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

February 20, 2019

Van Haupert
Haupert Farms Inc
10690 N 175 E
North Manchester, Indiana 46962

Dear Mr. Haupert:

Re: Confined Feeding Operation
Approval Renewal
Haupert Farms Inc
Wabash County
Farm ID # 4669
Animal Waste Number AW- 3151

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 7, 2019.

This approval contains building E4 that had been previously approved to house 240 nursery pigs that is now inactive and not approved to be used for swine production. In order to populate this building, the approval must be amended to add back building E4, and any associated animal numbers, back into your approval prior to populating this building.

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 **#, 4669,** 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,

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: Melissa Lehman, Agronomic Solutions, LLC
Wabash County Health Department (without enclosures)
Wabash County Board of Commissioners (without enclosures)
North Manchester, 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.

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CONFINED FEEDING OPERATION (CFO) APPROVAL

Applicant: (Permittee) Haupert Farms Inc Farm ID: 4669 AW#: 3151

Operation Name: Haupert Farms Inc County: Wabash

Property Owner: Haupert Farms Inc Contact Person: Van Haupert

Operation Location: 10690 N 175 E North Manchester, Indiana 46962

Approval Type				
☐ Construction	☐ Approval w/o Construction	☒ Renewal	☐ Amendment	☐ Facility Change
☐ Transfer	☐ Other	Notes:		

Effective Date: March 7, 2019

Expiration Date: March 7, 2024

Renewal Submission Deadline: February 6, 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

Applicant: (Permittee) **Haupert Farms Inc** Farm ID #: **4669**

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 7, 2014, Animal Waste Number AW-3151. The following **existing** and or previously approved structures are reapproved:

- One swine confinement structure labeled E1 with a reinforced concrete floor and a five feet deep pit for the storage of liquid manure from 480 finishing pigs.
- One swine confinement structure labeled E2 with a reinforced concrete floor and an eight feet deep pit for the storage of liquid manure from 1,180 finishing pigs.
- One swine confinement structure labeled E3 with a reinforced concrete floor and 2 pits. The pits are five feet and eight feet deep for the storage of liquid manure from 710 finishing pigs.
- One swine confinement structure labeled E5 with a reinforced concrete with a partially slatted floor and an eight feet deep pit for the storage of liquid manure from 150 finishing pigs.
- One swine confinement structure labeled E6 with a reinforced concrete floor and a four and one-half feet deep pit for the storage of liquid manure from 500 finishing pigs.
- One swine confinement structure labeled E7 with a reinforced concrete floor and a four and one-half feet deep pit for the storage of liquid manure from 600 finishing pigs.
- One swine confinement structure labeled E8 with a reinforced concrete floor and a two and one-half feet deep pit for the storage of liquid manure from 450 nursery pigs. This barn's shallow pit flushes to E7.
- One swine confinement structure labeled E9 with a reinforced concrete floor and a four and one-half feet deep pit for the storage of liquid manure from 500 nursery pigs.
- One swine confinement structure labeled E10 with a reinforced concrete floor and a five feet deep pit for the storage of liquid manure from 700 finishing pigs.

The following structures identified on the Farmstead Plan are not approved for housing livestock or for manure storage.

- Structure E4 was previously approved to house 240 nursery pigs and is no longer used for animal production. In order to populate this building, the approval must be amended to add back building E4, and any associated animal numbers, back into your approval prior to populating this building.

Mortalities are composted off-site in a barn with cement floors and side walls.

Your CFO is approved for total capacity of 4,320 finishing pigs and 950 nursery pigs 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.

