

Lamb Weston seeks to renew its water-reuse permit at American Falls

By BRAD CARLSON
Capital Press

Potato processor Lamb Weston Inc. seeks to renew its Idaho Department of Environmental Quality permit that allows it to reuse treated water from its American Falls plant for irrigating adjacent crops.

The new permit would make additional acreage available for irrigation. DEQ is accepting comment on the draft water-reuse permit through July 20.

Many potato processors in eastern Idaho treat water from production operations and re-use it to irrigate crops, said Scott MacDonald, staff engineer at DEQ's Pocatello regional office. A substantial amount of water comes out of potato processing, and this "beneficial reuse" helps keep this water from entering the aquifer, he

said. Lamb and many other processors grow a mixture of alfalfa and grass that is efficient at taking up water and fairly straightforward to grow.

The draft permit authorizes Eagle, Idaho-based Lamb to continue operating a wastewater treatment facility and reuse system for another seven years, DEQ said in a release. As part of the permitting process, the company must show how it will address public health and environmental concerns, including methods of preventing contamination of surface and groundwater.

Lamb has not exceeded load limits or committed any violations of the current permit, issued in June 2011 and modified five years later to allow recycled water application in an additional area, the analysis said. The irrigation method has

changed from hand lines to pivots in two areas.

A staff analysis of the draft permit renewal said the industrial potato-processing facility uses 296 irrigated acres, and the new permit seeks to make 670 additional acres available. Also to be added: a 70-acre, non-irrigated waste solids management unit and a 5.5-acre management unit primarily for applying treated wastewater on municipal land. The draft permit recognizes a 6-acre emergency site to be used in the event of ditch overflow.

DEQ said the draft permit specifies buffer zones around the irrigation site, hydraulic and nutrient loading rates, operating practices, and monitoring requirements the department established to protect public health and the environment. The new permit addresses dry monitoring

wells and high constituent levels, the staff analysis said.

Lamb generates production wastewater from washing and moving potatoes, processing them and cleaning equipment. Sanitary waste water is not interconnected with process water flow. Process water is collected in a sump and pumped to a separate building for primary treatment. Water is screened to remove large solids, put through a clarifier to settle remaining fine solids, which then are filtered. Overflow from the clarifier travels by concrete ditch and culvert to a pond.

Comments should be directed to MacDonald by mail at the DEQ Pocatello Regional Office, 444 Hospital Way No. 300, Pocatello, Idaho, 83201; by email at scott.macdonald@deq.idaho.gov; or via the agency's online public comment form.

Contempt sought for ex-employee in trade secrets dispute

Company claims terms of injunction have been violated

By MATEUSZ PERKOWSKI
Capital Press

An Oregon livestock nutrition company wants a former employee cited for contempt for violating an injunction in a lawsuit over the alleged theft of trade secrets.

Omnigen Research, which manufactures a treatment for hemorrhagic bowel syndrome in cattle, has already won a lawsuit against the ex-employee, Wongqiang Wang, and been awarded \$3.85 million in damages.

However, the company is asking a federal judge to sanction Wang for allegedly continuing his involvement with a Chinese company that's reproduced Omnigen's product in that country.

Wang is also accused of failing to turn over all his computers and other electronic media for Omnigen to review for confidential information and disregarding an order to re-assign a Chinese patent to his former employer.

"They've lied so many times they just can't keep their story straight," said Scott Davis, an attorney for Omnigen, during a June 19 hearing on the matter in Portland.

Omnigen was originally founded in Corvallis, Ore., by an Oregon State University professor, but was later sold to the Phibro animal health company.

In its motion for a finding of contempt, Omnigen asked U.S. District Judge Michael McShane to order the defendant incarcerated for civil contempt if he doesn't comply with the earlier injunction and fines don't work.

However, Wang did not

appear at the June 19 hearing and his attorney, Roger Hennagin, said his client's Chinese passport is revoked and he cannot leave that country.

Hennagin also asked to withdraw as Wang's attorney, saying he hasn't seen his client face-to-face since last year and is having trouble communicating about the case through email.

Davis, Omnigen's attorney, said he was under the impression Wang was a legal permanent resident and could return to the U.S., so the situation is "all news to us and a surprise."

Despite the injunction, Wang is deeply involved with Mirigen, a Chinese company that cloned Omnigen's secret formula, he said. It's implausible that he's turned over all his electronic devices, as is evidenced by email communications.

Hennagin countered that Wang is using a computer at a university library in China.

"Much of their position is based on supposition, hypothesis and inferences," he said.

Omnigen also asked for sanctions against Wang and his attorney for violating a protective order by viewing "attorneys eyes only" documents during the litigation, which began in 2016.

Hennagin acknowledged providing his client with access to these protected documents, citing his lack of technological expertise and his desire to save money for his client by not spending time separating them from other documents.

"It was not a bad faith mistake," he said, noting that he instructed Wang not to look at the protected files.

McShane took Omnigen's requests under advisement but warned the company that potential relief was limited under the circumstances.

Tariff uncertainty puts some Chinese hay orders on hold

By DAN WHEAT
Capital Press

ELLENSBURG, Wash. — Some Chinese hay customers have put orders for Washington hay on hold while they wait to see if higher Chinese tariffs on U.S. hay stick, says Mark Anderson, president and CEO of Anderson Hay & Grain Co., a large West Coast hay exporter in Ellensburg.

"Things are up in the air for a couple of weeks. It's too early to know how many will be affected," said Anderson, calling it premature to say orders have actually been canceled.

Orders are transitioning from old to new crop hay so a 25 percent tariff, in retaliation for U.S. tariffs on Chinese steel and aluminum, is not that big a deal right now, he said. However, if the tariffs hold they could have "a big impact" on new crop alfalfa, he said.

China imports about 1 million tons of U.S. alfalfa annually, he said. Japan, South Korea and other



Dan Wheat/Capital Press File

Chinese customers have put some orders for Washington hay on hold while they determine if announced tariff increases go into effect.

countries buy Washington Timothy hay, which China doesn't take, he said.

There was some rain damage to first-cutting Columbia Basin alfalfa, leaving less premium hay than exporters

would like, he said. Second-cutting is just getting ready to start, he said.

First-cutting Timothy is two-thirds to three-fourths done in the basin and Kit-titas Valley, he said.

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