



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
FOUR PENN CENTER – 1600 JOHN F. KENNEDY BLVD.
PHILADELPHIA, PENNSYLVANIA 19103-2852

Report Title: Clean Water Act Compliance Inspection Report
Inspection Date(s): August 7, 2023
Regulatory Program(s): National Pollutant Discharge Elimination System (NPDES)
Type of Activity: CAFO Inspection
Facility Name: Jarred Vanderplate Farm
Facility Address: 2710 Shumaker Road, Manheim, PA 17545
Facility Latitude: 40.198989
Facility Longitude: -76.465104
County/Parish: Lancaster County
Permit No: PAG123820
NAICS Code: 112310
SIC: 0252
Unique Project #: 3E23WN108A

Facility Representative(s):

Jarred Vanderplate, Owner/Operator
Email: jandsvanderplate@yahoo.com

Point of Contact



Inspectors:

Sirese Jacobson, PG Environmental
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Andrew Rimelman, PG Environmental
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Report Preparer

Signature/Date

Sirese Jacobson, PG Environmental

October 6, 2023

Date

Supervisor

Signature/Date

MARK ZOLANDZ

Digitally signed by MARK ZOLANDZ
Date: 2023.10.06 15:33:22 -04'00'

Mark Zolandz, Section Chief
NPDES Enforcement Section

Date

Attachments

Attachment A Site Map

Attachment B Photo Log

PENNSYLVANIA CAFO INSPECTION REPORT

GENERAL INFORMATION

NPDES Permit No. PAG123820 Facility Name: Jarred Vanderplate Farm Facility Owner: Jarred Vanderplate Facility Operator: Jarred Vanderplate Mailing Address: 2590 Shumaker Road, Manheim, PA 17545 Physical Address: 2710 Shumaker Road, Manheim, PA 17545 County: Lancaster Location (lat/long) North: 40.198989 West: -76.465104 Contact Person: Jarred Vanderplate Phone: office: N/A fax: N/A cell: 717-989-8896 E-mail: jandsvanderplate@yahoo.com	NPDES Permit Expiration Date: 3/31/2023 Inspectors: Sirese Jacobson and Andrew Rimelman (PG Environmental) Date: August 7, 2023 Time in: 9:10 AM Time out: 11:50 AM Persons Present During Inspection: Jarred Vanderplate (Facility Operator), Krista Crone and Anthony Kessler (Pennsylvania Department of Environmental Protection [PA DEP]), Peter Gold and Erin DeSandro (U.S. Environmental Protection Agency [EPA], Region 3) Weather: Humid and partly cloudy, approx. 80°F during site walk. Does the facility owner/operator own and/or operate any other animal feeding operations? No If yes provide name(s) and address(es) and indicate whether the facility is an AFO or a CAFO: N/A				
Location and name of nearest surface water¹ and description of flow path Overflow discharges from the stormwater basin located adjacent to the poultry barn would flow through a culvert into an unnamed tributary to Brubaker Run. The unnamed tributary is located approximately 100 feet from the poultry barn stormwater basin. Brubaker Run is located approximately 400 feet north of the production area. Overflow discharges from the stormwater basin located adjacent to the cattle pen would flow through a culvert into the adjacent field. Runoff would eventually flow to the unnamed tributary to Brubaker Run.					
Number of animals (all animals in production area): The number of beef finishing cattle AEUs confined at the time of the inspection exceeded the permitted number of AEUs for that animal type, but the total number of AEUs for pullet and beef finishing cattle confined (285.8) was within the permitted total AEUs (288.9).					
Animal Type	Permitted	# Confined Today	AEUs Confined Today	Max. # Capacity	Max. # Confined
	# confined				
	AEUs*				
Poultry (Pullet, white egg, 0-16 wk.)	230,000	287	226,000	282.0	230,000
					Not determined

¹ Surface water means all waters of the United States.

Other: Cattle (Beef Finishing: 8-24 mo.)	2	1.9	4	3.8	2 (per the NMP)	4
<i>*Exceeding the AEUs (Animal Equivalent Units) allowed in the Nutrient Management Plan (NMP) is a violation of the general permit. (AEU = Animal number * (Animal weight/1000) * (Production days/365))</i>						
X	Presented credentials? (check if yes)					
X	Inspection photos taken? (check if yes)					

INSPECTION OVERVIEW AND FACILITY DESCRIPTION

On August 7, 2023, EPA Region 3 inspectors Peter Gold and Erin DeSandro, along with their contractors Sirese Jacobson and Andrew Rimelman (PG Environmental), (collectively, EPA team) conducted a compliance inspection of Jarred Vanderplate Farm, a concentrated animal feeding operation (CAFO) located in Manheim, Lancaster County, Pennsylvania. PA DEP inspectors Krista Crone and Anthony Kessler conducted a state inspection concurrent with the EPA inspection. The EPA team and the state inspectors entered the facility shortly after 9:00 AM and stopped at the facility entrance to carry out biosecurity measures, including disinfecting vehicle tires and donning boot covers. The group then proceeded into the facility where they met the facility operator, Jarred Vanderplate. Peter Gold and Sirese Jacobson presented their Clean Water Act Inspector credentials and explained the inspection goals and procedure. The group gathered outside the poultry house to discuss the operation and review records. After the opening conference and records review, Mr. Vanderplate led the group on a site walk around the poultry production area followed by the cattle production area. The group gathered next to the cattle barn for the closeout conference. The EPA team and PA DEP inspectors left the facility at approximately 11:50 AM, stopping at the facility entrance on the way out to disinfect the vehicle tires.

