



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

Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

Mr. Gary G. Treska II
New Barn
2038 E Durnbaugh Rd
Lagro, Indiana 46941

October 11, 2018

Dear Mr. Treska:

Re: Confined Feeding Operation
Approval with Construction
Gary G. Treska II
Wabash County
Farm ID # 6725
Animal Waste Number AW-6794

Your confined feeding operation (CFO) application seeking approval expand your existing swine 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 #, **6725**, 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.

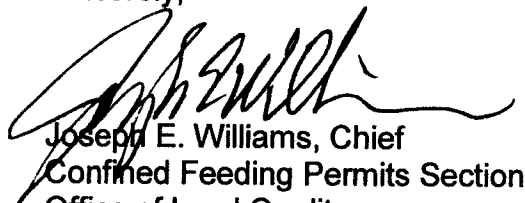
A weekly posting of pending permits is located on our agency website at:
<http://www.in.gov/idem/landquality/2349.htm>.

This decision becomes effective immediately upon issuance unless a person aggrieved or adversely affected by the decision files a request for an administrative 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
CFO Professional Engineer Certification Construction for Earthen
CFO Professional Engineer Certification Construction for Geomembrane

cc: Melissa Lehman – Agronomic Solutions, LLC
Wabash County Health Department
Wabash County Board of Commissioners
Lagro, Indiana Mayor/Town Council President
USDA-Natural Resources Conservation Service

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) Gary G. Treska II Farm ID: 6725 AW#: 6794Operation Name: New barn County: WabashProperty Owner: Gary G. Treska II Contact Person: Gary Treska IIOperation Location: S America Rd and CR 250 S Lagro, Indiana

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: October 11, 2018Expiration Date: October 11, 2023Renewal Submission Deadline: September 11, 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

Applicant: (Permittee) **Gary G. Treska II**
Operation Name: **New Barn**

Farm ID #: **6725**

FACILITY DESCRIPTION

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

The existing CFO and associated manure control facilities were previously renewed March 3, 2017, Animal Waste Number AW-6180. The following **existing** and or previously approved structures are reapproved:

- One swine confinement structure, identified as E1, with a deep concrete pit beneath slatted floors to provide liquid manure storage for 2,000 finishing hogs.

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

- One swine confinement structure, identified as P1, with a deep concrete pit beneath slatted floors to provide liquid manure storage for 2,000 finishing hogs.

Mortalities are removed within 24 hours and taken to compost facility at farm #1864.

Your CFO is approved for total capacity of 4,000 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/idem/landquality/files/cfo_guidance_manual.pdf .

Monitoring of Perimeter Drains:

Monitoring of Perimeter Drains: (327 IAC 19-12-4) The perimeter drain for structure **P1** 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

