



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

Eric J. Holcomb  
Governor

Bruno L. Pigott  
Commissioner

Jeremy Milliner, Owner/Operator  
Hungry Hog Farms, Inc.  
8199 South America Road  
LaFontaine, Indiana 46940

August 8, 2018

Dear Mr. Milliner:

Re: Confined Feeding Operation  
Approval with Construction  
Hungry Hog Farms, Inc.  
Wabash County  
Farm ID # 6993  
Animal Waste Number AW-6778

Your confined feeding operation (CFO) application seeking approval for your new hog operation in Wabash County with planned construction is approved.

The application and supporting information was determined to satisfy both the Confined Feeding Control Law (IC 13-18-10), and the Confined Feeding Operation regulation (327 IAC 19). Your CFO Approval and the other enclosures to this letter provide important information about your responsibilities as a CFO owner or operator. Please take time to review these documents before putting them in your operating record. Feel free to contact us if you have any questions.

Your CFO meets the definition of a Concentrated Animal Feeding Operation (CAFO). Please note that CAFOs have additional requirements. The requirements are explained in more detail in the CFO Approval.

Your application proposed an alternative compliance approach (ACA) under 327 IAC 19-5-1(c). Details of this ACA are included in your CFO Approval.

You can view this document along with the final approved application and design sheets along with all public records for this CFO Approvals on IDEM's Virtual File Cabinet (VFC) website. Go to <http://vfc.idem.in.gov/Default.aspx> and use the "**Document Search**" tab. In the "**Alternate Field**" tab, select "**CFO/CAFO**" from the dropdown menu. Type the farm ID #, **6993**, in the box to the right of the "**Alternate Field**". Click the **Search** button. We post documents within approximately 5 days of when we send or receive them. Contact us if you cannot locate a particular document.

A weekly posting of pending permits is located on our agency website at: <http://www.in.gov/ideM/landquality/2349.htm>.

This decision becomes effective immediately upon issuance unless a person aggrieved or adversely affected by the decision files a request for an administrative

Jeremy Milliner, Owner/Operator

Wabash County, Farm ID# 6993

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review and stay of the decision. For more information on appealing this decision, please refer to the attached "*Notice of Right to Administrative Review*" document.

### CONTACT INFORMATION

Questions concerning issuance of this approval should be directed to the Confined Feeding Program at (317) 232-4473, or by FAX at (317) 232-3403.

Sincerely,



Joseph E. Williams, Chief  
Confined Feeding Permits Section  
Office of Land Quality

Enclosures: Notice of Right to Administrative Review  
CFO Approval  
CAFO Operating Record Checklist  
CFO Record Book  
CFO Rule 327 IAC 19  
CFO Guidance Manual  
CFO Construction Checklist  
CFO Construction Notification  
CFO Construction Affidavit  
CFO Professional Engineer Certification Construction for Concrete

cc: Mike Veenhuizen – Livestock Engineering Solutions, Inc.  
Wabash County Health Department (without enclosures)  
Wabash County Board of Commissioners (without enclosures)  
LaFontaine, Indiana Mayor/Town Council President (without enclosures)  
Wabash USDA-Natural Resources Conservation Service (without enclosures)

### **Notice of Right to Administrative Review**

If you wish to challenge this decision, you must file a Petition for Administrative Review with the Office of Environmental Adjudication (OEA), and serve a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director  
Office of Environmental Adjudication  
Indiana Government Center North  
Room N103  
100 North Senate Avenue  
Indianapolis, Indiana 46204

Commissioner  
Indiana Department of Environmental Management  
Indiana Government Center North  
Room 1301  
100 North Senate Avenue  
Indianapolis, Indiana 46204

The petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the approval.
3. A statement of facts demonstrating that each petitioner is:
  - a. a person to whom the order is directed;
  - b. aggrieved or adversely affected by the approval; or
  - c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the approval.
7. The approval terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the approval that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the approval. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have the approval stayed during the administrative review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.