Jarred Vanderplate Farm is a contract growout pullet facility that also raises cattle. Jarred Vanderplate purchased the facility from Mr. Dan Landis and began operating the facility in July 2021. The poultry production area is located on the north side of the site (Photographs 1-20) and the cattle production area is located on the south side of the site (Photographs 21-28). The facility stores manure and litter in the manure storage building located on the east end of the poultry house (Photographs 8 and 9). All solid manure and litter from the facility operation is transferred offsite.

For the pullet production operation, the facility receives day-old chickens and raises them to 18 weeks, to a standard finishing weight of 1.38 lbs. The facility raises at least two flocks per year. Chickens are housed in cages; manure drops onto conveyor belts located under each cage. When the chickens are young, the operator runs the belts once per week, moving the manure into the adjacent manure storage building located at the east end of the poultry barn. When the chickens are older, the operator runs the belts approximately 3 times per week. Manure is stored in the manure storage building until it is removed for export through a broker. The manure storage building is also used for composting mortalities.

Stormwater runoff from the concrete pad outside the manure storage building would flow east to a swale that diverts runoff around the northeast corner of the production area and into a stormwater basin located along the north side of the poultry barn (Photographs 10-13). Runoff from the north side of the poultry barn, including roof runoff, would flow north into the stormwater basin. Runoff from the south side of the poultry barn would flow into one of two storm drains located on the south side of the

barn, which direct flow through pipes under the poultry barn that empty into the stormwater basin (Photographs 2, 3, 16, and 19).

During the site tour, the inspection team noted a white PVC pipe on the southeast side of the poultry barn (Photographs 4 and 5). According to the operator, the facility had a fire approximately one month before the inspection. The barn was washed down after the fire. Most of the water remained in the house and evaporated. However, a small volume was pumped out of the barn through a sump located near the southeast corner of the barn, then through this PVC pipe. After discharging from the PVC pipe, the wastewater was directed into the stormwater basin via the swale (Photographs 10 – 13). The inspection team also observed a second white PVC pipe at the southeast corner of the manure storage building with a perforated end. The facility operator was unsure of the purpose of this pipe (Photographs 6 and 7).

The facility also raises beef cattle onsite 365 days per year. The cattle are in confinement for 4 months and put out on pasture for 8 months of the year. At the time of the inspection, the facility had 4 beef cattle onsite, but noted that 2 of the cattle would be removed from the production area in October. The operator explained that manure is scraped from the cattle pen area at least once per month and manure is placed in the facility's manure storage building and mixed in with the poultry manure. Runoff from the cattle pen and pasture would flow east into a stormwater basin (Photographs 21-24 and 27). The cattle housing stormwater basin contains an overflow structure which would direct runoff east into the adjacent field (see Photographs 24, 25, and 28).

The two manure types generated onsite are handled, stored, and exported together. The facility does not land apply manure/litter; the facility's manure broker removes manure from the manure storage shed approximately every other week during times of increased manure production (i.e., when the conveyer system is being run 3 times per week).

SUMMARY OF OBSERVATIONS

The following observations identify potential noncompliance relative to the requirements of the NPDES CAFO General Permit (PAG-12). In the observations below, references to sections of the permit refer to CAFO General Permit PAG-12, which became effective April 1, 2018. Each observation also includes a reference to one or more questions or comments in the *Inspection Checklist* section of this report that include details related to that observation.

Observation #1

- Part C.V.A.1 of the permit requires the permittee to “design, construct, operate, and maintain manure storage and handling facilities to collect all liquid and semi-solid manure and agricultural process wastewater from production areas...” Part A.II of the permit defines “agricultural process wastewater” to include “...any water which comes into contact with any raw materials, products, or byproducts, including manure, litter, feed, milk, eggs, and bedding.”
 - During the site tour, the inspection team observed manure on the edge of the concrete pad outside the manure storage shed (on the east end of the poultry house). Runoff from this area could potentially flow into the poultry barn stormwater basin. In addition, the inspection team observed manure on the cattle pen concrete pad. As described by the operator and observed onsite, runoff from the cattle pen could potentially flow into the cattle housing stormwater basin. The stormwater basins are not operated as manure storage facilities. See the *Inspection Overview and Facility Description* section and questions 2, 4a, 6, and 8 of the *Inspection Checklist* section.

Observation #2

- Parts A.III.C.1 and 2 of the permit include requirements to conduct daily inspections of water lines and inspections of the production area and surrounding area weekly and after stormwater events and to maintain records of these inspections on-site.
 - The EPA Inspection Team was not provided with documentation that the operator was conducting and documenting weekly inspections of the manure storage facility or of stormwater diversions, waste storage structures, and process wastewater channeling devices. See questions 19.b and c of the *Inspection Checklist* section.
 - The facility did not provide the Inspection Team with documentation of weekly records of the available storage capacity of manure storage facility. See question 21.
 - The Facility did not provide documentation of daily inspections of water lines. See question 19.a of the *Inspection Checklist* section.

Observation #3

- Part A.III.D.2 of the permit requires the permittee to maintain onsite required forms, including the following: CAFO General Self-Inspection Report, CAFO Manure Storage Self-Inspection Report, CAFO Manure Exportation Report.
 - The facility did not have the forms listed above onsite during the inspection. See questions 18.b, 38.b-d of the *Inspection Checklist* section.

