



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue  
Seattle, Washington 98101**

Reply To  
Attn. Of: OWW-130

**Finding of No Significant Impact (FONSI)**

To all interested government agencies,  
public groups, and individuals:

In accordance with the Environmental Protection Agency (EPA) procedures for complying with the National Environmental Policy Act (NEPA), 40 CFR Part 6, Subpart F, EPA has completed an environmental review of the following proposed action:

**Issuance of a New Source  
National Pollutant Discharge Elimination System (NPDES) Permit  
to Sorrento Lactalis, Inc.**

**Nampa, Idaho**

**EPA Role and Responsibility:**

Because the surface water discharge is subject to the New Source Performance Standards in 40 CFR Part 405, the permit is subject to National Environmental Policy Act (NEPA) review as required under EPA's implementing NEPA regulations at 40 CFR Part 6.

**Background Synopsis:**

Sorrento Lactalis, Inc. intends to construct a new wastewater treatment facility at their Nampa, Idaho facility. The proposed plant would be capable of handling all of the process wastewater from the cheese production plant. Treated effluent would be discharged to the Purdam Drain. Treated effluent will meet water quality standards. There will be no net increase in phosphorous and a de minimis (less than 0.1%) increase of total suspended solids discharge to surface water. Domestic wastewater will not be treated at the proposed plant. Domestic wastewater will continue to be treated via the existing sanitary leach field system.

**Purpose and Need of Action:**

The purpose of the proposed action is to issue an NPDES permit in response to an application from Sorrento Lactalis, Inc. The proposed wastewater treatment plant for Sorrento Lactalis, Inc. would provide an effective, reliable method for treatment of the cheese production process wastewater. The existing wastewater disposal system consists of storing process

wastewater in onsite lagoons and hauling the waste to be land spread on fields located approximately 40 miles from the plant site. This application poses a potential for groundwater and or surface water contamination. Therefore, the proposed plant is needed to reduce the potential for contamination.

An Environmental Assessment (EA) was developed for EPA's proposed action. The scope of the analyses in the attached EA pertains directly to the proposed issuance of the NPDES permit and the reasonable alternatives. The affected environment described in the EA includes surface water quality, groundwater quality, energy requirements, geology and soils, wetlands, noise, surface disturbance, stream characteristics, wildlife, socioeconomics, land use, cultural resources, and visual aesthetics.

### **Preferred Agency Alternative and Environmentally Preferred Alternative:**

EPA's Preferred Alternative involves the approval of Sorrento Lactalis, Inc.'s request for an NPDES permit. The proposed project consists of abandoning the existing lagoons and discontinuing the use of land application of raw, untreated process wastewater. A new wastewater treatment plant (WWTP) will be constructed to provide effluent quality suitable for discharge to surface waters. The attached EA provides a detailed description of the wastewater treatment process.

The proposed WWTP is designed for an average flow of 500,000 gallons per day (gpd), which includes a 10% allowance for production growth. Increases beyond this amount are not anticipated for the next 10 years. The proposed plant will use approximately three acres of land currently owned by Sorrento Lactalis, Inc. This land area is adequate to allow for a 25% increase in capacity beyond current design criteria. The proposed facilities are designed to allow for a 25% increase in capacity through the addition of another aeration blower and by increasing the mixed liquor concentration in the aeration basins, without the need for additional tanks or basins.

The construction of an onsite wastewater treatment facility for the Sorrento Lactalis, Inc. cheese plant will provide a safe, reliable method for wastewater treatment. The plant will be designed and operated to meet effluent limits. There will be no net increase of phosphorus or bacteria and a de minimis increase of sediment from the treatment plant discharge.

The following effluent limits are proposed in the draft NPDES permit:

- BOD            10 mg/l monthly average, 20 mg/l daily max
- TSS            13 mg/l monthly average, 25 mg/l daily max
- Phosphorus    70 µg/l monthly average, 140 µg/l daily max <sup>1</sup>

A Total Maximum Daily Load (TMDL) has been completed for the Lower Boise River. Purdam Drain, which flows into Mason Creek, is a tributary to the Lower Boise River. Reductions in phosphorus, sediment, and bacteria are required of Mason Creek. No net increase of phosphorus,

---

<sup>1</sup>The permit contains a schedule of compliance for this effluent limit. The interim limit is 0.48 mg/l and 0.96 mg/l daily max.

sediment or bacteria can result from the discharge of effluent from the Sorrento Lactalis wastewater treatment facility. While the proposed permit does authorize a discharge of sediment, the increase in sediment loading to the Boise River will be less than 0.1% under critical conditions, and the concentration of sediment in the discharge will be less than that targeted for the Boise River in the TMDL.

**No Action Alternative:**

The No Action Alternative would be to continue operating the existing lagoon and land spreading system for all process wastewater generated from the cheese manufacturing facility. All process wastewater from cheese making and whey drying currently flows by gravity to a lift station where it is pumped to two earthen, unlined lagoons. From the lagoons, the wastewater is pumped to tankers and is hauled to land spreading sites, approximately 40 miles southwest of Nampa by a private contractor.

There are many environmental concerns with the existing wastewater disposal system:

- The existing lagoons are unlined and the potential for groundwater contamination exists. Groundwater is within 3 to 5-feet of the ground surface.
- The existing lagoon embankment is not protected with riprap; therefore the potential for dike failure and surface water contamination exists. Untreated wastewater could potentially spill from the lagoons and flow to the Rachel Drain.
- Odor potential is high by continuing to use the existing lagoons. There is also odor potential when land spreading the wastewater. During the summer there have been periodic complaints from residents in the vicinity of the cheese plant and in the vicinity of the land spreading areas.
- The existing storage lagoons are inadequate for long term use because they are unlined and the embankments are unprotected.
- During transportation of the wastewater to the land application site a vehicular accident could cause a release of wastewater to surface water and/or groundwater.

