

Application Type Renewal
Facility Type CAFO
Permit Type Individual

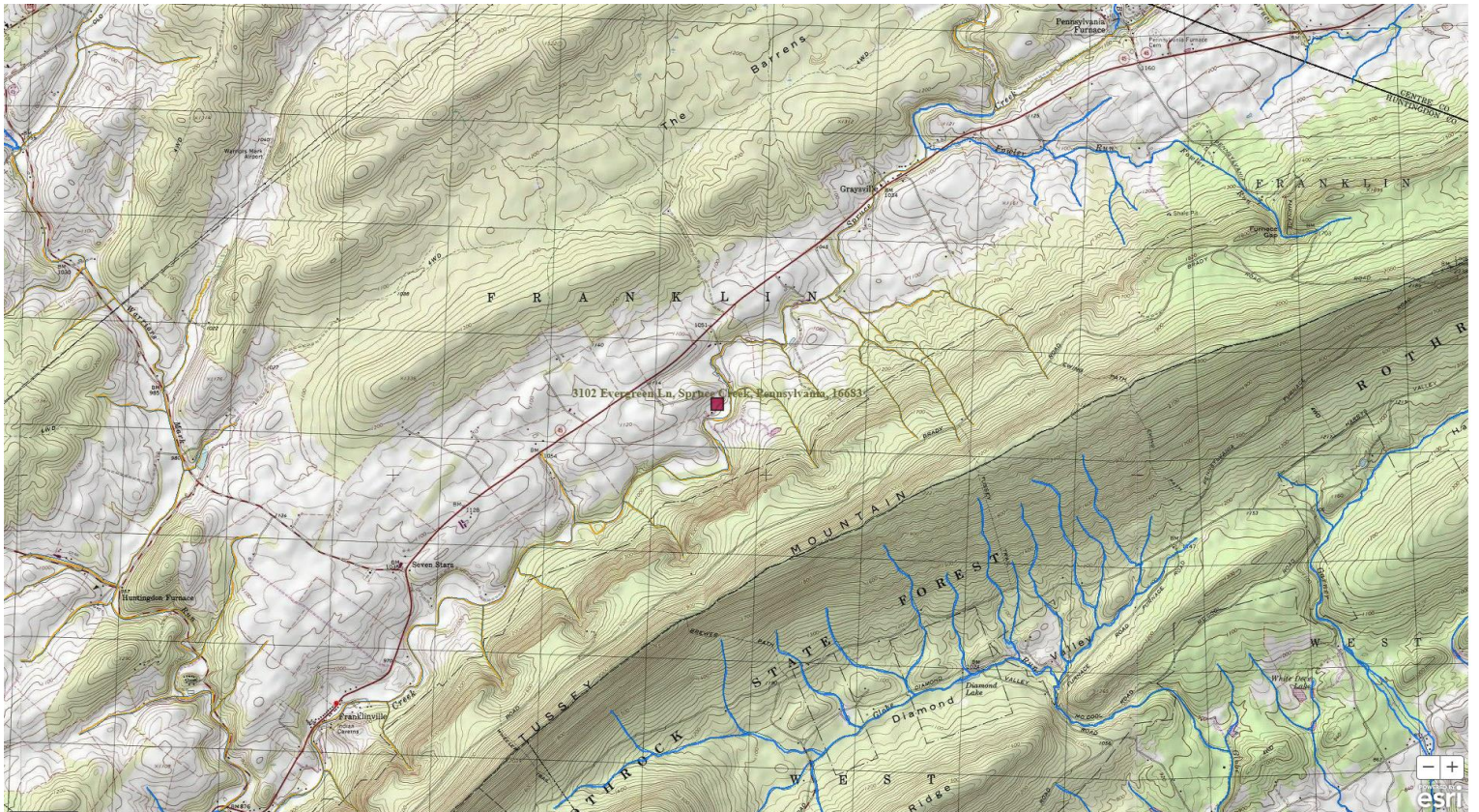
**NPDES PERMIT FACT SHEET
CAFOs**

Application No. PA0088561
APS ID 331794
Authorization ID 1226813

Applicant and Facility Information

Applicant Name	<u>Evergreen Farms Inc.</u>	Farm Name	<u>Evergreen Farms CAFO</u>
Applicant Address	<u>3102 Evergreen Lane</u> <u>Spruce Creek, PA 16683-1569</u>	Farm Address	<u>3102 Evergreen Lane</u> <u>Spruce Creek, PA 16683-1508</u>
Applicant Contact	<u>Andrew Harpster</u>	Farm Contact	<u>Andrew Harpster</u>
Applicant Phone	<u>(814) 883-7341</u>	Farm Phone	<u>(814) 883-7341</u>
Client ID	<u>145612</u>	Site ID	<u>538993</u>
SIC Code	<u>0241</u>	Municipality	<u>Franklin Township</u>
SIC Description	<u>Agriculture - Dairy Farms</u>	County	<u>Huntingdon</u>
Date Application Received	<u>April 30, 2018</u>	WQM Required	<u>Yes</u>
Date Application Accepted	<u>May 3, 2018</u>	WQM App. No.	<u>3101202, 3111201, 3111202</u>

Project Description Evergreen Farms Inc. submitted an application for renewal of their existing CAFO permit for their existing dairy operation.