Observation #4

- Part C.I.B.1 of the permit includes requirements to “complete and maintain current export records on DEP’s CAFO Manure Exportation Report form (3800-FM-BCW0481), or forms issued by the State Conservation Commission containing equivalent information, in addition to the manure export records required under 25 Pa. Code § 83.343.”

- The facility did not have manure export records onsite at the time of inspection. See questions 18.b and 38.d. The EPA Inspector sent an email to the facility operator on 9/6/2023 requesting a copy of manure export records and the manure broker agreement, but had not received a response at the time this inspection report was finalized.

Observation #5

- Part C.I.B.3 of the permit includes requirements to “provide a copy of the most recent manure sampling results to the person receiving the manure or his representative”.
 - The EPA Inspection Team was not provided with documentation that the Facility is providing manure sampling results to the person receiving the manure. The EPA Inspector sent an email to the facility operator on 9/6/2023 asking for confirmation regarding whether the facility operator provides the broker or exporter with a copy of the most recent manure analysis. However, the EPA inspector had not received a response at the time this inspection report was finalized.

Observation #6

- Part C.I.A.2 of the permit requires the permittee to “maintain the NMP on-site and make the NMP available to DEP upon request.”
 - The facility did not have a copy of the current NMP onsite. See question 41 of the *Inspection Checklist* section.

INSPECTION CHECKLIST

Production Area						
1. List impoundments (attach additional sheet(s), if needed)						
Impoundment ID	Wastewater Type	Wastewater Source(s)	Pumping level ²	Wastewater below pumping level?	Max. recorded level	Date of max. recorded level
N/A*	☐ process generated ☐ runoff	N/A	N/A	N/A	N/A	N/A

*Agricultural process wastewater (i.e., stormwater runoff coming into contact with raw materials, manure, litter, feed, and/or bedding) would flow to stormwater basins, as described in the *Inspection Overview and Facility Description* section, question 2, and the *Additional Production Area Comments* section. However, the facility does not maintain these stormwater basins as wastewater impoundments.

2. Impoundment(s) collect all runoff from:

No Animal confinement areas?³
Poultry are confined in the poultry barn. Runoff from the cattle pen and pasture could flow into the cattle housing stormwater basin.

No Manure storage areas?⁴
Poultry manure is stored in the manure storage building, an enclosed structure, located at the east end of the poultry barn. The inspection team observed some manure on the edge of the concrete pad during the site tour (Photographs 8 and 9). Runoff from this area could potentially flow to the stormwater basin near the poultry barn.
Cattle manure is scraped from the cattle pen at least once per month and transferred to the manure storage shed. The inspection team also observed manure on the cattle pen concrete pad during the site tour (Photographs 21 and 23). Runoff from this area could flow into the cattle housing stormwater basin.

N/A Raw material storage areas?⁵
Describe BMPs used to prevent discharges from raw material storage areas, including feed storages, to surface waters (Part C.VI.A): Feed is stored in grain bins located at the southwest corner of the poultry barn. The inspection team did not observe exposed or spilled feed during the site tour.

² The pumping level represents the minimum capacity necessary to contain runoff and direct precipitation from the 25-year, 24-hour rainfall event (40 CFR 412.37(a)(2)) or the **100-year, 24-hour rainfall event** for swine, veal, and poultry operations that came into existence after April 13, 2003. [Part A.I.A.6]

³ Animal confinement area includes but is not limited to open lots, housed lots, feedlots, confinement houses, stall barns, free stall barns, milkrooms, milking centers, cowyards, barnyards, medication pens, walkers, animal walkways, and stables (40 CFR 122.23(b)(8)).

⁴ Manure storage area includes but is not limited to lagoons, runoff ponds, storage sheds, stockpiles, under house or pit storages, liquid impoundments, static piles, and composting piles (40 CFR 122.23(b)(8)).

⁵ Raw materials storage area includes but is not limited to feed silos, silage bunkers, and bedding materials (40 CFR 122.23(b)(8)).

N/A	Waste containment areas? ⁶
N/A	Egg washing or egg processing facility?
N/A	Mortality storage, handling, treatment or disposal area? <u>Mortalities are composted in the manure storage building.</u>
N/A	Other? (describe): <u>N/A</u>
	If no, describe non-retained areas: <u>The facility generates solid manure and litter which is stored in the manure storage shed. Runoff from the production area is captured in one of two stormwater basins. As discussed above, the facility does not operate the stormwater basins as wastewater impoundments.</u>
No	3. Was manure or wastewater observed in a waterway? If yes, describe: <u>N/A</u>
Production Area (continued)	
N/A	4.a. Manure storage and handling facilities are designed, constructed, operated and maintained to collect all liquid and semi-solid manure and agricultural process wastewater from production areas, are structurally sound and watertight, and located and sized properly to prevent discharges for any storm up to and including the 100-year, 24-hour storm event (for swine, poultry, or veal operations constructed or expanded on or after 4/14/2003) or the 25-year, 24-hour storm event (for all other operations)? [40 CFR 122.42(e)(1)(i)] [Part A.I.A; Part C.V.A.1] <u>As described above, process wastewater generated from stormwater runoff contacting exposed manure could flow to the stormwater basins, which are not operated as manure storage facilities.</u>
Yes	4.b. Manure storage facilities are designed and maintained to ensure adequate storage capacity is available between periods of planned land application or other use so that the permittee does not exceed application rates established in the current approved NMP? [Part C.V.A.2]
N/A	4.c. Vegetative growth on earthen embankments no greater than 12 inches? No dense or woody vegetation or animal burrows, etc.? [Part C.V.D.1 - 3]
N/A	4.d. For an agricultural operation with over 1,000 AEUs that was a new or expanded operation after January 29, 2000, a minimum 24-inch freeboard, except for enclosed facilities that are not exposed to direct precipitation, which must have a minimum freeboard of 6 inches. [Part C.V.C.1]
N/A	4.e. For all other agricultural operations, a minimum 12-inch freeboard for manure storage facilities that are ponds or impoundments, and a minimum 6-inch freeboard for all other manure storage facilities. [Part C.V.C.2]

⁶ The waste containment area includes but is not limited to settling basins, and areas within berms and diversions which separate uncontaminated storm water (40 CFR 122.23(b)(8)).

