27, 2000, the IDNR granted NPDES permit number 2200100 and/or IA0003808 (hereafter "Permit") to the Respondent for discharges from the Facility to Silver Creek subject to compliance with conditions and limitations set forth in the Permit. The Permit expired on June 25, 2005, and was administratively extended pursuant to Chapter 567-64 of the

Iowa Administrative Code, until the IDNR amended the Permit on May 1, 2017. The amended Permit expires on May 31, 2019.

17. On April 9 through 12, 2018, the EPA performed a Compliance Sampling Inspection ("Inspection") under the authority of Section 308(a) of the CWA, 33 U.S.C. § 1318(a), to determine the Facility's compliance with the Permit.

18. During the Inspection, the EPA inspector interviewed Facility personnel, reviewed and obtained copies of documents, including Monthly Operating Reports and sampling and analysis records.

19. At the conclusion of the Inspection, the EPA inspector issued a Notice of Potential Violation ("NOPV") to Respondent identifying potential deficiencies and violations of the Permit noted by the inspector.

20. By written communications dated April 24, 2018, Respondent submitted a response to the EPA's NOPV, including information on actions Respondent had taken to correct deficiencies and violations identified in the NOPV.

21. The EPA mailed a copy of the report of the Inspection to Respondent and the IDNR on or about June 18, 2018.

EPA's Allegations of Violation

22. The facts stated above are re-alleged and incorporated herein by reference.

23. Based on review of information and documentation obtained during the Inspection and other relevant information, the EPA alleges that Respondent violated the conditions and limitations of its Permit, including but not limited to the following:

- a. Outfall 001 Effluent Limitations
 - i. Respondent violated the 30-day average effluent concentration limitations set forth in the Permit for discharges from Outfall 001 for five-day Biochemical Oxygen Demand ("BOD₅") for at least 13 months and the daily effluent concentration limit at least 1 month between January 2016 and the present;
 - ii. Respondent violated the 30-day average effluent concentration limitations set forth in the Permit for discharges from Outfall 001 for Total Suspended Solids ("TSS") for at least 3 months between January 2016 through the present;
 - iii. Respondent violated the 30-day average effluent concentration limitations set forth in the Permit for discharges from Outfall 001 for Ammonia Nitrogen for at least 7 months and the daily effluent concentration at least 2 months between January 2016 through the present; and

Consent Agreement/Final Order In the Matter of Prairie Farms Dairy, Inc. EPA Docket No. CWA-07-2019-0197 Page 4 of 16

- iv. Respondent violated the 30-day average effluent concentration limitations set forth in the Permit for discharges from Outfall 001 for e. coli for at least 2 months between January 2016 through the present.
- b. <u>Sampling and Reporting Requirements</u>: Respondent failed report to IDNR sampling results for e. coli for at least 7 months, as required by the Permit, Monitoring and Reporting Requirement.

24. Respondent's alleged violation of the terms and conditions of NPDES Permit No. IA2200100, if proven, are violations of Section 402 of the CWA, 33 U.S.C. § 1342.

25. As alleged above, and pursuant to Section 309(g)(2)(B) of the CWA, 33 U.S.C. § 1319(g)(2)(B), as adjusted pursuant to 40 C.F.R. § 19.4, Respondent is liable for civil penalties of up to \$21,933 per day for each day during which the violation continues, not to exceed a maximum of \$274,159.

CONSENT AGREEMENT

26. Respondent and the EPA agree to the terms of this Consent Agreement/Final Order.

27. Respondent admits the jurisdictional allegations of this Complaint and Consent Agreement/Final Order and agrees not to contest the EPA's jurisdiction in this proceeding or any subsequent proceeding to enforce the terms of this Consent Agreement/Final Order.

28. Respondent neither admits nor denies the factual allegations and legal conclusions asserted by the EPA in this Complaint and Consent Agreement/Final Order.