Applicant: (Permittee) **Gary G. Treska II**
Operation Name: **New Barn**

Farm ID #: **6725**

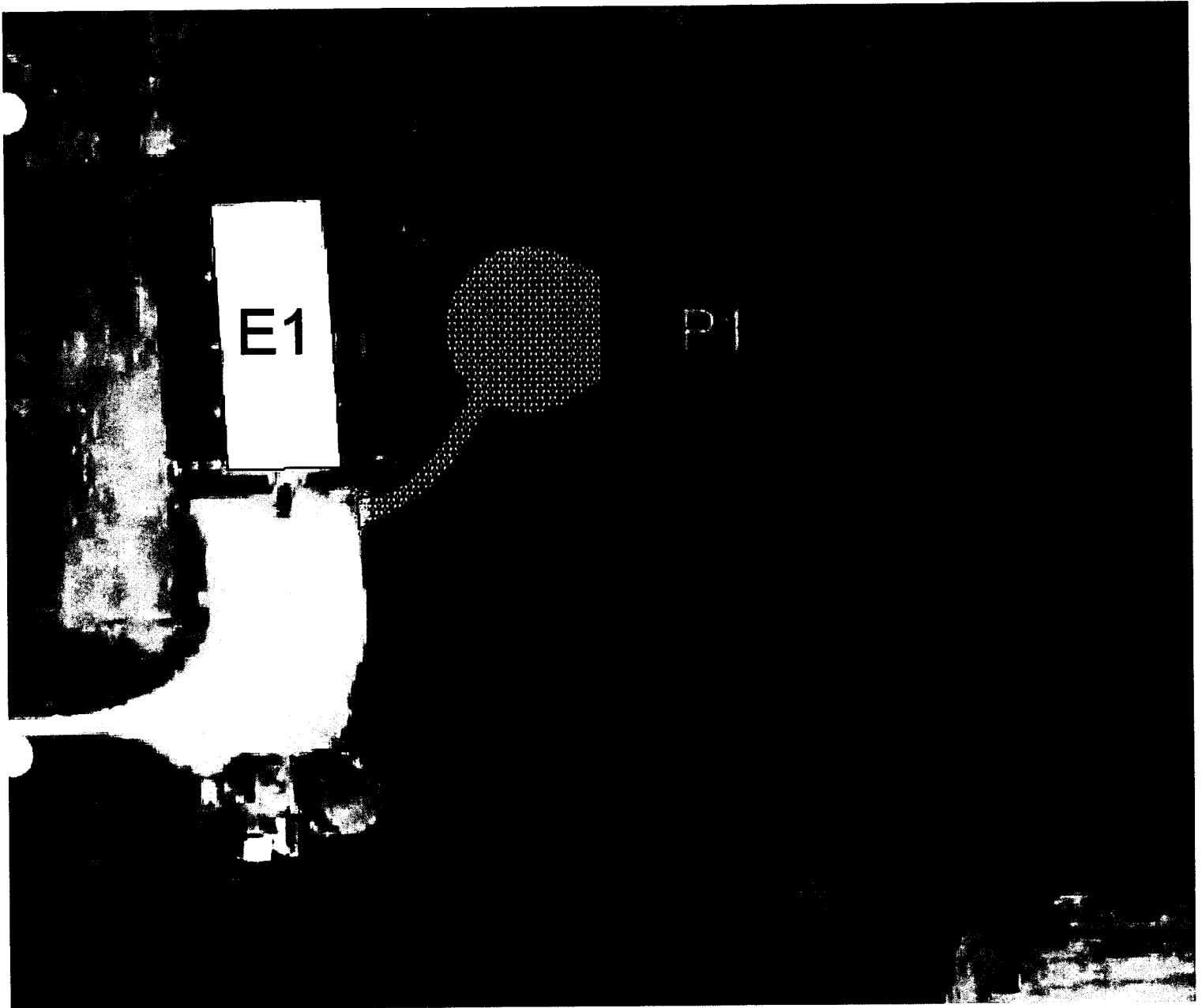
indicators are found during the monthly check of the perimeter drain outflow will be directed back into the waste storage structure.

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 structure **P1** to establish a base line test for the site.








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Facility Detail Sheet

Label on Site Map	Animal type	Number of Animals	Solid or Liquid	Date Constructed (for existing buildings)	Water Uses (gal/unit of time)	Brief Description:
E1	Finishing Hogs	2,000	Liquid	2012	10,000 gal every 20 weeks	80'x200' one room barn. 80'x200'x8' with a .5' freeboard deep concrete pit beneath slotted floors for the storage of the liquid manure from 2,000 hogs with a useable capacity of 897,600 gal. Previously approved on 4/2/2012, AW # 6180
P1	Finishing Hogs	2,000	Liquid	Proposed	10,000 gal every 20 weeks	One room, 2000 head finishing building 81'-4"x200 O.D. with underfloor tank below slab floors. Below building reinforced concrete manure tank, 80'x198'-8"x8'-0" deep with a total capacity of 127,147 ft ³ or 951,060 gallons and a useable capacity of 111,253 ft ³ or 832,172 gallons, which provides 328 days of storage, with solids and freeboard deductions. The manure will be land applied twice per year as the field conditions are suitable.
						Mortality Management: The producer compost his dead animals. The animals are removed within 24 hours of death and taken to farm #1864 to be composted.



