

**CWA COMPLIANCE EVALUATION INSPECTION REPORT
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 5**

Purpose:

Compliance Evaluation Inspection

Facility:

Shady Lane Farms, Inc.
4791 West Valley Road
Shannon, Illinois 61078
Stephenson County
42.20388948442224, -89.70346842591846

ICIS Tracking Number: ILA001268

Date of Inspection:

09/13/2023

EPA Representatives:

Benjamin Atkinson, Agronomist
atkinson.ben@epa.gov

312-353-8243

State Representatives:

Andi Hodaj, Environmental Engineer
hodaj.andi@epa.gov

312-353-4645

Facility Representatives:

Alan Flack, Owner
flack@JCwifi.com

815-291-9473

815-864-2549

Report Prepared by:

Benjamin Atkinson, Agronomist

Inspector Signature: BENJAMIN ATKINSON Digitally signed by BENJAMIN ATKINSON
Date: 2023.11.08 14:59:05 -06'00'

Approver name and Title: Ryan J. Bahr, Supervisor, Section 2, Water Enforcement
and Compliance Assurance Branch

Approver Signature and Date: RYAN BAHR Digitally signed by RYAN BAHR
Date: 2023.11.09 15:51:19 -06'00'

1. BACKGROUND

The purpose of this report is to describe, evaluate and document Shady Lane Farms, Inc.'s compliance with the Clean Water Act (CWA) at its Shannon, Illinois facility (the Facility) on September 13th, 2023. This inspection was performed pursuant to Section 308(a) of the Federal Water Pollution Control Act, as amended.

The Facility is a medium unpermitted swine wean to finish animal feeding operation (AFO) that confines up to 1,700 swine ranging in size from 15 pounds to 250 pounds. A new group of swine is brought in every 6-7 weeks. At the time of the Inspection, the Facility was not receiving new animals as they planned to depopulate over winter and bring new animals in the spring of 2024. All swine are kept in buildings with under-barn pits. The Facility also confines cattle over the winter. At the time of the Inspection, the Facility had 2 head of cattle on-site, but averages around 50 in a typical year. Cattle are housed in a barn but have access to an outdoor feedlot.

Surface runoff from the Facility flows into the adjacent agricultural fields. Runoff from the cattle feedlot flows to a sedimentation tank which has a designed overflow point. The overflow from the sedimentation tank flows southeast to a grassed waterway in the adjacent agricultural field. From the sedimentation tank, the grassed waterway would flow approximately 1,725 feet to perennial Lost Creek.

2. SITE INSPECTION

Table 1: Site Entry and Opening Conference

Arrival Time:	9:33 AM	
Temperature:	56° F	
Precipitation:	None at time of inspection. 0.43 inches in the previous 48 hours.	
Presented credentials?	Yes	
Credentials presented to whom and at what time?	To the Operator at 9:40 AM	
Was an opening conference held? With whom?	Yes, with the Operator.	
If photographs or documents were taken, does the facility consider any to be Confidential Business Information (CBI)?		No
EPA vehicle parked in approved location?	Yes	
Location where EPA vehicle was parked?	Northeast corner of the Facility.	
Disposable boots worn?	Yes	
Other bio-security measures taken (state vet contacted, etc.):	State vet was contacted, vehicle washed following the Inspection.	

2.1 Records Review (The following Records Review tables reflect information provided before the walk-through of the facility, unless otherwise noted.)

Table 2: Documents

Checklist(s) Used
R5 CAFO Inspection Checklist
Facility Documents Reviewed:
None – medium AFO

Table 3: Facility Description

Type of Animal	Number of Animals	Type of Confinement
Swine < 55 lbs	<3,000	total
Swine > 55 lbs	>750, <2,500	total
Cattle	<300	Barn and feed-lot
Minimum Number of Animals in previous 5 years:		0
Maximum Number of Animals in previous 5 years:		Near current levels and not above statutory level to qualify as a large CAFO
Number of Animals that are stabled/confined and/or fed/maintained for 45 days or more in previous 12 months:		Near current levels and not above statutory level to qualify as a large CAFO
Amount of Liquid Manure Generated per year:		~250,000 gallons
Amount of Solid Manure Generated per year:		unknown
(Illinois Only) Name of Certified Livestock Manager for facility: (if 300 animal units or greater):		Yes, the Operator
Does the facility have an NPDES Permit?		No
SIC or NAICS code:		0213
Do animals have direct access to WOUS?		No
Are crops, vegetation, forage growth, or post harvest residues not sustained in the normal growing season over any portion of the lot or facility where animals are kept?		Yes
What is the area (acres) of the production area?		~ 6 acres
What is the area (acres) of the pasture?		~ 25 acres
How many employees (not counting family members)?		0
Other facilities under common ownership (name and address):		None