Production Area (continued)

- | | |
|-----|---|
| Yes | <p>5. Confined animals do not have direct contact with waters of the United States? [40 CFR 122.42(e)(1)(iv)]</p> <p><u>Poultry are housed inside the poultry barn and do not have access to surface waters. The cattle are confined to a pen and fenced pasture and do not have access to surface waters.</u></p> |
| Yes | <p>6. Clean water is diverted from the production area? [40 CFR 122.42(e)(1)(iii)]</p> <p><u>Roof runoff from the poultry barn is directed into the stormwater basin located on the north side of the poultry barn. Roof runoff from the cattle housing building and shop flows into the stormwater basin located on the east side of the cattle housing area.</u></p> |
| Yes | <p>7. Chemicals and other contaminants handled on-site are not disposed of in any manure, litter, process wastewater, or storm water storage or treatment system unless the system is designed to process them and the activity is approved by DEP? [40 CFR 122.42(e)(1)(v)] [Part C.V.A.6]</p> <p><u>According to the operator, he does not use any chemicals onsite, other than boot wash.</u></p> |
| N/A | <p>8. All manure storage facilities containing liquid and semi-solid manure have depth markers which clearly indicate the regulatory freeboard level and the minimum capacity necessary to contain the runoff and direct precipitation of 100-year, 24-hour rainfall event (for swine, poultry, or veal operations constructed or expanded on or after 4/14/2003) or the 25-year, 24-hour storm event (for all other operations)? [40 CFR 412.37(a)(2)] [Part A.I.A; Part C.V.B]</p> <p><u>The facility does not have any liquid or semi-solid manure storage facilities.</u></p> |
| Yes | <p>9. Mortalities are not disposed in liquid manure or process wastewater treatment systems, and are handled to prevent discharge of pollutants to surface waters? [40 CFR 412.37(a)(4)]</p> |
| Yes | <p>a. Mortalities remain in the production area not longer than 24 hours until disposal? [Part C.IV.A]</p> |
| N/A | <p>b. If buried, carcasses are covered by at least 2 feet of earth at least 10 feet from state waters, open sinkholes, and outside of the 100-year floodplain? [Part C.IV.A]</p> <p><u>Mortalities are composted in the manure storage building.</u></p> |

Additional Production Area Comments:

During the site tour, the inspection team observed a white PVC pipe on the south side of the poultry barn (Photographs 4 and 5). According to the operator, the pipe was recently used to convey washwater from the adjacent sump to the swale and stormwater basin near the poultry barn. The facility had a fire approximately one month before the inspection and performed a washdown of the poultry barn after the fire. Most of the water remained in the house and evaporated. However, a small volume of washwater collected in the sump and was pumped out of the barn through this PVC pipe. According to the operator,

this washwater would flow east along the south side of the building and be directed into the poultry barn stormwater basin via the swale shown in Photographs 12 and 13.

During the site tour, the facility operator could not identify the purpose of a white perforated pipe observed at the southeast corner of the manure shed (Photographs 6 and 7). It was not clear whether this pipe could discharge process-generated wastewater that might contribute to the runoff entering the poultry barn stormwater basin.

Land Application Sites

- | | |
|-----|--|
| No | <p>10. Does the facility apply manure or wastewater to land owned by or under the operational control of the CAFO?</p> <ul style="list-style-type: none"> • Number of land application sites: <u>4</u> • Total acres available to land apply manure: <u>The NMP reports that 23.78 acres are available for nutrient application under the operator's control that may be used if needed. The facility currently does not land-apply manure and instead exports all manure offsite.</u> • Irrigation type(s): <u>N/A</u> • Furrow/flood irrigation sites – what is fate of applied wastewater and tailwater?
<u>N/A</u> |
| N/A | <p>11. Was manure/wastewater applied in accordance with the procedures and protocols identified in the NMP? <i>(spot check records for one field to complete the information below.)</i>
If no, describe:</p> <p><u>The operator has not land applied manure since the facility was transferred into his ownership on July 28, 2021.</u></p> |
| N/A | <p>12. Is manure applied in accordance with Part C.I.C of the permit?</p> <ul style="list-style-type: none"> • Not within 100 feet of the top of the bank of a perennial or intermittent stream with a defined bed and bank, a lake or a pond, unless a permanent vegetated buffer of at least 35 feet in width is used to prevent manure runoff into the stream, lake or pond, • Not within 100 feet of an existing open sinkhole unless a permanent vegetated buffer of at least 35 feet in width is used, • Not within 100 feet of active private drinking water sources such as wells and springs, • Not within 100 feet of an active public drinking water source, unless other State or Federal laws or regulations require a greater isolation distance, and • No application on crop management units having less than 25% plant cover or crop residue at the time of manure application, unless: <ul style="list-style-type: none"> ○ Fall applications - the field is planted to a cover crop in time to allow for appropriate growth to control runoff until the next growing season, or the manure is injected or mechanically incorporated within 5 days using minimal soil disturbance techniques consistent with no-till farming practices. ○ Spring or summer applications - the field is planted to a crop that growing season. |