Approve	Deny	Signatures	Date
X		<i>Hans D. Shollenberger</i> Hans D. Shollenberger / Environmental Engineering Specialist	9/25/2023
X		<i>Scott M Arwood</i> Scott M. Arwood, P.E. / Environmental Engineer Manager	9/26/2023

Description:

Evergreen Farms Inc. submitted an application for renewal of their existing CAFO permit for their existing dairy operation located in Franklin Township, Huntingdon County. The operation is considered a CAO for exceeding 8 AEUs while exceeding an animal density of 2 AEUs/Acre. The operation is considered a large CAFO for being a CAO that exceeds 300 AEUs, for exceeding 1,000 AEUs, and for exceeding the EPA large CAFO threshold of 700 Mature Dairy Cows. The operation has the following animal population:

Animal Type	Number	AEUs
Holstein Lactating & Dry Cows	3,345	4,850.25
Holstein Heifer: 1-2 yr.	2,303	1,712.23
Holstein Calf: 0–1 yr.	1,138	474.60
	Total AEUs =	7,037.08

The nearest receiving water to the Evergreen Farms home site is Spruce Creek, designated as High Quality-Cold Water Fishes and Migratory Fishes (HQ-CWF, MF), located in Watershed 11-A. This stream is impaired by agriculture siltation.

The nearest receiving streams for all locations are Spruce Creek (HQ-CWF, MF), Halfmoon Creek (HQ-CWF, MF), Little Juniata River (CWF, MF), Robinson Run (WWF, MF), Emma Creek (WWF, MF), Frankstown Branch of the Juniata River (WWF, MF), Reeds Run (HQ-CWF, MF), Warriors Mark Run (HQ-CWF, MF), Fowler Run (HQ-CWF, MF), and Shaver Creek (HQ-CWF, MF). The numerous special protection classifications require an Individual CAFO permit.

Manure/Nutrient Management:

The current NMP was approved on December 1, 2022, for crop year 2023. There are 2,564.6 acres available on lands owned and rented by the applicant for manure application according to the NMP, resulting in a density of 2.74 AEUs/acre. The current 2023 Crop Year Plan will expire on September 30, 2023. The Huntingdon County Conservation District informed consultant Darren Shenk that the 2024 crop year plan update will be acknowledged at the October Board meeting since the September meeting was not held. If any significant changes are included in the updated plan, the permit will be drafted again.

Manure Group Information:

Manure Group	Manure Generated Annually	Manure Used on the Farm	Manure Exported (gallons or tons)
MG1 Main Dairy Liquid Fall	12,301,000.0 gal	12,672,792.0 gal	0.0
MG2 Main Dairy Liquid Winter	5,991,300.0 gal	5,344,920.0 gal	0.0
MG2 Main Dairy Liquid Winter	646,380.0 gal	0 gal	650,000 gal
MG3 Main Dairy Liquid Spring	8,872,000.0 gal	9,676,463.4 gal	0.0
MG4 Main Dairy Liquid Summer	2,450,700.0 gal	2,883,240.0 gal	0.0
MG5 Peterson Dairy Liquid Fall	580,000.0 gal	609,660.0 gal	0.0
MG5 Peterson Dairy Liquid Fall - uncollected	122.4 tons	123.7 tons	0.0
MG6 Peterson Dairy Liquid Winter	580,000.0 gal	640,980.0 gal	0.0
MG7 Peterson Dairy Liquid Spring	670,000.0 gal	1,366,560.0 gal	0.0
MG8 Peterson Dairy Liquid Summer	500,000.0 gal	627,660.0 gal	0.0
MG8 Peterson Dairy Liquid Summer - uncollected	228.0 tons	229.3 tons	0.0
MG9 Dink Dairy Liquid Fall	400,000.0 gal	151,920.0 gal	0.0
MG9 Dink Dairy Liquid Fall - uncollected	316.8 tons	0.0	0.0
MG10 Dink Dairy Liquid Spring	400,000.0 gal	151,920.0 gal	0.0
MG10 Dink Dairy Liquid Spring - uncollected	216.0 tons	0.0	0.0
MG11 Rhodes LeCrone Dairy Liquid Fall	895,000.0 gal	0.0	0.0
MG11 Rhodes LeCrone Dairy Liquid Fall - uncollected	58.5 tons	0.0	0.0