Pursuant to IC 4-21.5-3-17, OEA will provide all parties with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above.

More information on the review process is available at the website for the Office of Environmental Adjudication at <http://www.in.gov/oea>.

**CONFINED FEEDING OPERATION (CFO) APPROVAL**

Applicant: (Permittee) Hungry Hog Farms, Inc. Farm ID : 6993 AW#: 6778  
Operation Name: Hungry Hog Farms, Inc. County: Wabash  
Morris E & Melba Jo Milliner Co- Trustees JT Contact  
Property Owner: Revoc Trust Person: Jeremy Milliner  
Operation Location: 4924 East 800 South, La Fontaine, Indiana 46940

Approval Type				
<input checked="checked" type="checkbox"/> Construction	<input type="checkbox"/> Approval w/o Construction	<input type="checkbox"/> Renewal	<input type="checkbox"/> Amendment	<input type="checkbox"/> Facility Change
<input type="checkbox"/> Transfer	<input type="checkbox"/> Other	Notes:		

Effective Date: August 8, 2018

Expiration Date: August 8, 2023

Renewal Submission Deadline: July 9, 2023

Permit renewal applications must be submitted no less than 30 days prior to the permit expiration date. If the renewal submission deadline falls on a Sunday or holiday, the renewal must be submitted prior to that date.


The purpose of the CFO approval program is to protect water quality in Indiana through standards for constructing and operating CFOs and associated manure management structures.

As the owner/operator, you must:

- meet all terms and conditions of this approval, the Confined Feeding Control Law IC 13-18-10, the Confined Feeding Operation regulations 327 IAC 19, and the Spill Rule 327 IAC 2-6.1;
- allow representatives of IDEM to enter your CFO and review your records, inspect the operation, and sample or monitor the operation when needed; and
- keep a copy of this approval as part of your operating record.

In order to receive approval to operate your CFO beyond the expiration date listed above, you must submit a complete application for an approval renewal to the IDEM by the renewal submission deadline.

This CFO Approval is authorized under IC 13-18-10 and becomes effective on the date listed above.

  
Joseph E. Williams, Chief  
Confined Feeding Permits Section

## **FACILITY DESCRIPTION**

Your CFO meets the definition of a Concentrated Animal Feeding Operation (CAFO).  
[See 40 CFR 122.23(b) (2)]

The following **proposed** structures are approved and construction must be completed prior to the expiration of this CFO Approval.

- Four (4) hog confinement buildings, identified as 1P, 2P, 3P, and 4P. These wean-to-finish buildings each contain two rooms with deep concrete pits beneath slatted floors for the storage of liquid manure from 2,640 wean-to-finish pigs.
- One solids storage building, identified as 6P. This building will store manure solids/compost from the manure processing.
- One manure handling and processing building, identified as 7P. This is a manure and process wastewater handling and processing building.
- Three (3) storage tanks, identified as 8P. These 30,000-gallon storage tanks will be in a concrete walled containment area for the storage of processed waste water from the manure processing building, 7P.
- One compost building labeled 5P. This self-contained mortality compost building contain a biovator drum composter and will be used to store separated manure solids generated from the separation process from building 7P. This also may contain recycled manure solids as feedstock to build mortality compost piles. All mortalities will be composted in this building.

Your CFO is approved for total capacity of 10,560 finishing hogs as detailed on the attached facility detail sheet and farmstead plan. The manure control facilities, including the availability of acreage for manure application, meet or exceed the requirements of the Confined Feeding Operation regulations 327 IAC 19.

## **SPECIAL APPROVAL CONDITIONS**

Please note that CFOs meeting the definition of a CAFO have three requirements that differ from those for farms not defined as CAFOs. These include storm water management practices (327 IAC 19-11-1(a)), manure application rate limitations (327 IAC 19-14-3(d)) and manure application activities (327 IAC 19-14-4(e)).