**Other Action Alternative Considered:**

***Groundwater Discharge Via Deep Well Injection.*** The possibility of discharging 500,000 gpd of treated effluent to groundwater via deep well injection was evaluated. Based on available information, this method of discharging treated industrial wastewater to groundwater has not been utilized in the State of Idaho. Significant regulatory and public perception issues would have to be overcome. Additionally, treated wastewater effluent quality may need to be equivalent to drinking water standards. This would require a reverse osmosis treatment system, which is extremely costly and uses large amounts of energy for operation. For these reasons, this alternative was not considered in great detail.

***Discharge Pretreated Wastewater to Municipal Wastewater Treatment Facilities.*** This alternative would include pretreating the Sorrento Lactalis process wastewater and discharging the pretreated effluent to the City of Nampa wastewater treatment facility for final treatment. Effluent from the pretreatment plant would be equivalent to domestic strength wastewater. Sludge from the pretreatment process would either be treated at the Nampa Wastewater Plant or land applied in accordance with Idaho Department of Environmental Quality (IDEQ) regulations.

This option was evaluated in cooperation with the City of Nampa. However, it was determined that pretreatment is not cost effective.

***Discharge Treated Effluent Via Irrigation.*** This alternative would consist of constructing a wastewater treatment plant at the Sorrento Lactalis site. Treated wastewater would be land applied via spray irrigation systems. The spray irrigation systems would be located on fields close to the Sorrento Lactalis plant. Treated effluent would be conveyed to the fields through an underground force main system. Storage tanks would be required to hold treated wastewater during periods of wet or cold weather when the spray irrigation system could not be used. Appropriate permits for land application of wastewater would be required from IDEQ.

The Sorrento Lactalis plant is located in an area that is rapidly developing with residential subdivisions. Therefore, there may be public opposition to the siting of irrigation sites in developing areas. However, the use of irrigation for discharge of treated wastewater may be a viable option, especially if surface water discharge is not permitted year round.

### **Mitigation Measures:**

To lessen the potential for adverse environmental impact to environmental resources the following mitigation measures shall become binding permit conditions upon Sorrento Lactalis, Inc. If Sorrento Lactalis, Inc. fails to comply with the permit conditions (i.e. implement mitigation measures), the responsible official within EPA may consider applying any of the enforcement procedures specified in the Clean Water Act Sections 308 and 309.

***Mitigation Measures.*** Mitigation measures to minimize adverse environmental impacts associated with the proposed project include:

- Monthly average effluent limitations for total suspended solids and total phosphorus are anticipated to be 13 and 0.07 mg/l, respectively,
- There shall be no discharge of hazardous materials in concentrations found to be of public health significance or to impair designated beneficial uses;
- There shall be no discharge of chemicals or toxic pollutants in toxic amounts;
- There shall be no discharge of deleterious materials in concentrations that impair beneficial uses of the receiving waters;

- There shall be no discharge of excess nutrients that can cause visible slime growths or other nuisance aquatic growths impairing designated beneficial uses;
- During construction of the wastewater treatment facility, best management practices (BMPs) will be followed with regard to construction site erosion control. Permanent landscaping will be provided that will minimize the potential for site erosion;
- The treatment plant, as an aerobic process for both wastewater treatment and biosolids processing, mitigates odor potential. If short-term biosolids storage onsite resulted in temporary odors, liming the biosolids can be undertaken to eliminate odor potential.

**Summary:**

Based on the EA and consideration of the proposed NPDES permit conditions, and in accordance with the guidelines for determining the significance of proposed federal actions (40 C.F.R. 1508.27) and EPA criteria for initiating an Environmental Impact Statement (EIS) (40 C.F.R. 6.605), EPA has concluded that the proposed NPDES permit will not result in a significant effect on the human environment.

In accordance with NEPA regulations at 40 C.F.R. Part 1508.13, the findings of the EA are hereby incorporated by reference. The proposed permit will not significantly affect land use patterns or population, wetlands or flood plains, threatened or endangered species, farmlands, ecologically critical areas, historic resources, air quality, water quality, noise levels, fish and wildlife resources, nor will it conflict with approved local, regional, or State land use plans or policies. The proposal also conforms with all applicable federal statutes and executive orders. As a result of these findings, EPA has determined that a supplemental EIS will not be prepared.

Comments supporting or disagreeing with this FONSI may be submitted, within 30 days of the release of this FONSI, to:

Hanh Shaw  
U.S. Environmental Protection Agency  
1200 Sixth Avenue, OWW-130  
Seattle, WA 98101  
Fax: (206) 553-0165  
Email: shaw.hanh@epa.gov

Additional copies of the EA can be obtained by calling Hanh Shaw at (206) 553-0171 or are available for public review on EPA's website at [www.epa.gov/r10earth/water/waterpermits.htm](http://www.epa.gov/r10earth/water/waterpermits.htm), at the EPA Region 10 office at the above address, and at the EPA Region 10 Idaho Operations Office.

No administrative action will be taken for at least 30 days after the release of this FONSI. EPA will fully consider all comments before taking final action.

/s/ Michael F. Gearheard  
Director, Office of Water and Watersheds  
U.S. Environmental Protection Agency  
Region 10