29. Respondent waives its right to a hearing under Section 309(g)(2)(B) of the CWA, 33 U.S.C. § 1319(g)(2)(B), to appeal any Final Order in this matter under Section 309(g)(8)(B), 33 U.S.C. § 1319(g)(8)(B), and consents to the issuance of this Final Order without further adjudication.

30. Respondent and Complainant agree to conciliate the matters set forth in this Consent Agreement/Final Order without the necessity of a formal hearing and agree to bear their own costs and attorney's fees incurred as a result of this action.

31. The undersigned representative(s) of Respondent certifies that he or she is fully authorized to enter the terms and conditions of this Consent Agreement/Final Order and to execute and legally bind Respondent to it.

32. Respondent certifies by the signing of this Consent Agreement/Final Order that to the best of its knowledge, Respondent is in compliance with its NPDES Permit, Section 402 of the CWA, 33 U.S.C. § 1342, and applicable regulations.

33. Respondent understands and agrees that this Consent Agreement/Final Order shall apply to and be binding upon Respondent and Respondent's agents, successors and/or assigns.

Consent Agreement/Final Order In the Matter of Prairie Farms Dairy, Inc. EPA Docket No. CWA-07-2019-0197 Page 5 of 16

Respondent shall ensure that all contractors, employees, consultants, firms or other persons or entities acting for Respondent with respect to matters included herein comply with the terms of this Consent Agreement/Final Order.

Supplemental Environmental Project

34. Respondent agrees to undertake the Supplemental Environmental Project ("SEP"), as described in detail in Appendix A to this CA/FO.

35. Respondent shall complete the SEP Plan within ten (10) months of the effective date of this CA/FO.

36. Respondent shall notify EPA in writing within fourteen (14) days after the completion of the SEP. Within sixty (60) days after the completion of the SEP, Respondent shall submit to EPA a SEP Completion Report that shall include, but not be limited to, the following:

- a. A description of the activities that Respondent completed in its implementation of the Final SEP Plan.
- b. A signed and notarized certification that none of the expenses incurred in implementation of the SEP was funded in any part by a federal grant or other form of federal financial assistance.
- c. An itemized list of the expenses incurred per project in performance of the SEP.

37. Respondent agrees that failure to submit, or failure to timely submit, the Completion Report required by Paragraph 36, above, shall be deemed a violation of this Consent Agreement and Order and Respondent shall become liable for stipulated penalties pursuant to Paragraph 38, below.

38. Stipulated Penalties for failure to timely submit and/or complete SEP requirements and/or failure to spend agreed-on amount:

- a. In the event that Respondent fails to comply with any of the terms or provisions of this Agreement relating to the performance of the SEP described in Attachment A, and/or to the extent that the actual expenditures for the SEP do not equal or exceed the SEP Cost described in Attachment A, Respondent shall be liable for stipulated penalties according to the provisions set forth below:
 - Except as provided below, for a SEP which has not been completed satisfactorily pursuant to this Consent Agreement and Order, Respondent shall pay a stipulated penalty to the United States in the amount of \$75,000.

Consent Agreement/Final Order In the Matter of Prairie Farms Dairy, Inc. EPA Docket No. CWA-07-2019-0197 Page 6 of 16

- (ii) If the SEP is completed in accordance with Attachment A, but the Respondent spent at least 50 percent, but less than 70 percent, of the amount of money required to be spent for the project, Respondent shall pay a stipulated penalty to the United States in the amount of \$22,500.
- (iii) Respondent shall not be liable for stipulated penalties if:
 - (a) the SEP is not completed in accordance with Attachment A, but the Complainant determines that the Respondent: (1) made good faith and timely efforts to complete the project; and (2) certifies, with supporting documentation, that at least 70 percent of the amount of money which was required to be spent was expended on the SEP; or
 - (b) the SEP is completed in accordance with Attachment A, and the Respondent spent at least 70 percent of the amount of money required to be spent for the project.
- (iv) Respondent shall pay a stipulated penalty in the amount of \$150 for each day it fails to submit the SEP Completion Report specified in Paragraph 36 after the report was originally due, and until the report is submitted.
- b. The determinations of whether the SEP has been satisfactorily completed and whether the Respondent has made a good faith, timely effort to implement the SEP shall be in the sole discretion of EPA.

