04.45-544650

State of Wisconsin Substance Release Notification Form
Department of Natural Resources Form 4400-91 (Rev. 12-04, e-form)
24-Hour Emergency Hotline Number: 1-800-943-0003

Date & Military Time of Incident: 12/07/2005 1910hrs	**Date & Military Time Reported:** 12/07/2005 2050hrs	**Spill File #** **BRRTS #**
Person Reporting: Curt Steinbach	**Representing:** McCain Foods	**Phone #** 920-540-6534 Cell (C) **Fax #**
Responsible Party (RP) / Spiller: McCain Foods	**RP Decision Based On:** Admission	**Phone #** 920-997-2828 Office (O) **Fax #**
RP Address: 555 Hickory Farm Lane - (Grand Chute)		**City** Appleton **State** WI **Zip Code** 54914-
RP Contact Name & Title: Curt Steinbach		**Phone #** 920-997-2413 Office (O) **Fax #**
Substance Involved: Process wastewater	**Amount & Units Released:** 50 gallons	**Amount & Units Recovered:** 50 gallons

☐ Solid ☐ Semisolid ☒ Liquid ☐ Gas Color: Odor:

Exact Location Of Incident: (including street name, bldg. #, mileage, etc.) stormwater ditch adjacent to 555 Hickory Farm Lane	**Facility Name / Property Owner:** McCain Foods

☐ **City** ☐ **Village** ☒ **Township** Grand Chute	**County** Outagamie	**Latitude/Longitude** deg. ' '', deg. ' ''
DNR Region: NER	**1/4** SW1/4 **Sec**16 **T**21N **R**17 ☒ **E** ☐ **W**	**Weather Conditions:** Clear & too damn cold

Cause of Incident:
Leaking gasket in process wastewater tank resulting in a discharge of 50 gallons of the wastewater from the plant to a ditch adjacent to Hickory Farm Lane. The ditch flows to a tributary of Mud Creek.

Spilled Substance Impact To: (check X all that apply)
- ☐ Air ☐ Potential
- ☐ Concrete/Asphalt ☐ Potential
- ☒ Contained/Recovered
- ☐ Groundwater ☐ Potential
- ☐ Private Well ☐ Potential
- ☐ Sanitary Sewer ☐ Potential
- ☐ Soil ☐ Potential
- ☐ Storm Sewer ☐ Potential
- ☐ Surface Water ☐ Potential
  Name:
- ☒ Other: Stormwater ditch

Spill Cause and/or Site:
- ☒ Ag Coop/Food Factory
- ☐ Airport Facility ☐ Railroad Facility
- ☐ Construction, Excavation, Wrecking, Quarry, Mine
- ☐ Gas/Service Station/Garage/Auto Dealer/Repair Shop
- ☐ Hydraulic Line Break
- ☐ Industrial Facility ☐ Paper Mill ☐ Chemical Co.
- ☐ Pipeline/Terminal/Tank Farm/Oil Jobber/Wholesaler
- ☐ Private Property (home/farm)
- ☐ Public Property (city, state, church, school, etc.)
- ☐ Transportation Accident, Fuel Tank Spill
- ☐ Transportation Accident, Load Spill
- ☐ Utility Co. Power Generating/Transfer Facility
- ☐ Other:

Action Taken By Spiller:
- ☒ Cleanup Method:
  - ☒ Absorbent
  - ☐ Excavation
  - ☒ Dikes & pumps
- ☒ Containment
- ☐ Contractor Hired
  Name:
- ☐ Monitor
- ☐ No Action Needed
- ☐ No Action Taken
- ☒ Waste Destination: pumped back into ww tank
- ☐ Other:

Injuries? ☐Yes ☒No If yes how many? **Has An Evacuation Occurred?** ☐Yes ☒No **Potential?** ☐Yes ☒ No

Are There Any Resource Damages? ☐Yes ☒No ☒ Potential **What Kind?** Mud Creek

Other Agencies Notified: (check first column, if notified; check both columns, if on the scene)

☐ ☐ Fire Department	☒ ☒ Local DNR	☐ ☐ EPA	**Incident Commander:**
☐ ☐ Local Law Enforcement	☐ ☐ Div. Emerg. Mgt.	☐ ☐ Nat'l Resp Ctr 800-442-8802	
☐ ☐ LEPC or Local Emer. Mgt.	☐ ☐ Coast Guard	☐ ☐ Chemtrec 800-424-9300	**Phone #**
☐ ☐ Level A/Level B Team	☐ ☐ DHFS 608-258-0099	☐ ☐ Other:	