Table 4: Livestock Waste Storage

Storage Name	Type of Storage	Storage Capacity	Depth Markers Present	Last Time Waste was Removed	Amount of Waste Removed	Days of Storage
Under Finishing Barn 1	Under Barn Pit	Unknown	No	May 2023	Unknown	Operator states that they have over a year of storage between the two under-barn pits.
Under Finishing Barn2	Under Barn Pit	Unknown	No	May 2023	Unknown	
Solids Stacking in Cattle Barn	Concrete floor	Unknown	NA	May 2023	Unknown	
Records at site of storage structure design?				No		
Is manure stored for the short term? If yes, describe where it is stored, how it is drained and where it drains to.				Sold manure is stored in bedpack inside cattle barn.		
Are records kept of the level of manure in the storage structures?				no		
When was the last time a storage structure was emptied, either partially or completely?				May 2023		
What amount of manure or process wastewater was removed the last time the storage structure was emptied, either partially or completely?				20 loads		
Do the facility personnel inspect and keep records of all diversion devices?				No		
Do the facility personnel inspect and keep records of all impoundments?				No		
Do the facility personnel inspect and keep records of all the water lines?				No		
Do the facility personnel perform routine visual inspections and keep records of the production area?				Routine visual inspections are conducted, but no records are kept.		
Does the waste storage system have a managed outfall or discharge point? If yes, provide a description of the outfall and a description of the area receiving the discharge.				Yes, the sedimentation tank receives runoff from the feedlot and has a designed outfall point to a grassed waterway.		
Has the facility had any documented discharges of livestock waste to surface water in the past year?				No		

Are there safety devices installed around any manure storage ponds?	NA, no open top storage structures.
--	-------------------------------------

Table 5: Livestock Waste Management

Describe the way manure is collected and disposed of at the facility:	
Manure in the swine barns falls down into the underfloor pits. Manure in the cattle barn is bed pack and is scraped and spread as the Operator is able. The feedlot is scraped prior to wet weather events and either land applied or stored in the cattle barn until it can be spread.	
Describe the way used bedding is collected and disposed of at the facility:	
The bedding in the cattle barn is handled as bed pack and scraped and land applied as the Operator is able.	
Are mortality records kept?	Yes
Describe the way mortalities are managed at the facility:	
The mortalities are composted in a covered barn.	
What type of method is used to provide drinking water for the animals?	Nipple waterers for the swine and floats for the cattle.
Describe the way spilled drinking water is collected and disposed of at the facility:	
It is collected and disposed of with the manure.	
Describe the way feed is contained and how runoff from feed is collected and disposed of at the facility:	
Feed is stored in bins and there is no runoff.	

Table 6: Land Application and Disposal of Manure and Process Wastewater

Does the facility perform and keep records of the manure testing?	Yes
When was the last time a sample was taken of the manure and/or process wastewater?	During fall application in 2022
Describe the process to take the manure and/or process wastewater sample.	Grab samples are collected at the time of application.
Number of acres available for land application:	~800 Acres
Are land application records kept?	Yes
Who applies the manure and process wastewater to the fields?	A custom hauler applies the liquid swine manure and the Operator applies solids.

Are weather conditions at time of application kept? (24 before – 24 after)	No
Does the facility perform and keep records of the soil testing?	Yes
Is manure transferred off-site to another party?	No
Do facility personnel perform periodic inspection of land application equipment?	The hauler inspects their own equipment.