39. Payment of the stipulated penalties shall be due and payable within 30 (3) days of Respondent's receipt of notice from EPA. Respondent's failure to pay any portion of the penalty assessed herein in accordance with the provisions of this CA/FO may result in commencement of a civil action in Federal District Court to recover the total penalty required by the terms of the CA/FO, together with interest thereon at the applicable statutory rate. Payment of the stipulated penalties shall be by check, cashier's, or certified check made payable to the "United States Treasury" and shall be remitted to:

U.S. Environmental Protection Agency Fines and Penalties Cincinnati Finance Center P.O. Box 979077 St. Louis, Missouri 63197-9000.

The check shall note the case title and the docket number. A copy of the check shall be sent to Melissa Bagley, Assistant Regional Counsel, U.S. Environmental Protection Agency, Region 7, 11201 Renner Boulevard, Lenexa, Kansas 66219.

40. Respondent hereby certifies that, as of the date of this Consent Agreement and Final Order, Respondent is not required to perform or develop the SEP, as described in detail in

Appendix A attached to this CA/FO, by any federal, state or local law or regulation; nor is Respondent required to perform or develop the SEP by agreement, grant, or as injunctive relief in any other enforcement action or in compliance with state or local requirements. Respondent further certifies that Respondent has not received, and is not presently negotiating to receive, credit against a penalty amount in any other enforcement action for the SEP.

41. EPA and its authorized representatives shall have access to the property Respondent owns that is the location of the SEP at all reasonable times to monitor Respondent's implementation of the SEP. Respondent shall use its best efforts to obtain for EPA access to property not owned by Respondent that is the location of a SEP at all reasonable times to monitor Respondent's implementation of the SEP. Best efforts shall include payment of reasonable costs to obtain access. Nothing herein shall be construed to limit EPA's access authority under the CWA or any other law.

42. Respondent further certifies that it is not a party to any open federal financial assistance transaction that is funding or could be used to fund the same activity as the SEP. Respondent further certifies that, to the best of its knowledge and belief after reasonable inquiry, there is no such open federal financial transaction that is funding or could be used to fund the same activity as the SEP, nor has the same activity been described in an unsuccessful federal financial assistance transaction proposal submitted to the EPA within two years of the date of this settlement (unless the project was barred from funding as statutorily ineligible). For the purposes of this certification, the term "open federal financial assistance transaction" refers to a grant, cooperative agreement, loan, federally-guaranteed loan guarantee or other mechanism for providing federal financial assistance whose performance period has not yet expired.

43. Any public statement, oral or written, in print, film or other media, made by Respondent making reference to the SEP shall include the following language: *"This project was undertaken in connection with the settlement of an enforcement action taken by the United States Environmental Protection Agency."*

Penalty Payment

44. Respondent agrees that, in settlement of the claims alleged in this Consent Agreement/Final Order, Respondent shall pay a mitigated civil penalty of **Forty-Five Thousand Five Hundred Dollars (\$45,500)** pursuant to the authority of Section 309(g) of the CWA, 33 U.S.C. § 1319(g), to be paid in full no later than thirty (30) days after the effective date of this Consent Agreement/Final Order as set forth below.

45. The payment of penalties must reference docket number "CWA-07-2019-0197" and be remitted using one of the payment methods specified in Appendix B to this CA/FO.