The storm water management practices refer to requirements of the federal regulation for CAFOs (40 CFR 122.42(e) (2)). The CFO Guidance Manual outlines those requirements and can be viewed in the section of the Guidance Manual titled "*Storm Water Management for CAFOs and NPDES CAFO Individual Permit Holders*". It may be accessed using the following internet address:

[http://www.in.gov/ide/landquality/files/cfo\\_guidance\\_manual.pdf](http://www.in.gov/ide/landquality/files/cfo_guidance_manual.pdf) .

### **Monitoring of Perimeter Drains:**

Monitoring of Perimeter Drains: (327 IAC 19-12-4) The perimeter drain for structures 1P, 2P, 3P, and 4P; will be monitored monthly, and any flow detected will be checked for presence of ammonia nitrogen with a field test/sample kit, and will be visually inspected for discoloration, odor, and other indicators of the presence of livestock waste. No other drainage tile may be added to this perimeter drain. An ammonia nitrogen field test kit may be used for on-site monitoring. The record of monitoring will be kept in the operating record (327 IAC 19-9-1). If ammonia nitrogen, discoloration, or other indicators are found during the monthly check of the perimeter drain outflow will be directed back into the waste storage structure.

This monitoring will continue until reviewed by the CFO Compliance Inspector during their first full compliance review. If the planned outlet system is modified, it may change this monitoring period. For instance, if the outlet of the perimeter drain is connected to an existing field tile the monitoring will be required for the life of the waste storage structures. If ammonia nitrogen, discoloration, or other indicators are not noted during the first full compliance inspection (not the initial compliance assistance inspection) and the compliance inspector's concurrence that the monitoring has not indicated the presence of livestock waste, then the monthly monitoring will no longer be required. Monitoring will be conducted during all future compliance routine inspections if flow is occurring at the time of inspection. If possible, the owner/operator should sample the liquid from the perimeter tile riser observation point prior to any animals being introduced to structures 1P, 2P, 3P, and 4P to establish a base line test for the site.

### **Marketing and Distribution of Manure (327 IAC 19-14-7)**

A marketing and distribution contract for all manure to be marketed of the solid and liquid manure/ process wastewater at the hog operation has been provided, therefore this approval allows for a waiver of all of the hog operations land application acreage requirements. Land application of manure by the CFO is still allowed regardless of the waiver.

*(Remainder of page intentionally left blank)*

#### IV. FACILITY DETAIL INFORMATION

Label on Farmstead Plan	Animal Type	Number of Animals	Solid or Liquid	Date Constructed (for existing buildings)	Water Uses (gallons/unit of time)	Brief Description
1P	Wean-to-finish pigs	2,640-head wean-to-finish pigs  NOTE For manure generation and land application determination, the equivalent animal capacity is :  2,640 nursery pigs housed for 12 weeks per year  AND  2,640 grow/finish pigs housed for 38 weeks per year	Liquid	Proposed	13,200 gallons 2 times per year  Total usage: 26,400 gallons per year	Proposed  Two room, 2,640-head wean-to-finish building. 1,320-head per room. Housing two groups per year Self-contained manure storage. Not shared with another confined feeding structure.  Total building dimensions: 101'-10" x 209'-0" O.D. Two-compartment below-building concrete manure storage: 1) 49'-10" x 207'-8" x 5'-8" deep 2) 49'-10" x 207'-8" x 5'-8" deep  Total capacity: 112,530 cu ft Available capacity: 93,139 cu ft (6" freeboard and 6" residual solids) Storage capacity: 241 days

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#### IV. FACILITY DETAIL INFORMATION