Table 7: Receiving Surface Waters

Describe the surface flow pathways:	
The topography of the area surrounding the Facility is sloped south and runoff from the Facility would flow to perennial Lost Creek.	
How many months out of the year is there flow in the nearest surface water pathway:	There is flow year round.
Are there any storm water pathways entering the facility?	No
Are there any clean water ponds on site?	No
What is the name of the first waterway that is identified as a Traditional Navigable Water (TNW) for surface flow from the facility?	The first TNW is the Pecatonica River.
Is the surface water pathway nearest to the facility considered to be ephemeral, intermittent or perennial?	Perennial
Has the surface water pathway nearest to the facility been assessed for water quality?	Yes – it is impaired for Aquatic Life.

Table 8: Nutrient Management Plan

NMP on site?	Yes
Date NMP Submitted:	
Planner Name/Company:	Stevensons fertilizer company
Date that the NMP was last updated:	The week prior to the Inspection
Note: An NMP review was not conducted as there is no Federal requirement for a medium AFO to have an NMP.	

2.2 Walkthrough of the Facility

Ben Atkinson and Andi Hodaj (the Inspectors) arrived at the Facility at approximately 9:33 AM on September 13, 2023. The temperature was 56° F and overcast. The Inspectors introduced themselves and presented credentials to Alan Flack (the Operator). The Inspectors explained the purpose and format of the inspection. The Inspectors explained the bio-security precautions that had been taken (state veterinarian contacted, vehicle washed, no AFO inspections in the previous 48 hour, yellow booties to be worn and left at Facility) and asked if any further precautions were needed. The Operator stated that no further precautions were required. The Inspectors then explained the right to claim information as Confidential Business Information (CBI). The Operator stated that he would like to claim the specific number of animals as CBI. The Inspectors proposed to report the animal number as above/below the regulatory thresholds for each animal type. The Operator agreed that that would be acceptable. The Inspectors then went through the Inspection Checklist (information above). Following the checklist, the walkaround of the Facility began at 10:15 AM.

The Inspectors began the walkaround of the Facility on the northeast side. The Inspectors walked east around the northeast corner of the Facility then south along the east side of the Facility (photos 1 and 2). The Inspectors observed the outdoor cattle feedlot and sedimentation tank that receives runoff from the outdoor cattle feedlot (photos 2 and 3). The Inspectors observed that there was a designed overflow point which could have boards added to it to adjust the overflow level. The Inspectors also observed a concrete swale across the east driveway which would convey flow from the sedimentation tank overflow to a grassed waterway to the east (Photo 4). The Operator stated that they scraped the outdoor feedlot prior to precipitation events. The Inspectors walked south around the finishing barns and then west along the south side of the Facility (photo 5). The Inspectors then walked north along the west side of the Facility and then east along the north side of the Facility (photos 7-9). The Inspectors then returned to the grassed waterway at the southeast side of the Facility and walked it down to where it ended at a fence north of Lost Creek (photos 10-16). The Inspectors observed that the grassed waterway was well vegetated with no erosional channels or concentrated flow paths observed. The Inspectors then returned to the north side of the Facility and conducted the closing conference.

2.3 Closing Conference and Post-Inspection

Table 12: Post Walk-Through

Was a closing conference held? With whom?	Yes, the Operator.
Were specific Areas of Concern discussed with facility personnel?	Yes – see areas of concern.
Who were the Areas of Concern discussed with?	The Operator

Were any deficiencies or areas of concern addressed or fixed during the inspection? If so, list what was done.	No
Exit Time:	11:21 AM
Disposable Boots Left at Facility?	Yes
Vehicle Washed after leaving facility?	Yes

Table 13: Waterway Documentation

List the pathway taken by EPA inspectors to document the waterway at the facility.
The Inspectors walked the grassed waterway down to Lost Creek.

3. LIST OF DOCUMENTS RECEIVED FROM FACILITY

None

4. AREAS OF CONCERN

EPA observed these areas of concern whereby pollutants have the potential to reach waters of the United States:

1. The sedimentation tank had a designed overflow point to overflow southeast to a grassed waterway approximately 1,725 feet to perennial Lost Creek.

