



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

Jeff Dawes
Paw Paw Pork, LLC
2499 E SR 16
Urbana, Indiana 46990

February 27, 2019

Dear Mr. Dawes:

Re: Confined Feeding Operation
Approval Renewal
Jeff Dawes
Wabash County
Farm ID # 4266
Animal Waste Number AW- 4654

Your confined feeding operation (CFO) application seeking approval to renew your existing swine operation in Wabash County is approved. The public record identifies you as the permit holder. This approval renewal will become effective on March 14, 2019.

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.

You can view 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 #, **4266**, 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:
<https://www.in.gov/idem/cfo/2329.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,

A handwritten signature in black ink, appearing to read "Joseph E. Williams". The signature is fluid and cursive, with a large initial "J" and a long horizontal stroke at the end.

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

cc: Dan Kinker, United Animal Health
Wabash County Health Department (without enclosures)
Wabash County Board of Commissioners (without enclosures)
Urbana, 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) Jeff Dawes Farm ID : 4266 AW#: 4654Operation Name: Paw Paw Pork, LLC County: WabashProperty Owner: Jeff Dawes Contact Person: Jeff DawesOperation Location: 2499 E SR 16, Urbana, IN

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

Effective Date: March 14, 2019Expiration Date: March 14, 2024Renewal Submission Deadline: February 13, 2024

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 existing CFO and associated manure control facilities were previously renewed March 14, 2014, Animal Waste Number AW-4654. The following **existing** and or previously approved structures are reapproved:

- One swine confinement building, identified as Barn 1. This building has a concrete pit beneath slotted floors for the storage of liquid manure from 1,100 finishing pigs.
- One swine confinement building, identified as Barn 2. This building has a concrete pit beneath slotted floors for the storage of liquid manure from 1,100 finishing pigs.
- One swine confinement building, identified as Barn 3. This building has a concrete pit beneath slotted floors for the storage of liquid manure from 1,100 finishing pigs.
- One swine confinement building, identified as Barn 4. This building has a concrete pit beneath slotted floors for the storage of liquid manure from 1,100 finishing pigs.
- One swine confinement building, identified as Barn 5. This building has a concrete pit beneath slotted floors for the storage of liquid manure from 1,100 finishing pigs.

Mortalities are rendered off-site.

Your CFO is approved for total capacity of 5,500 finishing pig 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 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 .

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CFO / CAFO APPLICATION PACKET
Farmstead Plan (continued)

Part of State Form 55051 (7-12)
Approved by State Board of Accounts, 2012
Confined Feeding Operation (CFO)
National Pollutant Discharge Elimination System Concentrated Animal Feeding Operation
(NPDES CAFO)

RECEIVED

FEB 20 2019

DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
OFFICE OF LAND QUALITY

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
Confined Feeding Section
Office of Land Quality
100 North Senate Avenue
Indianapolis, Indiana 46204
(800) 451-6027 extension 2-4473