Site Map

-  Discharge Tile
-  Fuel Tanks
-  Observation Point
-  Proposed Driveway
-  Rock Discharge Area
-  Soil Boring Points
-  Well

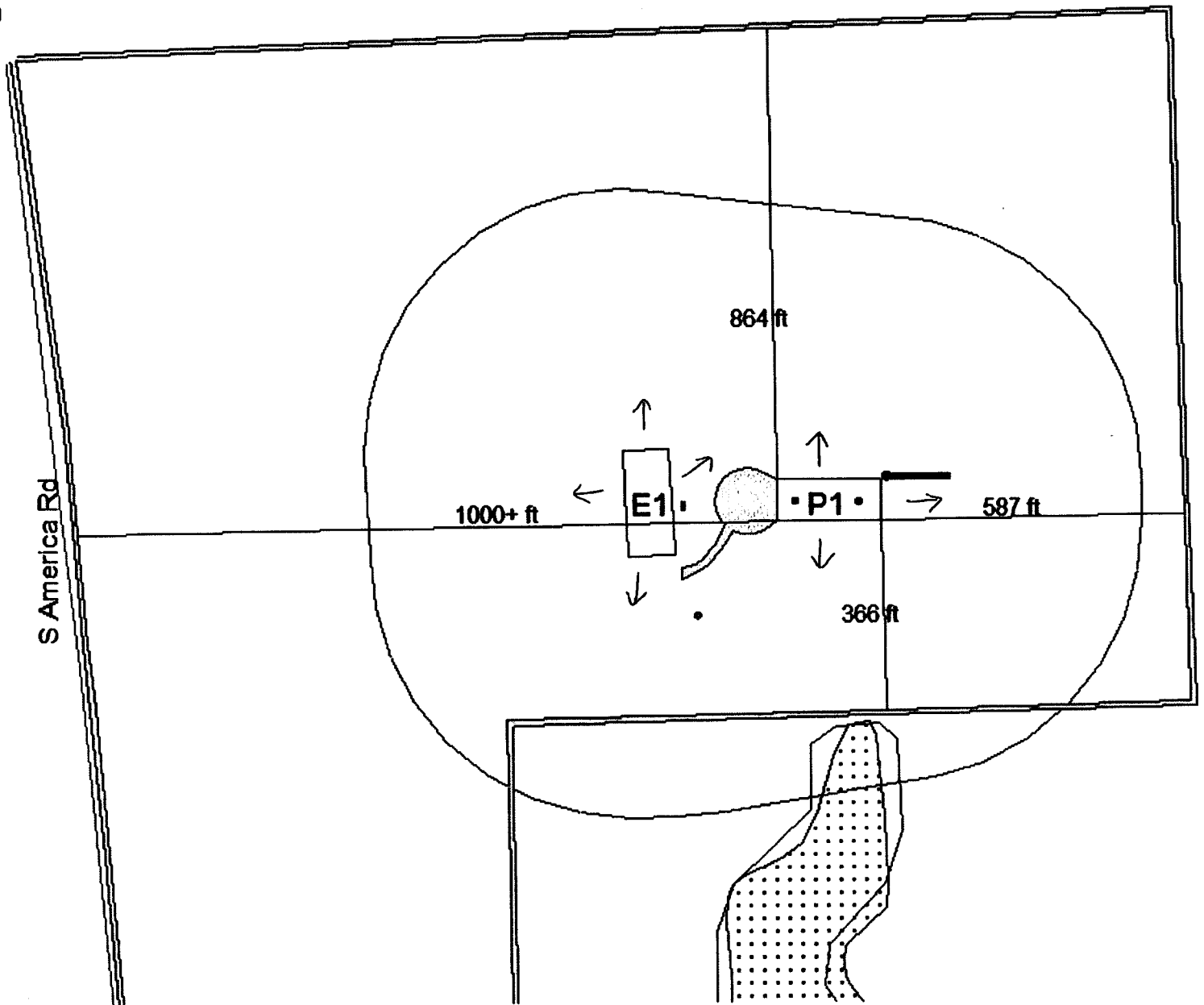
Site Map

S America Rd & CR 250 S
Lagro, IN 46941

See Facility Detail Sheet for existing and proposed structures













Gary Treska



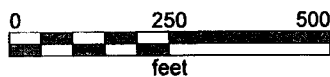
Farmstead Plan

Farmstead Map

-  Discharge Tile
-  Fuel Tanks
-  Observation Point
-  Property Line
-  Proposed Driveway
-  Rock Discharge Area
-  Soil Boring Point
-  Surface Water
-  Well
-  Wetland Area

Buildings/Features within 500ft of the waste management system

See Facility Detail Sheet for existing and proposed structures



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, 8/2018) within two (2) days prior to the commencement of construction.

Applicant: (Permittee) **Gary G. Treska II**
Operation Name: **New Barn**

Farm ID #: **6725**

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 P1. 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. 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.

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