5. LIST OF ATTACHMENTS

- A) Aerial photograph of Shady Lane Farms, Inc. with buildings and waterways labeled
- B) Photo Log

ATTACHMENT A - Aerial photograph of Shady Lane Farms, Inc. with buildings and waterways labeled



Redacted for Personal Privacy

Storage Barn

Machine Shed

Storage Barn

Cattle Barn/Solid Manure Storage

Sedimentation Tank

Outdoor Cattyle Feedlot

Finishing Barn 2

Finishing Barn 1

Grassed Waterway

Lost Creek



Shady Lane Farms, Inc
4791 West Valley Road
Shannon, Illinois 61078
Stephenson County
42.20388948442224, -89.70346842591846

ATTACHMENT B - Photo Log

Shady Lane Farms, Inc.
EPA Inspection September 13, 2023
All photos taken by Benjamin Atkinson, Inspector, U.S. EPA
Camera: RICOH WG-4 GPS



1: RIMG0002

Description: Looking south on the east side of the Facility toward the east end of the Finishing Barn 2.

Location: East of the feed silos.

Camera Direction: South

Date/Time: September 13, 2023 10:17 AM



2: RIMG0003

Description: Looking west across the cattle feedlot toward the Cattle Barn. Note the sedimentation tank and designed overflow point (red arrow).

Location: East of the cattle feedlot.

Camera Direction: West

Date/Time: September 13, 2023 10:17 AM



3: RIMG0004

Description: Looking west across the sedimentation tank. This structure receives runoff from the cattle feedlot.

Location: Southeast corner of the cattle feedlot.

Camera Direction: West

Date/Time: September 13, 2023 10:18 AM



4: RIMG0005

Description: Concrete structure east of the sedimentation tank which conveys flow from the sedimentation tank overflow, across the driveway, to the grassed waterway. Note that there was no flow at the time of the inspection. The marks on the concrete structure are staining and not liquid.

Location: East of the sedimentation tank.

Camera Direction: East

Date/Time: September 13, 2023 10:18 AM



5: RIMG0006

Description: Looking west along the south side of the finishing barns.

Location: Southeast corner of Finishing Barn 2.

Camera Direction: West

Date/Time: September 13, 2023 10:27 AM



6: RIMG0007

Description: Looking north from the southwest corner of the Facility.

Location: Southwest corner of the Facility.

Camera Direction: North

Date/Time: September 13, 2023 10:30 AM



7: RIMG0008

Description: Looking east along the north side of Finishing Barn 1.

Location: Northwest corner of Finishing Barn 1.

Camera Direction: East

Date/Time: September 13, 2023 10:31 AM



8: RIMG0009

Description: Looking south along the west side of the Facility.

Location: Northwest corner of the Facility.

Camera Direction: South

Date/Time: September 13, 2023 10:33 AM



9: RIMG0010

Description: Looking East along the north side of the Facility.

Location: Northwest corner of the Facility.

Camera Direction: East

Date/Time: September 13, 2023 10:34 AM



10: RIMG0011

Description: Looking Northwest along the grassed waterway to which the sedimentation tank overflow would flow.

Location: Southeast of Finishing Barn 2.

Camera Direction: Northwest

Date/Time: September 13, 2023 10:57 AM



11: RIMG0012

Description: Looking northwest along the grassed waterway.

Location: Southeast of the Facility.

Camera Direction: Northwest

Date/Time: September 13, 2023 10:59 AM



12: RIMG0013

Description: Looking north along the grassed waterway.

Location: Grassed waterway approximately 470 feet southeast of the southeast corner of Finishing Barn 2.

Camera Direction: North

Date/Time: September 13, 2023 10:59 AM



13: RIMG0014

Description: Looking south along the grassed waterway

Location: Grassed waterway approximately 470 feet southeast of the southeast corner of Finishing Barn 2.

Camera Direction: South

Date/Time: September 13, 2023 10:59 AM



14: RIMG0015

Description: Looking southwest from the south end of the grassed waterway.

Location: Fence line at the south end of the grassed waterway.

Camera Direction: Southwest

Date/Time: September 13, 2023 11:05 AM



15: RIMG0016

Description: Looking northeast along the grassed waterway from the south end.

Location: Fence line at the south end of the grassed waterway.

Camera Direction: Northeast

Date/Time: September 13, 2023 11:05 AM



16: RIMG0017

Description: Close up of water flowing in Lost Creek.

Location: Fence line at the south end of the grassed waterway.

Camera Direction: Southwest

Date/Time: September 13, 2023 11:05 AM