



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

Report Title: Clean Water Act Compliance Inspection Report
Inspection Date(s): 09/29/2021
Regulatory Program(s): National Pollutant Discharge Elimination System (NPDES)
Type of Activity: Concentrated Animal Feeding Operation (CAFO)
Site/Facility Name: Twin Oaks Dairy LLC
Permittee(s): Twin Oaks Dairy LLC
Site/Facility Owner: Tammy Wivell
Site/Facility Operator: Adam Wivell
Site/Facility Address: 9807 Dry Bridge Road
 Emmitsburg, MD 21727
Latitude: 39.677625 **Longitude:** -77.328930
County/Parish: Frederick County, MD
Permit Number: MDG01
NAICS Code: 121111 **SIC:** 0212
Unique Project #: 3E21WN101A

Site/Facility Representative(s): Adam Wivell **Point of Contact**
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List of Attachments

- Attachment A: Maryland NPDES General Permit for Animal Feeding Operations
- Attachment B: Photo Log
- Attachment C: Maryland CAFO Inspection Checklist
- Attachment D: 2019 Annual Implementation Report
- Attachment E: 2020 Annual Implementation Report

I. Introduction

On September 29, 2021, an inspection team composed of staff from the U.S. Environmental Protection Agency (“EPA”) Region III (hereinafter, “EPA Inspection Team”) conducted a CAFO Inspection of the Twin Oaks Dairy LLC site (hereinafter, “the facility”). The purpose of the inspection was to observe compliance with the Clean Water Act (CWA) and to verify compliance with the site’s coverage under National Pollutant Discharge Elimination System (NPDES) Permit No. MDG01 (hereinafter, the “Permit”) and applicable State and Federal regulations. NPDES Permit MDG01 is Maryland’s General Discharge Permit for Animal Feeding Operations.

A. Inspection Opening Conference

The EPA Inspection Team arrived at the site at approximately 12:00 p.m. for the inspection. Inspectors met with the following site representatives:

Table 1: Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Region III Inspectors and Contractors			
Mark Zolandz	EPA Region III	(215) 814-2319	zolandz.mark@epa.gov
Amanda Pruzinsky	EPA Region III	(215) 814-5456	pruzinsky.amanda@epa.gov
Site/Facility Representatives			
Adam Wivell	Twin Oaks Dairy LLC	(301) 606-2279	adamwivell@gmail.com
State or County Representatives			
Brennan Greene	MDE	(410) 960-8317	brennan.greene@maryland.gov
Darren Alles	MDE	(410) 537-4423	darren.alles1@maryland.gov

Mark Zolandz and Amanda Pruzinsky displayed their credentials to Mr. Adam Wivell at the outset of the inspection, and explained the purpose of the inspection was to assess the site’s compliance with its NPDES Permit. A copy of the NPDES General Permit MDG01 is provided in Appendix A. The EPA Inspection Team informed Mr. Wivell that any information that he deemed to be confidential business information (“CBI”) should be identified to the EPA Inspection Team during the inspection and it would be handled as CBI according to EPA’s CBI procedures.

B. Weather and Precipitation Conditions

During the inspection, the weather was sunny and warm. The nearest National Oceanic and Atmospheric Administration (NOAA) National Weather Service precipitation data for the date of the inspection and 5 days prior are provided in the Table 2 below:

Table 2. Precipitation Data

Station Name	Date	Precipitation Amount (inches) ¹
FREDERICK MUNICIPAL AIRPORT, MD US	09/24/2021	0.0
FREDERICK MUNICIPAL AIRPORT, MD US	09/25/2021	0.0
FREDERICK MUNICIPAL AIRPORT, MD US	09/26/2021	0.0
FREDERICK MUNICIPAL AIRPORT, MD US	09/27/2021	0.0
FREDERICK MUNICIPAL AIRPORT, MD US	09/28/2021	0.0
FREDERICK MUNICIPAL AIRPORT, MD US	09/29/2021	0.0

C. Summary of the Site/Facility

The facility is a feeder-to-finish beef cattle operation located in Emmitsburg, Maryland. The facility was originally built as a dairy operation, although the dairy operations ceased in 2006. The facility is composed of three barns (the big barn, the little barn, and the old stanchion barn) and an exercise lot. The facility also includes a feed storage shed and feed bunkers. Finally, the facility also includes a solid manure shed, a collection pit and a 4-million-gallon lagoon for the big and little barns, and a stanchion barn collection pit and a 0.5-million-gallon circular concrete manure pit for the old stanchion barn. During the winter months, the facility may raise swine inside the solid manure shed.

