



Assateague Coastal Trust – PO Box 731, Berlin, MD 21811 – 410-629-1538

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11/17/2021

Via Electronic Mail

Lisa A. Vest, Hearing Officer  
Office of the Secretary  
Department of Natural Resources and Environmental Control  
89 Kings Highway  
Dover, DE 19901

Email: [DNRECHearingComments@delaware.gov](mailto:DNRECHearingComments@delaware.gov)

Re: NPDES Permit No. DE0050326 (State Number WPCC 3026F/75) to discharge storm water to Sandy Branch, which leads to the Bunting Branch, and ultimately discharges to the Isle of Wight Bay in Maryland.

Dear Ms. Vest:

The Assateague Coastal Trust hereby submits this public comment to Department of Natural Resources and Environmental Control's Surface Water Discharge Section (DNREC-SWDS) regarding Mountaire Farms Inc.' ("Applicant") application to renew NPDES permit DE0050326 (State Number WPCC 3026F/75) for the Selbyville Facility (the "Facility" or "Site").

Assateague Coastal Trust, a member of the global Waterkeeper Alliance movement, hosts the Assateague COASTKEEPER, working to assure our communities have access to swimmable, fishable and drinkable water. For over 50 years ACT has been working arm in arm with diverse community partners to protect and defend the health of Delmarva's coastal waters through advocacy, education, science and the enforcement of just and equitable clean water laws. As a 501(c)(3) environmental advocacy/conservation organization and one of the oldest environmental organizations on Delmarva, ACT has grown to include over 1,000 members and community partners. Our operating area is focused on the Coastal Bays watershed and extends into the surrounding Lower Eastern Shore region as necessary to meet evolving challenges and opportunities.

### **Stormwater Outfall Concerns:**

The draft permit identifies all outfalls as stormwater outfalls, throughout the facility, including processing buildings. Due to the nature of the facility, a slaughterhouse and processing facility, there is an increased risk of stormwater contamination by processed and unprocessed waste. The receiving waterbody, Bunting Branch, is impaired for nutrients and Dissolved Oxygen. Poultry processing facilities create a large nutrient and bacteria footprint, and movement of waste materials throughout the facility necessarily increases the likelihood of contamination of stormwater runoff.

The prior permit contained numeric limits for at least one stormwater outfall. However, this instant draft permit contains no numeric limits. Such a removal and weakening of permit limits constitutes backsliding and is in violation of the Clean Water Act. This is particularly important where the receiving waterbody is already impaired for the same pollutants and pollution indicators that are produced by the permit holder: nutrients and Dissolved Oxygen.

Notwithstanding the backsliding implications, the draft permit requires only monitoring of outfalls. Unlike in Maryland, where benchmark pollutant limits are included for certain pollutants, this permit requires only quarterly sampling, without limits, and without benchmarks. Taken with the impaired waters, this should be changed to require benchmarks for nutrients and bacteria, at the very least.

Commenters respectfully request that DNREC include numeric limits for all outfalls that could potentially come into contact with waste products.

### **I. Conclusion:**

For the aforementioned reasons, Commenters again request that DNREC include more stringent monitoring requirements, including numeric limits. Commenters thank DNREC for the opportunity to provide comments on this permit renewal.

Sincerely,

A handwritten signature in black ink that reads "Gabrielle Ross". The signature is written in a cursive, flowing style.

Gabrielle Ross, Assateague Coastkeeper

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