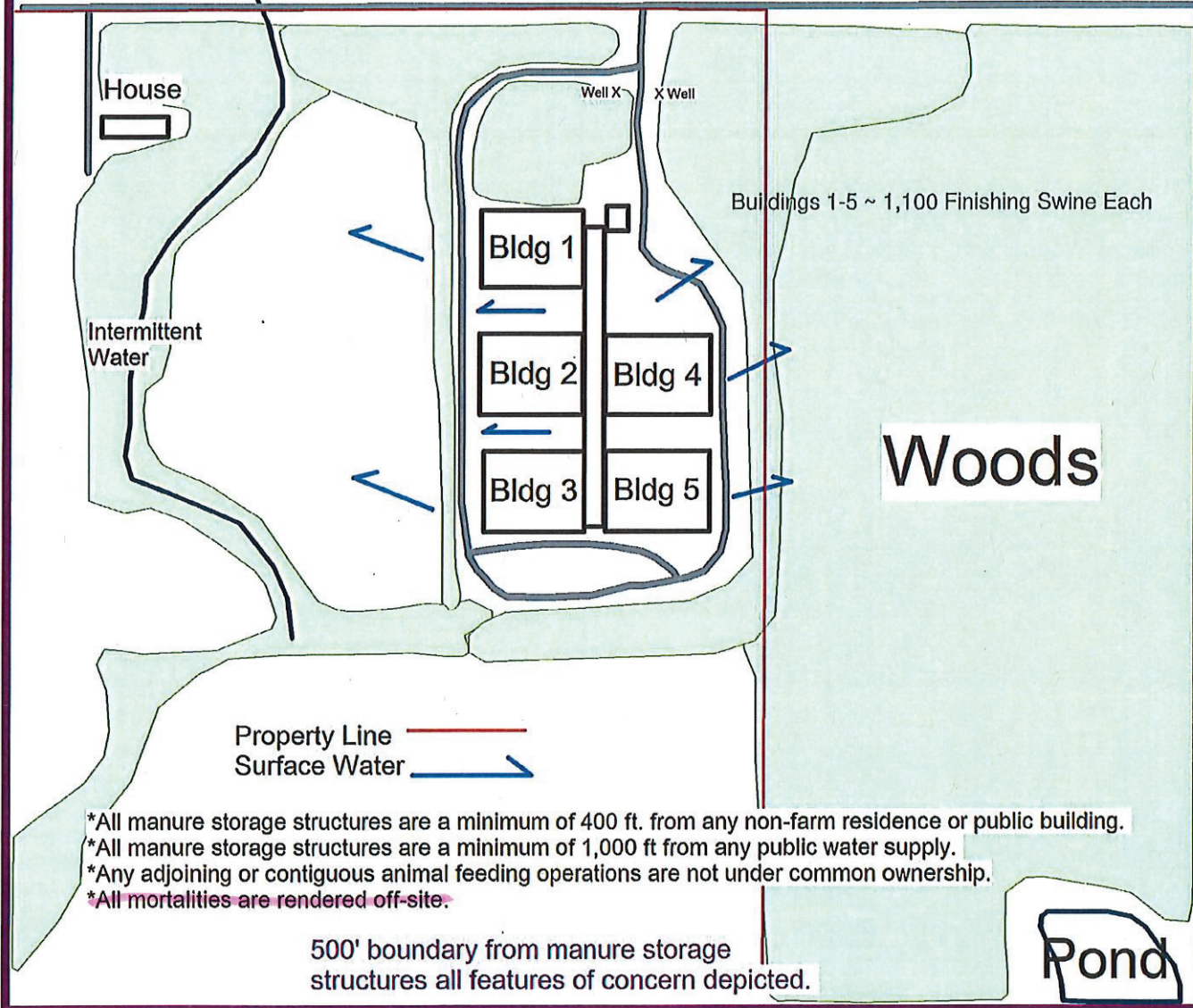
IV. FACILITY DETAIL INFORMATION

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
Barn 1	Finishing	1,100	L	1999	5,000 every 26 weeks	Concrete pit beneath slotted floors. Originally permitted 10/19/98 AW# 4654
Barn 2	Finishing	1,100	L	1999	5,000 every 26 weeks	Concrete pit beneath slotted floors. Originally permitted 10/19/98 AW# 4654
Barn 3	Finishing	1,100	L	1999	5,000 every 26 weeks	Concrete pit beneath slotted floors. Originally permitted 10/19/98 AW# 4654
Barn 4	Finishing	1,100	L	1999	5,000 every 26 weeks	Concrete pit beneath slotted floors. Originally permitted 10/19/98 AW# 4654
Barn 5	Finishing	1,100	L	1999	5,000 every 26 weeks	Concrete pit beneath slotted floors. Originally permitted 10/19/98 AW# 4654



Paw Paw Pork LLC.

State Road 16



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FEB 20 2019

DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
OFFICE OF LAND QUALITY



Applicant: (Permittee) **Jeff Dawes**
Operation Name: Paw Paw Pork, LLC

Farm ID #: **4266**

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).

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