II. Site/Facility Activity

At the time of the inspection, the facility was raising grass fed beef cattle. Cattle are brought to the facility at around 600 pounds when they are around 6-10 months old. Cattle are raised at the facility until they are around 1,200 pounds and leave before they are 22 months old. The facility is permitted for 800 cattle (including heifers) and 50 swine < 55 pounds. There were no swine at the facility at the time of inspection.

III. Observations

The EPA Inspection Team conducted a walkthrough of the facility to determine compliance with the CAFO Permit requirements. Photographs were taken during the inspection by Mark Zolandz and are provided in Attachment B.

At the time of the inspection, the facility was raising grass fed beef cattle. Cattle are brought to the facility at around 600 pounds when they are around 6-10 months old. Cattle are raised at the facility until they are around 1,200 pounds and leave before they are 22 months old. The facility

¹ Source: NOAA National Climatic Data Center (<http://www.ncdc.noaa.gov/>).

is permitted for 800 cattle (including heifers) and 50 swine < 55 pounds. At the time of the inspection, there were 240 cattle on site and no swine.

The facility can raise cattle in the Big Barn (Photographs 16-18 and 23-24), the Little Barn (Photographs 20-22 and 25-26), and the old stanchion barn (Photographs 58-60).

Observation #1: At the time of the inspection, the facility was keeping 69 cattle in the Big Barn and the rest (~131) were being kept in the old stanchion barn.

The Big Barn is flushed manually daily. The flushed manure flows to the 10-foot-deep collection pit (Photograph 19), and from there it is manually pumped into the lagoon.

The Little Barn was not in use at the time of the inspection. When the Little Barn is in use, bedding is utilized and bedded pack manure is generated.

The old stanchion barn floor is scraped at least three times per week to move wastes into the stanchion barn collection pit. The stanchion barn collection pit (Photographs 55-57) is manually pumped to the circular manure pit. Mr. Wivell said that the stanchion barn may be manually pumped every week if there has been wet weather, or every three weeks if not.

The facility has a 4-million-gallon HDPE-lined lagoon (Photographs 39-40 and 47).

Observation #2: At the time of the inspection, the lagoon had a depth gauge (Photograph 46). At the time of the inspection, Mr. Wivell stated that the depth gauge was reading approximately 9 feet deep, with a maximum depth of approximately 13 feet deep.

Observation #3: The Facility's Comprehensive Nutrient Management Plan (CNMP) indicates that the top dimensions of the lagoon are 230' x 235' x 10'.

The facility also has a 0.5-million-gallon circular concrete manure tank (Photographs 51-53).

Observation #4: At the time of the inspection, the circular concrete manure tank had a depth gauge (Photograph 54). At the time of the inspection, Mr. Wivell stated that the depth gauge was reading approximately 4 feet deep, with a maximum depth of approximately 10 feet deep.

Observation #5: The Facility's CNMP indicates that the dimensions of the circular concrete manure tank are 82' x 12'.

The facility has a feed storage shed (Photographs 29) and several feed bunkers (Photographs 30-34).

Observation #6: At the time of the inspection, there was leachate/ runoff in front of the feed bunkers and draining south toward the lagoon (Photographs 31-34). At the end of the feed bunkers, the leachate/ runoff entered a pipe that was covered in wire mesh (Photographs 35-36). Mr. Wivell stated that this pipe drains into the lagoon (Photographs 39-40).

The facility has a solid manure shed (Photographs 41-43) to store bedded pack manure as needed. The facility composts mortalities underroof in the solid manure shed (Photographs 43-45).

IV. Records Review

During the inspection, the EPA Inspection Team requested and/or reviewed the Facility's CNMP [including nutrient management plan (NMP) and conservation plan], land-application records (Photographs 2-4), and CAFO self-inspection reports (Photographs 5-14).

V. Closing Conference

After the facility inspection, the EPA Inspection Team met with the site representatives for a closing conference. The EPA Inspection Team shared preliminary observations with the site representatives. The EPA Inspection Team reiterated to the site representatives that all preliminary observations discussed were not compliance determinations. Any preliminary observations shared were subject to further investigation by EPA upon the additional review of records and documentation. Additional observations may be contained in this inspection report that were not identified at the time of the closing conference after EPA reviewed additional materials following the inspection.

The inspection concluded at approximately 1:30 p.m.