Land Application Sites (continued)

- | | |
|-----|---|
| No | 13. Is the facility land applying in the winter (December 15 – February 28, or when ground is frozen at least 4 inches, or anytime ground is snow covered)? [Part C.I.D] If so: |
| N/A | a. Was the application authorized in the NMP or was an NMP amendment developed? |
| N/A | b. Did the permittee notify DEP in writing within 7 days prior to land application of manure? |
| N/A | c. Was the winter land application performed in accordance with Part C.I.D.5 of the permit? |
| | <ul style="list-style-type: none"> • No winter application within 100 feet of an above ground agricultural drain inlet where surface flow is toward the inlet • No winter application within 100 feet of a wetland on the National Wetland Inventory maps which is within the 100-year floodplain of an Exceptional Value stream segment if surface flow is toward the wetland • No winter application unless the fields have 25% residue or an established cover crop |

Monitoring, Documentation and Recordkeeping

- | | |
|-----|---|
| Yes | 14. Has the permittee developed an E&S plan meeting the requirements of Chapter 102? Does it address AHUAs? [Part C.II] |
| Yes | 15. Has the permittee developed a Preparedness, Prevention, and Contingency (PPC) Plan for pollutants related to the CAFO operation? [Part C.III] |
| | 16. Does the facility maintain records of the following for 5 years? |
| Yes | a. The completed permit application? [40 CFR 412.37(b)] |
| Yes | b. The current design of manure storage structures, including volume of solids accumulation, design treatment volume, total design volume, and approximate number of days of storage capacity? [40 CFR 412.37(b)(5)] |
| N/A | c. The date, time, and estimated volume of any overflow? [40 CFR 412.37(b)(6)] |
| | 17. If a discharge occurred: |
| N/A | a. Did the facility collect a sample? |
| N/A | b. Was the overflow reported to DEP? [Part A.III.D.5 and C.V.A.3] |
| N/A | c. Did the facility document the required monitoring information? [Part A.III.A.2] |
| | <ul style="list-style-type: none"> • The date, exact place, and time of sampling or measurements. • The individual(s) who performed the sampling or measurements. • The date(s) analyses were performed. • The individual(s) who performed the analyses. • The analytical techniques or methods used. • The results of such analysis. |
| | If no, explain: <u>N/A</u> |

Monitoring, Documentation and Recordkeeping (continued)

18. For exported manure:

N/A

- a. Has the permittee developed an Excess Manure Utilization Plan? [Part C.1.B.1, 25 Pa. Code § 83.301]

The permittee did not have an Excess Manure Utilization Plan onsite. According to PA DEP Representatives, the permit requirements at Part C.1.b.1 would be satisfied by the permittee's documentation of manure exports using the CAFO Manure Exportation Report form or as stated in the general permit on "form(s) containing equivalent information prepared by the State Conservation Commission to document compliance with the Chapter 83 nutrient management regulations". The facility maintained an Exporter/Importer Agreement with one exporter, signed 12/1/2021. The EPA Inspector sent an email to the facility operator on 9/6/2023 requesting a copy of manure export records and the manure broker agreement, but had not received a response at the time this inspection report was finalized.

No

- b. Complete records maintained (CAFO Manure Exportation Report form or form issued by SCC containing equivalent information)? [40 CFR 122.42(e)(3)] [Part C.1.B.1]

The facility did not provide documentation of manure export onsite.

Unknown

- c. Most recent (12 months or less) manure sampling results provided? [40 CFR 122.42(e)(3)] [Part C.1.B.3]

The EPA Inspector sent an email to the facility operator on 9/6/2023 requesting a copy of manure export records and to confirm whether the facility operator provides the broker or exporter with a copy of the most recent manure analysis. However, the EPA inspector had not received a response at the time this inspection report was finalized.

Additional Production Area Records for Large Dairy Cow, Cattle, Swine, Poultry, and Veal Calf CAFOs

19. Documentation of visual inspections of the production area, including:

No

- a. Daily inspection of water lines? [40 CFR 412.37(b)(1)] [Part A.III.C.1]

No

- b. Inspection of manure storage facilities, weekly and within 24 hours following stormwater events? [40 CFR 412.37(b)(1)] [Part A.III.C.2.a]

No

- c. Inspection of stormwater diversions, waste storage structures, and process wastewater channeling devices, weekly and within 24 hours following stormwater events? [40 CFR 412.37(b)(1)] [Part A.III.C.2.b]

N/A

- d. Inspection of leak detection systems, subsurface drains, and related structures or equipment, weekly and within 24 hours following stormwater events [Part A.III.C.2.c]

No

- e. Do records of production area visual inspections indicate whether manure is draining, flowing or otherwise being conveyed outside of the production area in a manner that is or may cause pollution to state waters? [Part A.III.C.2.d]

The facility was not maintaining records of production area visual inspections.

