

BEFORE THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

IN THE MATTER OF)
COVIDIEN LP,)
FID #35130)

CASE NO. 3092

AMENDED
ADMINISTRATIVE ORDER

Respondent.)

I. INTRODUCTION

1. The Department of Environmental Quality (DEQ) and Covidien LP, Madison County, Nebraska, voluntarily enter into this Amended Administrative Order. This Amended Administrative Order establishes a new schedule of compliance for changes to the Respondent's wastewater treatment facility necessary to achieve and maintain compliance with the National Pollutant Discharge Elimination System (NPDES), the Nebraska Environmental Protection Act (NEPA), Neb. Rev. Stat. §81-1501 et seq. (Reissue 2008, 2012 Cum. Supp., 2013 Supp.), Title 123, *Rules and Regulations for the Design, Operation and Maintenance of Wastewater Works* and Title 119, *Rules and Regulations Pertaining to the Issuance of Permits Under The National Pollutant Discharge Elimination System*. The previously entered Administrative Order in Case 3092 shall stay in full force and effect, except paragraph 11 (c) through (f) which following sections are amended to:

11. The Respondent shall perform the following activities:

- c. By July 1, 2014 - have an agreement to be connected or be connected to the City of Norfolk wastewater system, or by June



1, 2015, begin construction in accordance with plans and specifications as approved by NDEQ.

d. If construction is taking place pursuant to 11 (c) above, by September 1, 2016 – complete construction in accordance with plans and specifications as approved by NDEQ.

e. If construction is taking place pursuant to 11 (c) above, by December 1, 2016 – be operating the WWTF as designed and constructed in accordance with plans and specifications as approved by NDEQ and meeting all permit limitations.

f. Beginning April 1, 2014 and every month until December 1, 2016 or until the facility is connected to the City of Norfolk wastewater system, Respondent shall submit a progress report to the Department summarizing the status of compliance with this schedule.

Covidien LP

By: *Raune Reagan*

Title: *Plant Manager*

Date: *4/3/14*

For the DEQ: IT IS ORDERED and agreed this 7TH day of

 April , 2014.

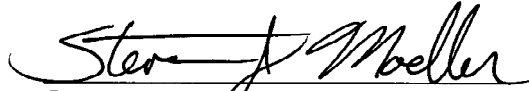
By: *Patrick W. Rice*

Patrick W. Rice
Acting Director
Department of Environmental Quality

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Amended Administrative Order was served by certified United States mail, postage prepaid, return receipt requested on the 9th day of April 2014, upon the following:

John Thiem, EHS Manager
Covidien LP
1222 Sherwood Road
Norfolk, Nebraska 68701


Steven J. Moeller
Attorney