

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

E Inspection Date(s):	03/28/2024		
Media Program:	Water		
Regulatory Program(s)	NPDES CAFO		
Company Name:	Van der Laan Dairy		
Facility Name:	Van der Laan Dairy (OKG010406)		
Facility Physical Location:	18037 County Road NS 214 (Lat/Long: 34.400988, -99.151673)		
(city, state, zip code)	Frederick, OK 73542		
Mailing address:	18037 County Road NS 214		
(city, state, zip code)	Frederick, OK 73542		
County/Parish:	Tillman		
Facility Phone Number	580-335-2269		
Facility Contact:	Pieter Van der Laan	Owner	
	buymilk@pdi.net and lclifton@enviroag.com		
FRS Number:	110025211296		
Identification/Permit Number:	OKG010406		
Media Identifier Number:			
NAICS:	112120		
SIC:	0241		
Personnel participating in inspection:			
Eric Van der Laan	Van der Laan Dairy	Manager	
Pieter Van der Laan	Van der Laan Dairy	Owner	
Dakota Turpin	ODAFF	Inspector	
Keith Smith	ODAFF	Inspector Supervisor	
Landy Clifton	Enviro-Ag	Consultant	
Juan Ibarra	EPA R6	Inspector	
EPA Lead Inspector Signature/Date	<i>Juan Ibarra</i>		Date 5/22/2024
	Juan Ibarra		
Supervisor Signature/Date	<i>Anthony Loston</i>		Date 5/22/2024
	Anthony Loston		

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

EPA Region 6 inspector Juan Ibarra arrived at the Van der Laan Dairy Farm at 0832 on 03/28/2024 for an announced inspection. The reason for the inspection announcement was due to recent and on-going cases of Avian Influenza that have infected dairy farms in the Texas panhandle, and to have the consultant, Landy Clifton/Enviro-Ag, present to help review the Nutrient Management Plan (NMP). We were accompanied by the Oklahoma Department of Agriculture, Food, and Forestry (ODAFF) inspector supervisor Keith Smith and ODAFF inspector Dakota Turpin. We met with Van der Laan Dairy representatives Eric Van der Laan/Farm Manager and Pieter Van der Laan/Owner at the Opening Conference. I presented my credentials to both Mr. Eric Van der Laan and Mr. Pieter Van der Laan and informed them that this was an EPA inspection to determine compliance with the facility's ODAFF CAFO Permit (OKG010406) and the Concentrated Animal Feeding Operations (CAFO) requirements as found in the Clean Water Act (CWA). The scope of the inspection was a full compliance evaluation and includes an evaluation of the facility's compliance with its NMP.

The sequence for the inspection was an introductory overview conducted during the opening conference, followed by a review of the NMP paperwork. The inspectors were required to follow the farm's biosecurity procedures of arriving in a freshly washed government vehicle (receipt for the wash was requested by Mr. Pieter Van der Laan), and touring the site in a facility provided vehicle, leaving our vehicles in the office parking area.

FACILITY DESCRIPTION

The ODAFF CAFO permit (OKG010406) was issued to Van der Laan Dairy on 10/16/2023, and it expires in five years on 3/23/2028. The farm was evaluated for its operation and compliance with their permit requirements, as well as for the terms found in their nutrient management plan (NMP). The facility is permitted for a maximum of 9600 dairy cows, of which 3700 can be milking cows. At the time of the inspection, the dairy had 3600 milking cows, 3000 heifers, 150 dry cows and 400 calves. The cows are milked twice daily and are kept in five freestall barns between milking sessions.

There are four domestic wastewater lagoons located in two separate production areas. Runoff control structures (RCS) 1-3 are in the milk cow production area, which includes the milking parlor, freestalls, open pens holding dry cows and pregnant heifers. Also, in this production area are the calf hutches, commodities storage, and mortality management composting area. These three lagoons receive production area runoff, with RCS 1 also receiving the wastewater from the milking parlor. Prior to entering Lagoon 1, milking parlor wastewater is channeled through a screen separator, thence into a concrete trough that channels wastewater flows into the three sand filters, followed by a manure solid settling basin, which is located next to the southeast corner of RCS 1. RCS 2 and 3 receive runoff from the production area. Wastewater from these two units is pumped into RCS 1, from which irrigated

center pivot land application takes place. RCS 4 is located across the road from the main dairy facility (described above) on the north side of County Road E 1800 where heifers are kept in pens. This wastewater is also land applied via a center pivot.

Section II – OBSERVATIONS

Lagoon Management:

The farm's four clay lined RCSs and the mortality composting pad all have a permeability rating greater than 1×10^{-7} and consist of at least 1.5' clay. RCS 1 and 4 have pole markers indicating 7' and 6' of freeboard respectively. RCS 2 and 3 have approximately 12' and 5' of freeboard respectively. RCS 1 and 4 are below the 25-yr/24-hr rain event mark. However, two small trees are growing at the north end of RCS 2, and all the lagoon embankments need to be mowed to remove tall weeds to prevent liner intrusion.

Nutrient Management Plan Review:

The facility has a Nutrient Management Plan (NMP) that was updated on 3/27/2024 by the consultant (Landy Clifton of Enviro-Ag). A review of the nutrient application data showed that the facility was keeping appropriate records for the amounts of nitrogen and phosphorus applied to the land application sites at the Van der Laan Dairy for both the lagoon process wastewater and manure solids. They were also tracking the required annual soil, wastewater, and manure solids nutrient concentrations. Recommended amounts of nitrogen and phosphorus applications were provided by both the various crop book values as well as the Midwest Laboratories data. Two fields were evaluated for agronomic rate application (Boyd 1 for manure solids application and Dairy 2 for wastewater application) and both land application sites are land applying below the agronomic rate.

Manure Transfer to Third Party Farmers:

The dairy gives about 2/3 of its annual manure solids to third party farmers. The facility is permitted to give manure away but is required to keep records of how much is given to each farmer. The dairy does not maintain records of who the farmer receiving the manure was, nor how much each farmer takes.

Mortality Composting Area:

The mortality composting area is located on the eastern upslope side of RCS 1 (not on the lagoon embankment). This composting area is a pad site with at least a 1.5' clay liner as described above. The composted mortalities have never been land applied for the past 14 years or so. There were visible dry bones sticking out of the three rows of compost. The facility should consider securing a rotating drum screen to screen-out the bones and land applying or giving away the manure.

Section III – AREAS OF CONCERN

The Van der Laan dairy is very well operated and maintained, with good implementation of the best management practices contained within the NMP. There are, however, two areas of concern and a recommendation that should be addressed.

1) Two small trees are growing at the north end of RCS 2, and all the lagoon embankments need to be mowed to remove tall weeds to prevent liner intrusion. The NMP Section 3 Production Area 3.1 and the Oklahoma adopted reference to 40 CFR 122.42 (e)(1)(i) requires that “The CAFO will ensure adequate storage of manure, litter and process wastewater, including procedures to ensure proper operation and maintenance of the storage facilities.”

2) The dairy does not maintain records of who the farmer receiving the manure was, nor how much each farmer takes. Section 11.3 Manure Transfer of the NMP requires that these records for manure transfer be maintained.

EPA Region 6 recommends that the compost consisting of composted mortalities be screened to remove the dried bones and land applied. This material has accumulated on the composting pad area for the past 14 years or so since the unit was certified by Norman Mullins, P.E. on 4/20/2010. It should be land applied either on-site or off-site for beneficial use.

Section IV – FOLLOW UP

None

Section V – LIST OF APPENDICES

There are no appendices attached to this report. No photographs were taken due to the absence of significant areas of concern during the inspection.