Label on Farmstead Plan	Animal Type	Number of Animals	Solid or Liquid	Date Constructed (for existing buildings)	Water Uses (gallons/unit of time)	Brief Description
2P	Wean-to-finish pigs	2,640-head wean-to-finish pigs  NOTE For manure generation and land application determination, the equivalent animal capacity is :  2,640 nursery pigs housed for 12 weeks per year  AND  2,640 grow/finish pigs housed for 38 weeks per year	Liquid	Proposed	13,200 gallons 2 times per year  Total usage: 26,400 gallons per year	Proposed  Two room, 2,640-head wean-to-finish building. 1,320-head per room. Housing two groups per year Self-contained manure storage. Not shared with another confined feeding structure.  Total building dimensions: 101'-10" x 209'-0" O.D. Two-compartment below-building concrete manure storage: 1) 49'-10" x 207'-8" x 5'-8" deep 2) 49'-10" x 207'-8" x 5'-8" deep 3) 11'-0" x 47'-9" x 6'-0" deep reception tank  Total capacity: 115,900 cu ft Available capacity: 196,509 cu ft (6" freeboard and 6" residual solids) Storage capacity: 249 days
						<div>RECEIVED</div> <div>FEB 13 2018</div> <div>DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF LAND QUALITY</div>



#### IV. FACILITY DETAIL INFORMATION

Label on Farmstead Plan	Animal Type	Number of Animals	Solid or Liquid	Date Constructed (for existing buildings)	Water Uses (gallons/unit of time)	Brief Description
3P	Wean-to-finish pigs	2,640-head wean-to-finish pigs  NOTE For manure generation and land application determination, the equivalent animal capacity is :  2,640 nursery pigs housed for 12 weeks per year  AND  2,640 grow/finish pigs housed for 38 weeks per year	Liquid	Proposed	13,200 gallons 2 times per year  Total usage: 26,400 gallons per year	Proposed  Two room, 2,640-head wean-to-finish building. 1,320-head per room. Housing two groups per year Self-contained manure storage. Not shared with another confined feeding structure.  Total building dimensions: 101'-10" x 209'-0" O.D. Two-compartment below-building concrete manure storage: 1) 49'-10" x 207'-8" x 5'-8" deep 2) 49'-10" x 207'-8" x 5'-8" deep 3) 11'-0" x 47'-9" x 6'-0" deep reception tank  Total capacity: 115,900 cu ft Available capacity: 196,509 cu ft (6" freeboard and 6" residual solids) Storage capacity: 249 days
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#### IV. FACILITY DETAIL INFORMATION

Label on Farmstead Plan	Animal Type	Number of Animals	Solid or Liquid	Date Constructed (for existing buildings)	Water Uses (gallons/unit of time)	Brief Description
4P	Wean-to-finish pigs	2,640-head wean-to-finish pigs  NOTE For manure generation and land application determination, the equivalent animal capacity is :  2,640 nursery pigs housed for 12 weeks per year  AND  2,640 grow/finish pigs housed for 38 weeks per year	Liquid	Proposed	13,200 gallons 2 times per year  Total usage: 26,400 gallons per year	Proposed  Two room, 2,640-head wean-to-finish building. 1,320-head per room. Housing two groups per year Self-contained manure storage. Not shared with another confined feeding structure.  Total building dimensions: 101' -10" x 209' -0" O.D. Two-compartment below-building concrete manure storage: 1) 49'-10" x 207'-8" x 5'-8" deep 2) 49'-10" x 207'-8" x 5'-8" deep  Total capacity: 112,530 cu ft Available capacity: 93,139 cu ft (6" freeboard and 6" residual solids) Storage capacity: 241 days
5P	-----	Mortality Compost Biovator drum composter	Solid	Proposed	—	Biovator drum composter Sawdust, straw, corn stover, etc. (non-manure) carbon sources utilized in compost facility

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#### IV. FACILITY DETAIL INFORMATION