46. Copies of the checks or verification of another payment method for the penalty payments remitted as directed by above, shall be mailed to:

Regional Hearing Clerk U.S. Environmental Protection Agency - Region 7

Consent Agreement/Final Order In the Matter of Prairie Farms Dairy, Inc. EPA Docket No. CWA-07-2019-0197 Page 8 of 16

11201 Renner Boulevard Lenexa, Kansas 66219

and

Melissa Bagley Senior Counsel U.S. Environmental Protection Agency - Region 7 11201 Renner Boulevard Lenexa, Kansas 66219.

47. Respondent agrees that no portion of the civil penalty or interest paid by Respondent pursuant to the requirements of this Consent Agreement/Final Order shall be claimed by Respondent as a deduction for federal, state, or local income tax purposes.

48. Respondent understands that, pursuant to 40 C.F.R. § 13.18, interest on any late payment will be assessed at the annual interest rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717. The interest will be assessed on any overdue amount from the due date through the date of payment. Failure to pay the civil penalty when due may result in the commencement of a civil action in Federal District Court to collect said penalty, together with costs or interest.

Effect of Settlement and Reservation of Rights

49. Respondent's payment of the entire civil penalty pursuant to this Consent Agreement/Final Order resolves all civil and administrative claims pursuant to Section 309 of the CWA, 33 U.S.C. § 1319, for alleged violations identified in this Complaint and Consent Agreement/Final Order. Complainant reserves the right to take any enforcement action with respect to any other violations of the CWA or any other applicable law.

50. The effect of settlement described above is conditional upon the accuracy of the Respondent's representations to the EPA.

51. Nothing contained in this Consent Agreement/Final Order shall alter or otherwise affect Respondent's obligation to comply with all applicable federal, state and local environmental statutes and regulations and applicable permits.

52. Notwithstanding any other provision of this Consent Agreement/Final Order, the EPA reserves the right to enforce the terms of this Consent Agreement/Final Order by initiating a judicial or administrative action pursuant to Section 309 of the CWA, 33 U.S.C. § 1319, and to seek penalties against Respondent or to seek any other remedy allowed by law.

53. With respect to matters not addressed in this Consent Agreement/Final Order, the EPA reserves the right to take any enforcement action pursuant to the CWA and its implementing regulations, or any other available legal authority, including without limitation, the right to seek injunctive relief, penalties and damages.

Consent Agreement/Final Order In the Matter of Prairie Farms Dairy, Inc. EPA Docket No. CWA-07-2019-0197 Page 9 of 16

General Provisions

54. The Parties acknowledge that this Consent Agreement/Final Order is subject to the public notice and comment required pursuant to Section 309(g)(4) of the CWA, 33 U.S.C. § 1319(g)(4), and 40 C.F.R. § 22.45.

55. Pursuant to 40 C.F.R. § 22.31(b), this Consent Agreement/Final Order shall be effective after entry by the authorized Regional official and upon filing with the Regional Hearing Clerk U.S. Environmental Protection Agency - Region 7, 11201 Renner Boulevard, Lenexa, Kansas 66219. All time periods herein shall be calculated therefrom in calendar days unless otherwise provided in this Consent Agreement/Final Order.

56. The State of Iowa has been provided an opportunity to consult with Complainant regarding this matter in accordance with the requirements of 40 C.F.R. § 22.38(b) and Section 309(g)(1) of the CWA, 33 U.S.C. § 1319(g)(1).

57. The headings in this Consent Agreement/Final Order are for convenience of reference only and shall not affect interpretation of this Consent Agreement/Final Order.

58. Respondent and Complainant agree that this Consent Agreement/Final Order may be signed in part and counterpart.

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

Date

DeAndre Singletary Division Director Enforcement & Compliance Assurance Division

Melissa A.C. Bagley Office of Regional Counsel

Consent Agreement/Final Order In the Matter of Prairie Farms Dairy, Inc. EPA Docket No. CWA-07-2019-0197 Page 10 of 16

For the Respondent, Prairie Farms Dairy, Inc:

5-22-1

Raymond Downes General Manager, Luana Plant

Date

Consent Agreement/Final Order In the Matter of Prairie Farms Dairy, Inc. EPA Docket No. CWA-07-2019-0197 Page 11 of 16

FINAL ORDER

Pursuant to Section 309(g) of the CWA, 33 U.S.C. § 1319(g), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination or Suspension of Permits, 40 C.F.R. Part 22, the foregoing Consent Agreement resolving this matter is hereby ratified and incorporated by reference into this Final Order.

