

Inspection Date 07/12/2023



**Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT**

Inspection Date(s):	07/12/2023	
Media Program:	Water	
Regulatory Program(s)	CWA, NPDES, CAFO	
Company Name:	[REDACTED]	
Facility Name:	[REDACTED]	
Facility Physical Location:	[REDACTED]	
(city, state, zip code)	[REDACTED]	
Mailing address:	[REDACTED]	
(city, state, zip code)	[REDACTED] AR [REDACTED]	
County/Parish:	Sevier	
Facility Phone Number	[REDACTED]	
Facility Contact:	[REDACTED]	Owner
FRS Number:	360154 [REDACTED]	
Identification/Permit Number:	ARU00 [REDACTED]	
Media Identifier Number:	N/A	
NAICS:	112210	
SIC:	0213	
Personnel participating in inspection:		
[REDACTED]	Owner	Owner
Lucas Bomar	EPA/6ECAD-WA	Inspector
Juan Ibarra	EPA/6ECAD-WA	Lead Inspector
Monica Hancock	AR Dept of Ag	Inspector
Richard Gray	JBS (Integrator)	Environmental Manager
Pat Pollock	JBS (Integrator)	Supervisory Environmental Manager
EPA Lead Inspector Signature/Date		
	Juan Ibarra	Date
Supervisor Signature/Date		
	Esteban Herrera	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

EPA Region 6 inspectors Juan Ibarra and Lucas Bomar, accompanied by Monica Hancock of the Arkansas Department of Agriculture, arrived at [REDACTED] at 0903 on July 12, 2023, for an announced inspection (due to JBS biosecurity farm sequencing requirements). We met with [REDACTED] owner, Mr. Richard Gray/JBS Environmental Manager and Mr. Pat Pollock/JBS Supervisory Environmental Manager at the Opening Conference. I presented my credentials to [REDACTED] and informed him that this was an EPA inspection to determine the facility's compliance status with the requirements of the Clean Water Act (CWA) and the National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) regulations stipulated within the facility's Arkansas Department of Environmental Quality (ADEQ) Regulation No. 5 AFO general permit. The scope of the inspection included a compliance evaluation of the facility's site operations, lagoon management, nutrient management plan, and record keeping requirements of their ADEQ permit. For biosecurity purposes, the inspectors walked the site on foot and wore the JBS required Tyvek suits and over-boots. There were no other biosecurity or disease issues of concern at the farm.

FACILITY DESCRIPTION

[REDACTED] has a current ADEQ permit ([REDACTED] dated 9/1/2010)) for 500 sows and 672 wiener pigs contained within two barns. [REDACTED] reported that at the time of the inspection that he had approximately 520 sows and an average daily population of 700 wiener pigs. The piglets are raised to about 3 weeks of age, at which time they are shipped to a finishing farm.

The farm's two barns are flushed two or three times per day using lagoon recycled water. The flush water drains within each of the barns (toward the west end) to a concrete catch basin (sump) which then channels the wastewater to the single lagoon through an 8" drainage pipe. The lagoon has a design operating capacity of 193,216 cubic feet with an additional 1.8 feet of freeboard, giving it a total capacity of 246,800 cubic feet. The farm also has ten land application fields totaling 237 acres of available land. Land application is made by a traveling reel gun or a liquid tanker truck for the times when an agitator is used to slurry and remove solids from the lagoon (solids were last removed in 2021).

The farm has a Certified Nutrient Management Plan (CNMP) dated 5/2010. It was written by the NRCS and approved by the Conservation District. The Arkansas Department of Agriculture will assume ADEQ's responsibility for Regulation No. 5 which will include permitting, inspecting and enforcement of AFO lagoon systems on 8/1/2023.

Section II – OBSERVATIONS

The farm's physical grounds appear well managed, clean, and organized with no apparent deficiencies noted during the inspection. The CNMP records for 2020 and 2021 are maintained on-site, however, [REDACTED] reported that the 2022 and 2023 records were at his house and as such, these required records were not available at the time of the inspection. Following the inspection, [REDACTED] submitted several

records by email including the 2022 Annual Report, and amount of wastewater which was land applied in 2022 and 2023.

During the inspection, the records for wastewater land application were reviewed for years 2020 and 2021. JBS also requires that their contract farms provide monthly reports detailing the lagoon level, however, there was no written documentation of these lagoon level readings in the CNMP, as they are not required by the ADEQ Regulation No. 5.

The agronomic rate calculations have been done based on the 5/2010 CNMP which allowed up to 9.29 MG (million gallons) of applied wastewater per year to the available 237 acres (found in the Permit's Statement of Basis, paragraph 14). The farm is currently awaiting an update to the CNMP with a revision of how much wastewater can be applied. Therefore, land application is being done using 13-year-old nutrient management data. The farm reported that they are awaiting a revision of the CNMP. For the year 2022, the farm applied 800,000 gallons of wastewater to two land application fields totaling 53 acres.

Additionally, the P-Index was rated as "Medium" when it was last updated in 2010 and allowed for additional application of wastewater containing phosphorus. An update to the P-index should be done to provide a current index. The farm was maintaining daily land application irrigation records which are submitted to the ADEQ in the annual report.

The lagoon (see Photo 1) has a pole marker, and the level is approximately 4" below the 25-yr/24-hr rain event mark. The embankment appears well vegetated, and there is no evidence of a discharge. The available freeboard is estimated to be approximately two feet. Mortalities are composted using poultry litter [REDACTED] located near the swine barns as seen on the aerial in Photo 4) and the finished compost is land applied.

Section III – AREAS OF CONCERN

AOC 1: The agronomic rate at which wastewater and nutrients are applied needs to be updated from the 2010 CNMP. Revisions to the rates of land application need to reflect recent soils analysis (within the previous five years) and wastewater analysis (within the previous year). During the inspection, the owner [REDACTED] stated that he applied for a revision to the CNMP, and that he was in line to get that done.

AOC 2: All records must be made available on site at the time of the inspection, including the 2022 Annual Report, and the amount of wastewater applied in 2022 and 2023. This was supplied to me by email on 8/10/2023 as described below in the Follow-Up Section.

AOC 3: The P-Index needs to be updated to reflect current soils analysis data. Soils testing is required every 5 years, and the P-Index should be updated during the next CNMP update cycle.

Section IV – FOLLOW UP

During the inspection [REDACTED] did not have the records for the 2022 Annual Report, and the amount of wastewater which was land applied in 2022 and 2023. [REDACTED] submitted these reports to me by email on 8/10/2023.

Section V – LIST OF APPENDICES

Appendix 1 – Photo Log – Three photos taken 7/12/2023 and a Digital Globe aerial photograph