Label on Farmstead Plan	Animal Type	Number of Animals	Solid or Liquid	Date Constructed (for existing buildings)	Water Uses (gallons/unit of time)	Brief Description
6P	----	Manure solids/compost storage building	Solid	Proposed	----	Proposed Solids storage building Total building dimensions: 30'-0" x 55'-0" O.D.
7P	----	Manure and process wastewater handling and processing building	----	Proposed	----	Proposed Processing equipment and storage building Total building dimensions: 60'-0" x 72'-0" O.D.
8P	----	Processed water storage tanks and secondary containment	----	Proposed	----	Proposed Storage area and tanks Three (3) - 30,000 gallon storage tanks 21'-4" x 51'-4" containment area

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(4) TO THE BEST KNOWLEDGE OF THE APPLICANT, THE RESIDENTIAL OR PUBLIC BUILDINGS WITHIN 400 FEET ( ) MANAGEMENT SYSTEM (327 IAC 19-12-3)(c)(4).

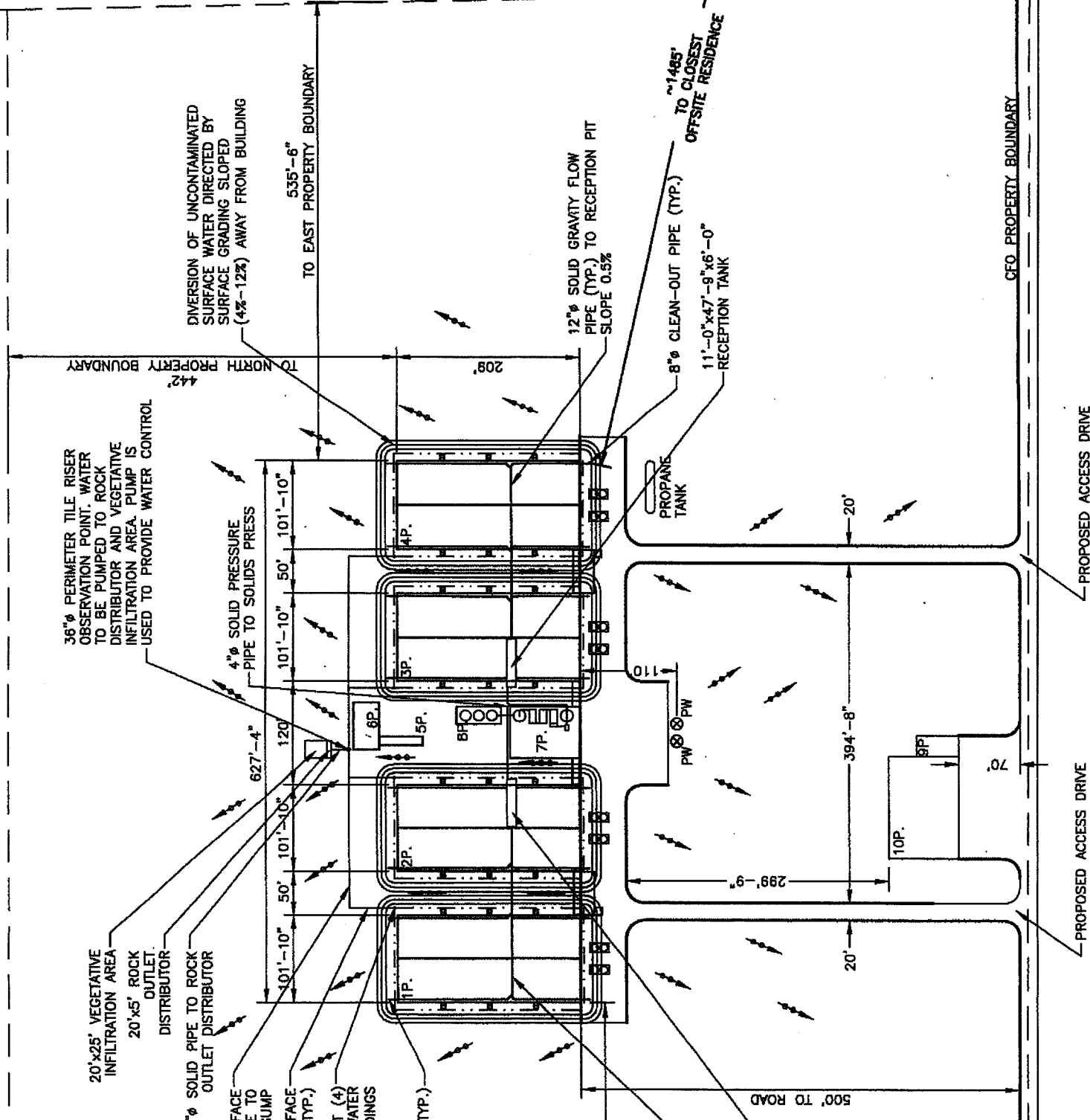
(5) TO THE BEST KNOWLEDGE OF THE APPLICANT, THE FEATURES OF CONCERN WITHIN 500 FEET OF THE PROPOSED SYSTEM ARE DEPICTED:

SURFACE WATERS OF THE STATE, PUBLIC AND PRIVATE CHARACTERISTICS OF KARST TERRAIN, PRODUCTION SUI PROPERTY BOUNDARY LINES, OUTFALLS OF KNOWN SURFACE DRAINAGE INLETS, MORTALITY MANAGEMENT SITES, RESIDUAL UNCONTAMINATED SURFACE WATER, AND 100-YEAR FLOOD EXISTING WELL LOCATIONS HAVE BEEN IDENTIFIED ON A WATER WELL RECORD DATABASE. TO THE BEST KNOWLEDGE OF THE APPLICANT, THERE ARE NO OTHER EXISTING WATER WELLS WITHIN 500' OF THE PROPOSED MANAGEMENT SYSTEM.

(7) TO THE BEST KNOWLEDGE OF THE APPLICANT, THE DRAINAGE TILE LOCATED WITHIN 500' OF THE PROPOSED SUBSURFACE DRAINAGE TILE ARE LOCATED DURING CONSTRUCTION AND/OR REROUTED AROUND THE WASTE MANHOLE REMOVED AND/OR RELOCATION PROVIDED BY THE DEPARTMENT OF RECLAMATION, MINES ARE PREDOMINANTLY LOCATED OUTSIDE OF THIS REGION. WAASH COUNTY IS LOCATED OUTSIDE OF THIS REGION. LOCATION COMPLIES WITH 327 IAC 19-12-2(c)(4) PROPOSED

PR	1P.	2P.	3P.	4P.	5P.	6P.	7P.	8P.	9P.	10P.
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## **GENERAL APPROVAL CONDITIONS**

1. An Approval Renewal application must be submitted to IDEM no less than 30 days prior to the approval expiration date to maintain a valid approval for your operation. The application must include a Manure Management Plan (MMP) which details any changes made at the operation, outline procedures for soil testing and manure testing, and include a current farmstead plan and Natural Resource Conservation Service (NRCS) soil survey maps of application ground. The soil survey maps must detail the boundaries of the field(s) and include the property owner name and available spreadable acres after setbacks are subtracted. The MMP must also contain a request for land application acreage requirement waiver if a manure distribution program is used, or contain a description of alternate methods proposed for managing the manure.
2. This approval does not authorize any injury to any person or private property; the invasion of other private rights; the infringement of federal, state, or local laws or regulations; nor does it preempt any duty to comply with other federal, state or local requirements, permits or approvals.
3. Your request for an approval modification, revocation and reissuance, or termination does not suspend any approval term or condition. The approval may be modified, revoked and reissued, or terminated, for causing or threatening to cause harm to the environment.
4. The conditions of this approval are separable and if any condition of the approval is determined to be invalid the application of the condition to other circumstances and the remainder of this approval will not be affected.
5. You may not start construction of a CFO, or expansion of a CFO that increases animal capacity and/or manure containment capacity, without obtaining prior approval from IDEM as required by 327 IAC 19-1-2(b).
6. Indiana Administrative Code 327 IAC 15-5 requires a construction site run-off permit for all land-disturbing activities of one acre or more. The purpose of this permit is to minimize the discharge of pollutants, principally sediment that is associated with land disturbance. For additional information, please visit the IDEM, Stormwater Program website at <http://www.in.gov/idem/stormwater/2331.htm> or call 317-233-8488. Technical resources are also available through the local Soil and Water Conservation District (SWCD) and in the Indiana Storm Water Quality Manual (<http://www.in.gov/idem/stormwater/2363.htm>). This permit is required prior to any land disturbing activities including site preparation.
7. You must follow the construction requirements of 327 IAC 19-12. Please find the enclosed construction checklist and forms required to be submitted to IDEM to ensure compliance with construction requirements of this approval and 327 IAC 19-12.
8. Permittees must submit to IDEM the enclosed Construction Notification Form (State Form 50210) within two (2) days prior to the commencement of construction.
9. Permittees must submit to IDEM the enclosed Construction Completion Affidavit (State Form 51255) within thirty (30) days after the date construction of an approved waste management structure is completed, and **prior** to the introduction of any animals. The affidavit must be completed, signed by the responsible party,