Prepared By: T.R. Krsnich	Phone # 920-662-5462	Date: 12/07/2005	Rpt'd To DATCP? ☐Yes ☒No Date: Tnsfed. To DATCP ☐Yes ☒No Date:
Person Notified: Amie Egstad	Phone #	Date: 12/07/2005 Time: 2110	Spill Packet Sent? ☐Yes ☒No Date: To:
Investigated By: Mike Reif	Sign:	Date: 12/08/05	Transferred to ERP ☐Yes ☒No Date: Case #
Spill Coordinator Signoff: Jason W Moelk		Date: 12/13/05	NFA Letter Sent? ☐Yes ☒No Date: Incident Closed? ☒Yes ☐No Date: 12/12/05

☒ See Additional Comments On Reverse (Please, print page 2 of 2)

Date and Military Time Of Incident: 12/07/2005 1910hrs	**Responsible Party:** McCain foods

Additional Comments : RP advised that the company makes frozen appetizers. WW from the process goes to a 50,000 gallon tank. The tank has an agitator. A gasket in the tank leaked resulting in the discharge of less than 500 gallons of process wastewater to a stormwater ditch adjacent to Hickory Farm Lane in the Town of Grand Chute, Outagamie County, WI. The ditch flows to Mud Creek, which flows into Little Lake Butte des Morts. After sealing the leak the RP set up pumps and pumped standing WW back into the tank. The WW normally has the following characteristics: 2000 mg/l BOD, >2000 mg/l TSS, 100 ppm phosphorus, no metals.

RP advised at 2320 that the flow had been stopped and that the WW did not reach Mud Creek. RP was using absorbants and surface skimming to recover the WW.

TRK

12-08-05, Mike Reif DNR Wastewater Specialist, visited the site and confirmed that the spill has been cleaned up. WPDES Permit No. = WI-0057657-3.

12-08-05, Moeller spoke with Curt Steinbach. Curt will send Moeller a letter summarizing the spill and cleanup action taken.

12-12-05, Moeller received the NFA letter from Curt Steinbach.

Case Activity Report: ☐ Yes ☒ No CAR#: (Please, attach copy of all CAR and other documentation)

Enforcement Action: ☐ Yes ☒ No (Explain Below)

McCain Snack Foods
A Division of McCain Foods USA, Inc.

P.O. Box 2518
555 Hickory Farm Lane
Appleton, WI 54912-2518 (Deliveries 54914)
Telephone: (920) 997-2828

December 8, 2005

Jason Moeller
Waste Management
Department of Natural Resources
Northeast Region Headquarters
1125 N Military Ave
PO Box 10448
Green Bay WI 54307-0448

RE: Process Water Release December 7, 2005

The purpose of this submittal is to fill the requirements of a "No Further Action" or NFA report required by the DNR within 45 days of the incident. The information below is intended to fill the requirements of Step Four in the NER Spill RP Packet. Written notice that no further action is required by the DNR is not being requested. McCain Snack Foods understands that if further work is needed we will be notified by the DNR.

1. At 9:30 PM on December 7, 2005 the seal on a agitator shaft in an equalization tank, containing process water, located on the street side of the plant, started to leak.

2. The incident occurred at McCain Snack Foods, 555 Hickory Farm Lane, Appleton WI 54914, SW ¼, Sec. 16, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County.

3. Property Owners Name:
   McCain Foods USA
   2275 Cabot Dr.
   Lisle Il 60532-3653

4. Responsible Party:

Gary Moore	Doug Hahn
Director of Engineering	Director of Environmental Engineering
920 997-2280	715 421-3400

5. Process water (not a hazardous substance) totaling less than 50 gallons was spilled. McCain manufactures frozen appetizers and land applies the sludge by-product from process water under WPDES Permit No. WI-0057657-3.

6. MSDS is not applicable.

7. Actions taken to stop, contain and clean up the spill:
   McCain Snack Foods Maintenance Team responded to the incident at 9:10 PM. The leak was contained at 9:45 PM and stopped at 11:35 PM.

8. The process water that was not contained ran approximately 70 feet down a road side ditch in front of the plant. The process water never left the site. On December 8, 2005 the frozen process water was collected in dumpsters and brought back into the plant, where it melted and entered the process water stream.

9. McCain will be working with our POTW to include a valve and system overflow to the sanitary sewer to reduce the risk of process water becoming surface run off.

If there are any questions or concerns, please contact Curt Steinbach (920) 997-2413

Sincerely

Curt Steinbach
Plant Engineering Manager

C : Jerry Bothum
Doug Hahn
Gary Moore