Applicant: (Permittee) **Haupert Farms Inc** Farm ID #: **4669**

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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Applicant: (Permittee) **Haupert Farms Inc** Farm ID #: **4669**

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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Facility Detail Sheet

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Label on Farmstead Map	Animal type	Number of Animals	Solid or Liquid	Date Constructed (for existing buildings)	Water Uses (gal/unit of time)	Brief Description:
E1	Finisher Pigs 40-260 lbs	480	Liquid	1980	4500 gals/ washwater/yr	40'x120' reinforced concrete floor with a 5' deep pit. This barn has a capacity of 24,000 ft^3 or 179,520 gal. Previously approved on 4/15/94, AW #3151.
E2	Finisher Pigs 40-260 lbs	1,180	Liquid	1985	9000 gals/ washwater/yr	40'x210'reinforced concrete floor with a 8' deep pit. This barn has a capacity of 67,200 ft^3 or 502,656 gal. Previously approved on 4/15/94, AW #3151.
E3	Finisher Pigs 40-260 lbs	710	Liquid	1980	4500 gals/ washwater/yr	45'x150'reinforced concrete floor with 2 pits. The west pit is 45'x60'x8' with a capacity of 21,600 ft^3 or 161,568 gal. The East pit is 45'x90'x5' with a capacity of 20,250 ft^3 or 151,470 gal. With a total capacity of 41,850 ft^3 or 313,038 gal. Previously approved on 4/15/94, AW #3151.
E4	~~Nursery Pigs 12-40 lbs~~	~~240~~	Liquid			75'x25' reinforced concrete floor with a 2' shallow flush system, which flows to the west end of the barn to a 30'x20'x8' pit. The deep pit has a capacity of 4,800 ft^3 or 35,904 gal. Previously approved on 4/15/94, AW #3151. **This barn is longer used for animal production.**
E5	Finisher Pigs 40-260 lbs	150	Liquid	1978	4500 gals/ washwater/yr	64'x45'reinforced concrete floor with a partially slatted floor. 64'x8'x8' deep pit. This barn has a capacity of 4,096 ft^3 or 30,638 gal. Previously approved on 4/15/94, AW #3151.
E6	Finishing Hogs 40-260 lbs	500	Liquid	1973	4500 gals/ washwater/yr	140'x40' reinforced concrete floor with a 4.5' deep pit. This barn has a capacity of 25,200 ft^3 or 188,496 gal. Previously approved on 4/15/94, AW #3151.
E7	Finisher Pigs 40-260 lbs	600	Liquid	1975	5500 gals/ washwater/yr	100'x40' reinforced concrete floor with a 4.5' deep pit. This barn has a capacity of 18,000 ft^3 or 134,640 gal. Previously approved on 4/15/94, AW #3151.
E8	Nursery Pigs 12-40 lbs	450	Liquid	1987	9000 gals/ washwater/yr	45'x45' reinforced concrete floor with a 2.5' deep pit. This barn has a capacity of 5,063 ft^3 or 37,868 gal. This barn has a shallow pit and flushes to E7. Previously approved on 4/15/94, AW #3151.

Facility Detail Sheet

Label on Farmstead Map	Animal type	Number of Animals	Solid or Liquid	Date Constructed (for existing buildings)	Water Uses (gal/unit of time)	Brief Description:
E9	Nursery Pigs 12-40 lbs	500	Liquid	1969	9000 gals/ washwater/yr	80'x27' reinforced concrete floor with a 4.5' deep pit. This barn has a capacity of 9,720 ft^3 or 72,706 gal. Previously approved on 4/15/94, AW #3151.
E10	Finishing Hogs 40-260 lbs	700	Liquid	1971	6000 gals/ washwater/yr	160'x40' reinforced concrete floor with a 5' deep pit. This barn has a capacity of 32,000 ft^3 or 239,360 gal. Previously approved on 4/15/94, AW #3151.
						Mortality Management: The producer composts his dead animals off site in a barn with cement floors and side walls.