The Respondent is ORDERED to comply with all of the terms of the Consent Agreement. In accordance with 40 C.F.R. § 22.31(b), the effective date of the foregoing Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

IT IS SO ORDERED.

Date

Regional Judicial Officer

Consent Agreement/Final Order In the Matter of Prairie Farms Dairy, Inc. EPA Docket No. CWA-07-2019-0197 Page 12 of 16

CERTIFICATE OF SERVICE

I certify a true and correct copy of the Complaint and Consent Agreement/Final Order was sent this day in the following manner to the addressees:

Copy by First Class Mail to Respondent:

Raymond Downes General Manager, Luana Plant Prairie Farms Dairy, Inc. 11744 Edgewood Avenue Monona, Iowa 52159

Copy emailed to Attorney for Respondent:

Ryan R. Kemper, Partner Thompson Coburn, LLP rkemper@thompsoncoburn.com

Copy emailed to Attorney for Complainant:

Melissa Bagley U.S. Environmental Protection Agency - Region 7 bagley.melissa@epa.gov

Copy by First Class Mail to the Iowa Department of Environmental Quality:

Jeff Vansteenburg, Supervisor IDNR Field Office No. 2 2300 15th St. SW Mason City, Iowa 50401

Ted Petersen, Supervisor IDNR Field Office No. 5 7900 Hickman Rd., Suite 200 Windsor Heights, IA 50324-4404

> Lisa Haugen Hearing Clerk, Region 7

Date

Consent Agreement/Final Order In the Matter of Prairie Farms Dairy, Inc. EPA Docket No. CWA-07-2019-0197 Page 13 of 16

APPENDIX A SUPPLEMENTAL ENVIORNMENTAL PROJECT DESCRIPTION

Background

Prairie Farms Dairy, Inc. owns and operates the Swiss Valley Farms-Luana Cheese Plant Wastewater Treatment Facility located at 11744 Edgewood Avenue, Monona, Iowa. The Luana Plant has a long history of producing several varieties of cheese. The cheese-making process entails the use of a substantial amount of water and the production of wastewater, and due to its rural location, the Luana Plant is a direct-discharger of wastewater pursuant to Iowa Department of Natural Resources NPDES permit numbered 2200100 (EPA Number IA00003808).

Prairie Farms has identified a Supplemental Environmental Project ("SEP") that will optimize and improve the overall operation of the wastewater treatment facility. This project is expected to significantly reduce the overall level of pollutants being discharged. It is expected that improved monitoring, managing, and prevention will reduce the BOD, TSS and e-coli to levels further below permit limits.

The SEP in general will require a suite of technology upgrades and automation that includes: 1) laboratory upgrades, 2) the installation of a new central control panel and new wastewater monitors, 3) mechanical upgrades to account for the new level of technological control, and 4) the addition of software and programming to complete the automation of certain aspects of the system.

Supplemental Environmental Project

Prairie Farms will install at its Luana Plant technology upgrades, laboratory analytical upgrades, and automation at a total cost of a minimum of **\$150,000**.

To upgrade its analytical technology at the Luana Plant, Prairie Farms will install a new digital microscope and biochemistry analyzer for its laboratory. These instruments will allow operators to better monitor the plant's biological treatment processes by making analyses faster and more precise. This will increase the operators' ability to respond quickly to issues before they become problems. The overall cost of the new microscope and analyzer is approximately \$4,000.00.