N/A

20. If a leak detection system has been installed beneath a manure storage pond or impoundment, does the permittee sample the drainage (1x/year minimum if drainage is

	observed during weekly inspections), report the results, and respond to elevated NH ₃ -N levels as specified in Part C.V.E?
N/A	a. Does the permittee collect a sample of drainage from subsurface drains installed beneath a manure storage facility that is not a leak detection system and analyze the sample for NH ₃ -N and/or other pollutants when requested by DEP in writing? [Part C.V.E]
Monitoring, Documentation and Recordkeeping (continued)	
No	21. Weekly records of the available storage capacity of manure storage facilities? [40 CFR 412.37(b)(2)] [Part A.III.C.2.a]
Yes	22. Sufficient capacity in manure storage facilities at the start of winter to implement the NMP? (December 15, capacity as specified in the NMP) [Part C.I.D.3]
N/A	23. Documentation of actions taken to correct deficiencies found as a result of production area inspections? [40 CFR 412.37(b)(3)]
N/A	a. Were deficiencies corrected within 30 days?
N/A	b. If not, does the file contain an explanation of factors preventing immediate correction? [40 CFR 412.37(b)(3)] [Part A.III.C.2]
Yes	24. Documentation of mortalities management? [40 CFR 412.37(b)(4)] [Part C.IV.B]
Land Application Area Records for Large Dairy Cow, Cattle, Swine, Poultry, and Veal Calf CAFOs	
N/A	25. Expected crop yields? [40 CFR 412.37(c)(1)]
N/A	26. Location and number of acres of nutrient application? [Part C.I.A.7, 25 Pa. Code § 83.342(b)(3)(i)]
N/A	27. Date(s) manure or process wastewater is applied to each land application site? [40 CFR 412.37(c)(2)] [Part C.I.A.7, 25 Pa. Code § 83.342(b)(3)(ii)]
N/A	28. Rate of nutrient application for each crop management unit? [Part C.I.A.7, 25 Pa. Code § 83.342(b)(3)(iii)]
N/A	29. Weather conditions at the time of, and for 24 hours prior to and following, land application? [40 CFR 412.37(c)(3)] [Part A.III.C.3]
N/A	30. Manure and process wastewater tested annually in accordance with 25 Pa. Code § 83.291? [Part C.I.A.5] (% solids, total N, NH ₄ -N, P ₂ O ₅ and K ₂ O for each manure group generated on the operation)
Yes	31. Soil tested every three years in accordance with 25 Pa. Code § 83.292? [Part C.I.A.6] (P, K, and pH for each crop management unit; date of soil tests and name of lab included with results) <u>The facility had records of soil sampling results, dated April 26, 2022. Copies of these results were emailed to the inspection team immediately following the inspection.</u>
Yes	32. Results from manure, process wastewater, and soil analyses? [40 CFR 412.37(c)(5)] [Parts A.III.A.2.f and C.I.A.5]

The operator did not have the results onsite but provided the results to the inspection team via email immediately following the inspection. The manure samples were collected on March 2, 2023. The Waypoint Analytical laboratory report was dated March 2, 2023.

N/A 33. Manure and process wastewater application rates determined in accordance with the NMP? [40 CFR 412.37(c)(6)] [Part C.I.A.1]

Monitoring, Documentation and Recordkeeping (continued)

N/A 34. Calculations showing the total N and P to be applied to each land application site, including sources other than manure or process wastewater? [40 CFR 412.37(c)(7)]

N/A 35. Total amount of N and P actually applied to each land application site, including calculations? [40 CFR 412.37(c)(8)]

N/A 36. Method used to apply manure and process wastewater? [40 CFR 412.37(c)(9)] [Part A.III.C.3]

N/A 37. Date(s) of manure application equipment inspections for leaks (must be conducted when manure is applied)? [40 CFR 412.37(c)(10)] If applicable, is documentation of inspections and actions taken to remediate the leakage available? [Part A.III.C.3]

38. Are the following forms completed, maintained on site, and submitted as required? [Part A.III.D.2]

N/A a. CAFO Non-Compliance Reporting Form (submit for any non-compliance)

No b. CAFO General Self-Inspection Report (maintain onsite)

No c. CAFO Manure Storage Self-Inspection Report (maintain onsite)

No d. CAFO Manure Exportation Report (maintain onsite)

See question 18.b.

N/A e. Existing Earthen Manure Storage Facility Inspection Report (attach to annual report)

N/A f. Winter Period Application of Manure Notification Form (submit 7 days before application)