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Haupert Farms Inc

Site Map

Grain/Feed Bin
Well

Site Map

10690 N 175 E
North Manchester, IN 46962

See Facility Detail Sheet for Existing Structures

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feet

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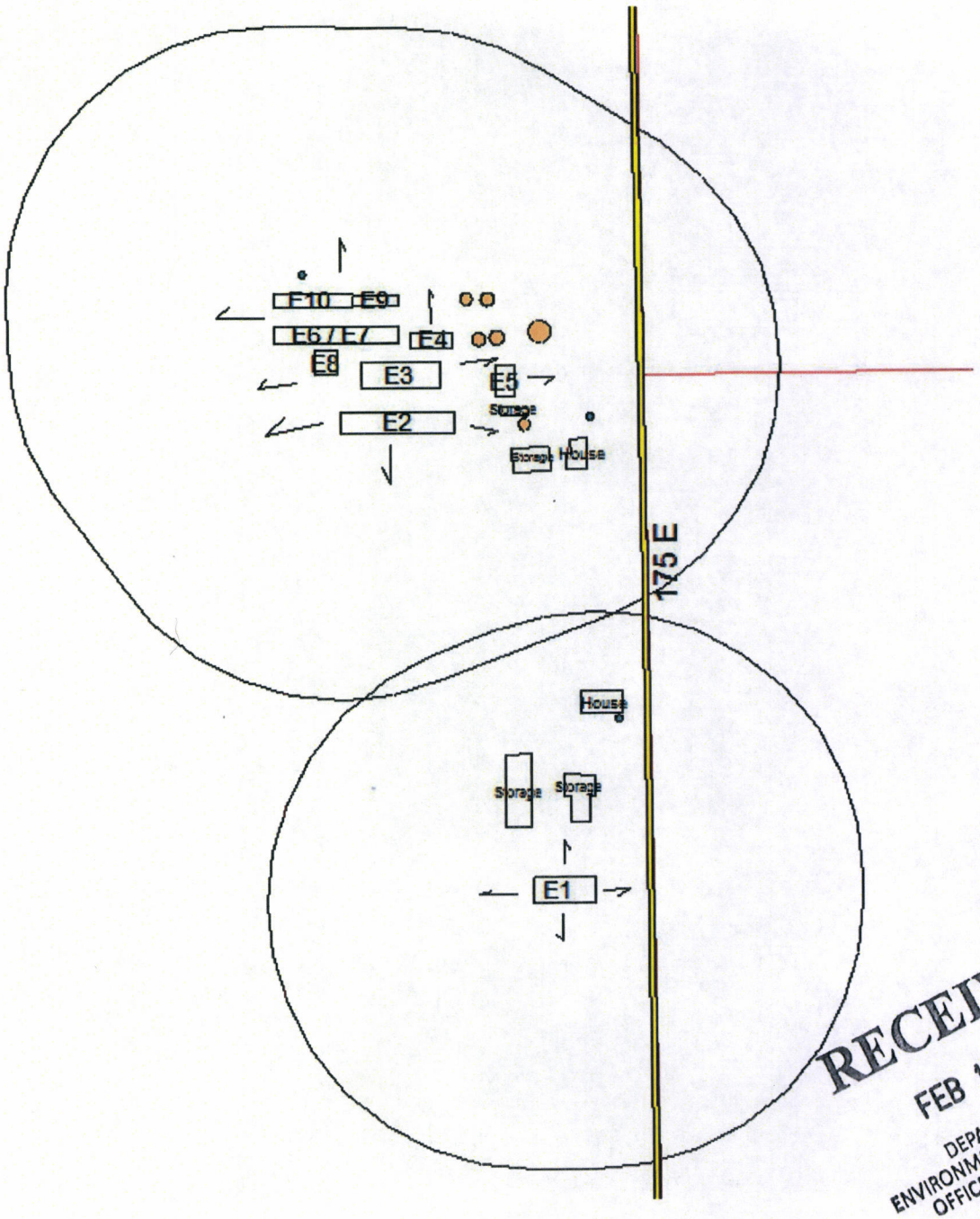
Haupert Farms Inc



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Farmstead Plan

- Grain/Feed Bin
- Property Line
- Well

Farmstead Plan

Buildings/Features within 500ft of Manure Storage

See Facility Detail Sheet for Existing Structures

0 300 600
feet