Prairie Farms will automate the Luana Plant by installing a computerized chemical addition/control process and by adding additional monitoring equipment with interconnectivity such that operators have a better real-time understanding of the treatment process from a central control point. Specifically, Prairie Farms will install at the Luana Plant a new wastewater control panel, new wastewater disolved oxygen meters, new turbidity meters, new Dissolved Air Floatation (DAF) feed flow meters, new returned activated sludge (RAS) flow meters, new polymer tank sensors, and will also install a real-time digital analyzer to measure Total Organic Carbon and Phosphorus levels.

The addition of this new level of data collection and automation also necessitates several mechanical changes, including but not limited to the installation of new electronic DAF feed

Consent Agreement/Final Order In the Matter of Prairie Farms Dairy, Inc. EPA Docket No. CWA-07-2019-0197 Page 14 of 16

valve actuators, new wastewater control valve actuators, new moving bed biofilm reactor (MBBR) feed control valves, and new electronic RAS feed control valves. These changes will allow operators to physically manipulate the flow in the system from the control area using the data being generated by the new meters and analyzers described above. The system will also ensure that chemical treatment is added in consistent ratios based on flow conditions and other wastewater parameters. Currently, chemicals are introduced into the system manually, leading to periods of inconsistency (overtreatment/undertreatment). The system will also be programmed to account for variations in the TOC and Phosphorus and will assist operators in controlling those factors with chemical treatments or operational changes. The final piece of the technological upgrade is the actual programming required to automate parts of the system. This process involves programming the system to control flow between various parts of the system (e.g., from the EQ tank to the MBBR) to develop more consistent treatment.

Overall, Prairie Farms expects an 85% pollution reduction from current levels of discharge.

Supplemental Environmental Project Location

The location of this project will be at the Swiss Valley Farms-Luana Cheese Plant Wastewater Treatment Facility located at 11744 Edgewood Avenue, Monona, Iowa.

Total Supplemental Environmental Project Cost

Prairie Farms will spend a minimum of **\$150,000.00** for the Supplemental Environmental Project as described above.

Schedule for Implementation of the Supplemental Environmental Project

Prairie Farms will complete this SEP within Ten (10) Months of the effective date of this Order. Completion includes startup, shakeout, and optimization of all installed technology.

Consent Agreement/Final Order In the Matter of Prairie Farms Dairy, Inc. EPA Docket No. CWA-07-2019-0197 Page 15 of 16

APPENDIX B PENALTY PAYMENT INFORMATION

CHECK PAYMENTS:

US Environmental Protection Agency Fines and Penalties - CFC PO Box 979077 St. Louis, MO 63197-9000

WIRE TRANSFERS:

Wire transfers should be directed to the Federal Reserve Bank of New York

Federal Reserve Bank of New York ABA = 021030004 Account = 68010727 SWIFT address = FRNYUS33 33 Liberty Street New York NY 10045 Field Tag 4200 of the Fedwire message should read "D 68010727 Environmental Protection Agency"

OVERNIGHT MAIL:

U.S. Bank 1005 Convention Plaza Mail Station SL-MO-C2GL ATTN Box 979077 St. Louis, MO 63101 Contact: Natalie Pearson 314-418-4087

ACH (also known as REX or remittance express):

Automated Clearinghouse (ACH) for receiving US currency

PNC Bank 808 17th Street, NW Washington, DC 20074 Contact: Jesse White 301-887-6548 ABA = 051036706 Transaction Code 22 - checking Environmental Protection Agency Account 310006 CTX Format

ON LINE PAYMENT:

There is now an On Line Payment Option, available through the Dept. of Treasury. This payment option can be accessed from the information below:

WWW.PAY.GOV Enter "SFO 1.1" in the search field

Consent Agreement/Final Order In the Matter of Prairie Farms Dairy, Inc. EPA Docket No. CWA-07-2019-0197 Page 16 of 16

Open form and complete required fields.