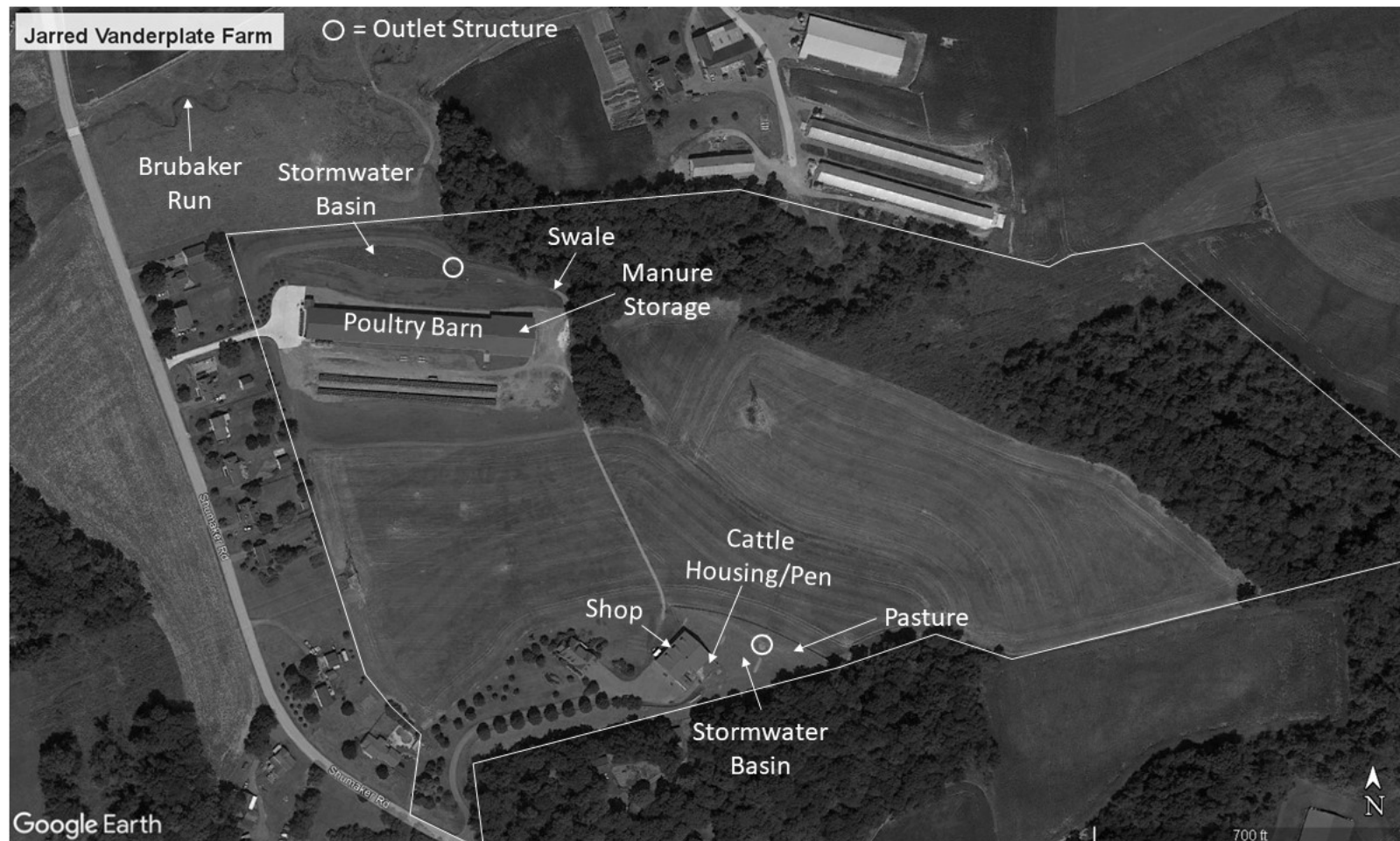
N/A 39. Has the facility notified DEP of any actual or planned physical alterations or additions to the facility: [Part A.III.D.4]

- New housing structures, barnyards, composting facilities, manure storage/treatment facilities, etc.;
- Significant changes to terms of the NMP;
- >10% net increase in AEUs/acre of land application area;
- New or modified structures, devices or equipment that change the manner by which manure is managed
- Changes in AHUA management;
- Any changes that may result in non-compliance.

	Describe: <u>The facility operator stated that there had been no changes to the facility since it was transferred into his ownership and he had no planned changes at the time of the inspection.</u>
No	40. Has the facility reported any noncompliance? [Part A.III.D.5 and 6] Describe: <u>N/A</u>
Nutrient Management Plan (NMP)	
<i>Required NMP Elements [40 CFR 122.42(e)(1)] [Part C.I.A]</i>	
No	41. Is the facility's NMP available on-site? Does it reflect the current operational characteristics and practices? [40 CFR 122.42(e)(2)(ii)] [Part C.I.A.2 - 4] Date developed or last revised: <u>Signed by the operator on April 29, 2021</u> Approved by: <u>Lancaster County Conservation District Board of Directors</u> Approval date: <u>May 5, 2021</u> Date submitted to DEP: <u>Not determined.</u> <u>The facility could not locate a copy of its NMP during the inspection; however, the facility operator emailed a copy of the NMP cover page and signature page to the EPA inspector following the inspection, on September 1, 2023.</u>
Yes	42. Ensure adequate storage of manure and process wastewater, including operation and maintenance procedures.
Yes	a. Contain a determination of adequate manure storage capacity for the winter period, accounting for required freeboard, precipitation from the design storm, and residual solids after liquids have been removed? [Part C.I.D.2] <u>Appendix 10 of the facility's NMP includes determination that the manure storage building contains adequate manure storage capacity for the winter period.</u>
Yes	43. Ensure proper management of animal mortalities.
No	44. Ensure that clean water is diverted, as appropriate, from the production area. <u>The NMP does not discuss diversion of clean water from the production area. The facility has two stormwater basins which capture roof runoff, and all runoff from the areas that surround the poultry barn and cattle housing area and pasture. In addition, the facility has gutters on the poultry barn and cattle housing barn which direct rainwater away from the buildings.</u>
Yes	45. Prevent direct contact of confined animals with surface waters. <u>The confined poultry and beef cattle do not have direct access to surface waters.</u>
No	46. Ensure proper disposal of chemicals and other contaminants. <u>The NMP does not address chemical disposal practices. The operator stated that no chemicals other than boot wash are used on site.</u>
No	47. Identify site-specific conservation practices to control runoff of pollutants. <u>The NMP specifies that there are no site-specific manure management or stormwater BMPs.</u>