notarized, and returned to IDEM assuring that the waste management system was constructed and will be operated in accordance with the requirements of the approval.

10. All liquid manure storage facilities must be certified upon completion by a registered professional engineer (PE) on a form provided by IDEM. The completed PE Certification Form must be submitted with the Construction Completion Affidavit for structures 1P, 2P, 3P, and 4P. A "Construction Completion Affidavit" and PE Certification Form (if applicable) will accompany the CFO approval or can be duplicated from the IDEM CFO Record Book to be used for the notification process.
11. A PE Certification is not required for structures 5P, 6P, 7P, and 8P.
12. If a permittee performs partial construction of an approved project involving multiple approved units and wishes to utilize a completed unit prior to completing construction of other approved units, multiple affidavits, and if applicable PE Certifications, must be submitted.

*(Remainder of page intentionally left blank)*

## **ALTERNATIVE COMPLIANCE APPROACH**

### **CONCRETE:**

Your application contained an alternative compliance approach to the concrete column footer standard design in 327 IAC 19-12-4(e). The proposed column design meets or exceeds the requirement for maintaining structural integrity. IDEM determined the proposed alternative specifications meet the performance standards in 327 IAC 19-3-1 and approve this design as an alternate compliance approach under 327 IAC 19-5-1(c).

Your application proposed an alternative compliance approach to the use of concrete specifications required by 327 IAC 19-12-4(e). IDEM determined the proposed alternative specifications meet the performance standards in 327 IAC 19-3-1 and have approve your alternative compliance approach under 327 IAC 19-5-1(c).

Your application contained an alternative compliance approach to the poured concrete column reinforcement design in 327 IAC 19-12-4(e). The proposed column design meets or exceeds the requirement for maintaining structural integrity. IDEM determined the proposed alternative specifications meet the performance standards in 327 IAC 19-3-1 and approve this design as an alternate compliance approach under 327 IAC 19-5-1(c).

Your application contained an alternative compliance approach to the design of multiple structural components of the concrete manure storage tank. The design options were found to meet or exceed the requirement for maintaining structural integrity. IDEM determined the proposed alternative specifications meet the performance standards in 327 IAC 19-3-1 and approve this design as an alternate compliance approach under 327 IAC 19-5-1(c).

These alternatives include:

1. Potential use of masonry columns.
2. Use of concrete column reinforcement different from that specified in the MWPS-36.
3. Four optional column footer designs.
4. Use of modified reinforcement design providing lateral support to top of pit wall.

Your application proposed an alternative compliance approach to the use of concrete specifications required by 327 IAC 19-12-4(e). IDEM determined the proposed alternative specifications meet the performance standards in 327 IAC 19-3-1 and approve your alternative compliance approach under 327 IAC 19-5-1(c).