Yes	48. Identify protocols for manure, process wastewater, and soil sampling and testing. <u>Appendix 2 of the NMP states “representative samples of manure are taken and mixed for analysis”; however, the NMP does not specify any additional protocols for manure and soil sampling and testing.</u>
N/A	49. Establish protocols to land apply manure or process wastewater in accordance with site-specific nutrient management practices that ensure appropriate agricultural utilization of the nutrients in the manure, litter, or process wastewater. <u>The NMP states that manure is not mechanically applied. For the crop years covered in the NMP (2022-2024), the NMP indicates no planned manure applications to all fields available for nutrient application under the operator’s control, which includes Fields 1, 2, 3, and Pasture.</u>
No	50. Identify specific records that will be maintained to document the implementation and management of the minimum NMP elements (#42-#49 above). <u>The permit specifies the records that must be maintained to document implementation of the NMP.</u>
N/A	51. Application rates are calculated as required by 40 CFR 412.4(c)(2)
Yes	52. Specifies the manure, process wastewater, and soil sampling at the required frequencies and for the required parameters? [40 CFR 412.4(c)(3)] <i>(soil tests at least every three years) [Part C.I.A.6] (annually for each manure type generated onsite) [Part C.I.A.5]</i>
N/A	53. If manure is stockpiled for 15 consecutive days or longer, is it under cover or otherwise stored to prevent discharge to surface water during a storm event up to and including the 100-year, 24-hour storm? [Part C.I.E] <u>According to the facility operator and as indicated in the NMP, the facility does not stockpile manure.</u>

Attachment A – Site Map



Attachment B – Photograph Log



Photograph 1. View looking at the southwest corner of the poultry barn. A feed bin is visible at the right side of the photograph.



Photograph 2. View of the southern wall of the poultry barn (taken from the southwest corner of the building). The circle indicates the location of a storm drain that directs runoff to the poultry barn stormwater basin.



Photograph 3. Alternative view along the southern wall of the poultry barn (looking towards the feed bins shown in Photograph 2). The red arrow indicates the location of a second storm drain which directs runoff to the poultry barn stormwater basin.



Photograph 4. The arrow indicates a PVC pipe located along the southern wall of the poultry barn. The PVC pipe conveys washdown water out of the building from the sump located beneath the concrete pad at the left side of the photo.



Photograph 5. Alternative view of the PVC pipe shown in Photograph 4 (downgradient view). The arrow indicates the outlet of the pipe where water would discharge into the gravel.



Photograph 6. View of a perforated PVC pipe with an unknown purpose located at the southeast corner of the manure storage building.



Photograph 7. Alternative view of the perforated drain with an unknown purpose (identified by the arrow) located at the southeast corner of the manure storage building.



Photograph 8. View of the eastern side of the manure storage building and concrete pad.



Photograph 9. Close-up view of the edge of the concrete pad on the eastern side of the manure storage building. Note the residual manure accumulated on the edge and the ground below.



Photograph 10. Runoff from the manure storage building concrete pad and area east of the manure storage building would flow east toward the swale in front of the tree line. This photo was taken from approximately the same location as Photograph 9.



Photograph 11. View looking south at the area east of the manure storage building. Runoff from this area would flow into the swale located behind the photographer.



Photograph 12. Runoff from the areas shown in Photographs 10 and 11 would flow into the swale shown here (the arrows indicate the direction of flow). This photo faces north from approximately the same location as Photograph 11.



Photograph 13. View looking northwest at the stormwater basin located north of the poultry barn and manure storage building. Note the swale (shown in Photograph 12) at the right side of the photograph. This photograph was taken from approximately the same location as Photograph 12.



Photograph 14. View along the north side of the poultry barn (taken from the northeast corner of the building).



Photograph 15. View looking northwest over the poultry barn stormwater basin located north of the barn and manure storage building. The overflow drain is circled and the location of the unnamed tributary to Brubaker Run is identified by the arrow.



Photograph 16. View of the inlet to the poultry barn stormwater basin from the storm drain shown in Photograph 3.



Photograph 17. Close-up view of the overflow structure located in the poultry barn stormwater basin, view looking west.



Photograph 18. View of the tree line around the unnamed tributary to Brubaker Run, which would receive discharges from the overflow drain shown in Photograph 17.



Photograph 19. View of the inlet to the poultry barn stormwater basin from the storm drain circled in Photograph 2.



Photograph 20. Alternative view of the poultry barn stormwater basin, view looking east along the hill that forms the south side of the basin.



Photograph 21. View of the cattle pen and housing area. Note the manure covering the concrete pad.



Photograph 22. View looking east over the cattle pasture and stormwater basin located to the northeast of the cattle pen.



Photograph 23. View, looking north, of the southeastern corner of the cattle pen, with the crop field shown in Photograph 26 visible in the background. Note the manure covering the concrete pad.



Photograph 24. View looking north over the cattle housing stormwater basin and pasture. The stormwater basin's outlet structure (circled) is located on the northeastern edge of the basin. A swale directing runoff into the basin is indicated by the arrow.



Photograph 25. Viewing looking southwest at the outlet from the cattle housing area stormwater basin with the cattle pen visible at the top right corner of the photograph.



Photograph 26. View of the crop fields located northeast of the cattle barn, from the northeastern edge of the cattle pasture and stormwater basin. This photograph was taken from approximately the same location as Photograph 25.



Photograph 27. View of the northern end of the cattle housing stormwater basin and swales (indicated by the arrows) feeding the basin.



Photograph 28. Close-up view, looking northeast, of the outlet structure from the cattle housing stormwater basin located on the northeastern edge of the basin.