NPDES Permit Fact Sheet
NPDES Permit No. PA0088561
Evergreen Farms CAFO

MG12 Rhodes LeCrone Dairy Liquid Spring	1,377,000.0 gal	0.0	0.0
MG13 Rhodes LeCrone Dairy Liquid Summer	150,000.0 gal	0.0	0.0
MG13 Rhodes LeCrone Dairy Liquid Summer - uncollected	181.5 tons	0.0	0.0
MG14 Rider Dairy Liquid Fall	1,070,000.0 gal	1,049,143.5 gal	0.0
MG15 Rider Dairy Liquid Spring	1,070,000.0 gal	1,036,865.7 gal	0.0
MG15 Rider Dairy Liquid Spring - uncollected	344.2 tons	99.1 tons	0.0
MG16 Dairy Solid	9,732.0 tons	5,643.9 tons	0.0
MG16 Dairy Solid	4,088.1 tons	1,215.0 tons	4,000 tons
MG16 Dairy Solid - uncollected	2,172.7 tons	2,948.6 tons	0.0

Exported Manure:

Name/ Address	Amount and Source of Manure Exported per Season (gallons/ tons)			
	Spring	Summer	Fall	Winter
Penn State Agronomy Farm (Alan Cook) 1794 W Pine Grove Road Pennsylvania Furnace PA 16865	5,314,400 gal Dairy	0	5,314,400 gal Dairy	0
Earl Lake 7952 Lake Lane Pennsylvania Furnace PA 16865	1,121,400 gal Dairy	1,121,400 gal Dairy	747,600 gal Dairy	1,576,800 gal Dairy
Scott Cox 2320 Harshberger Lane Warriors Mark Pa 16877	5,552 tons Dairy & 2,498,400 gal Dairy	0	5,552 tons Dairy & 2,498,400 gal Dairy	1,934 tons Dairy & 676,900 gal Dairy
Evergreen Acres LLC 3102 Evergreen Lane, Spruce Creek Pa 16683	50,258 tons Dairy & 20,100,000 gal Dairy	20,100,000 gal Dairy	50,258 tons Dairy & 20,100,000 gal Dairy	9,213,700 gal Dairy

The following requirements must be met when transferring manure to other persons:

40 CFR 122.42(e)(3) - Requirements relating to transfer of manure or process wastewater to other persons.

Prior to transferring manure, litter, or process wastewater to other persons, Large CAFOs must provide the recipient of the manure, litter or process wastewater with the most current nutrient analysis. The analysis provided must be consistent with the requirements of 40 CFR part 412. Large CAFOs must retain for five years records of the date, recipient name and address, and approximate amount of manure, litter or process wastewater transferred to another person.

Winter Manure Management:

Application of manure during the winter period is approved in the 2023 approved NMP for fields Rider 1, Rider 5, Rider 10, Rider 12, Rider 13, Mc1, Mc3A, Mc3B, Mc3C, Mc5, Mc6B, Mc9, Mc10, C1B, C5, E3A, E9, E10A, E10B, E10C, W1B, W2, W4, W5, W6, W7, P1, P2, P6A, H1, H4, H5, H6, H8, H15, K3, K4A, K4B, K7, K8, K9, LOL1, LOL2, HK1, HK2, HK3, HK4, N1, N2, N7, N8, N13, N14, N15, N16, N17, N19, N20, N21A, N21B, and FPP.

NPDES Permit Fact Sheet
NPDES Permit No. PA0088561
Evergreen Farms CAFO

Manure storage facilities should have adequate freeboard on December 15th of each year to implement the NMP. Minimum winter freeboards are listed in the Winter Storage Requirements section of the NMP Summary.

Manure Storage Facilities:

Storage	Type	Dimensions	Freeboard	Useable Capacity @ Minimum Freeboard
<i>Name</i>	<i>Liquid or solid</i>	<i>Feet x feet x feet</i>	<i>Minimum regulatory</i>	<i>Gallons or cubic feet</i>
Main Dairy Circular Concrete Storage – Pit #1	Liquid	160' x 16'	2 ft	2,254,771 gal
Main Dairy Wastewater Storage Basin – Pit #2	Liquid	450' x 145' x 10'	2 ft	2,898,251 gal
Main Dairy Earthen Storage Basin – Pit #3	Liquid	700' x 100' x 8'	2 ft	2,275,416 gal
Main Dairy Solids Separator Pit – Pit #4*	Liquid	20' x 14'	2 ft	28,185 gal
Peterson Farm Front Pit – Pit #5	Liquid	75' x 50' x 5' 10"	2 ft	138,919 gal
Peterson Farm Back Pit – Pit #6	Liquid	325' x 90' x 7'	2 ft	607,092 gal
LeCrone Farm Circular Concrete Tank – Pit #7	Liquid	76' x 12'	2 ft	373,259 gal
Rhodes Farm Earthen Manure Storage – Pit #8	Liquid	90' x 200' x 10'	2 ft	1,077,120 gal
Dink Farm Circular Concrete Storage – Pit #9	Liquid	80' x 12'	2 ft	413,548 gal
Main Dairy Round Concrete Storage – Pit #10	Liquid	200' x 14'	2 ft	3,053,000 gal
Keatley Farm HDPE Lined Lagoon – Pit #11	Liquid	750' x 215' x 16'	2 ft	11,573,112 gal
Oliver East Farm Earthen Manure Storage – Pit #12	Liquid	85' x 110' x 10'	2 ft	629,442 gal
Rider Farm Underbarn Heifer Storage – Pit #17	Liquid	111'4" x 424' x 8'	0.5 ft	2,647,426 gal
Main Dairy - Leachate Storage (underground) – Pit #19*	Liquid	Not Stated in NMP	2 ft	30,000 gal

***Note: Pit #4 and Pit #19 could potentially operate as reception pits if pumping occurs at least every 28 days or less. Since Pit #4 and Pit #19 were included in the existing manure storage section of the approved 2023 CY NMP, they have been included as storages on the draft CAFO permit.**

NPDES Permit Fact Sheet
NPDES Permit No. PA0088561
Evergreen Farms CAFO

There are no proposed manure storage facilities for this operation and no planned alternative manure technology practices.

The operation has the following solid manure storage facilities:

- Oliver East Farm Solid Manure Storage (Pit #13)
- Peterson Farm Uncle Gary Solid Manure Storage (Pit #14)
- Peterson Farm Free Stall Solid Manure Storage (Pit #15)
- Peterson Farm Solid Manure Storage (Pit #16)

BMPs Applicable to the Chesapeake Bay TMDL:

DEP has evaluated the information included in the application materials; as well as the effluent limitations, BMPs, and other requirements included in the draft permit. This would include the approved Act 38 compliant Nutrient Management Plan, which includes Best Management Practices to meet Pennsylvania nutrient and manure management regulations, as well as Nutrient Balance Sheets for manure importers, applicable manure storage and manure spreading setback requirements, and Emergency Response Plan. Applicable Conservation Plans and/or Agricultural Erosion & Sediment Control Plans were also evaluated, which includes Best Management Practices to meet Pennsylvania erosion and sediment control regulations.

The applicant is implementing the following BMPs within the production area:

- Manure Storage Facilities
- Mortality Management (Composting Onsite)

The following NRCS Practice Codes were prescribed as BMPs in the approved 2023 NMP.

- 382 Fence located at LCPP2 in Fall 2020
- 342 Critical area planting located at LCPP2 in Fall 2020
- 342 Critical area planting located at RHO2 in Fall 2020
- 342 Critical area planting located at LC27 in Fall 2020
- 578 Stream Crossing located at LeCrone Farm in Fall 2021
- 558 Roof Runoff located at EEP2 Barns in Fall 2021

Based upon this evaluation, DEP believes no additional BMPs will be required at this time to meet the goals and requirements of the Chesapeake Bay TMDL and to protect water quality criteria. This determination will be reevaluated through review of self-inspection reporting, annual reporting, and regular compliance inspections.

Animal Mortality:

The NMP identifies the Main Dairy and Peterson Farm as the only two locations that compost animal mortalities. They are both continuous composting with no land application.

Animal Concentration Areas (Chapter 102.4a):

The following BMPs were listed in the Approved 2023 CY NMP to address manure management problem areas:

- LeCrone Farm ACA- install fence (382) to minimize size and distance from stream
- Rhoades Farm- gates to limit livestock access to area not controlled. Daily scrap of concrete area not directed to waste storage.
- LeCrone Farm-LCPP1- Stream crossing (578)
- ACA EPP2- Roof Runoff Structures (558)

Chapter 102 E&S (Conservation Plans):

Several conservation plans were developed by USDA for Evergreen Farms and submitted with the renewal application. Conservation Plans have been included or verified to exist for land subjected to plowing and tilling activities

Downstream Public Water Supplies:

The nearest downstream public water supply intake is located approximately 3 miles downstream from the Main Dairy on Spruce Creek. This operation is not expected to impact any public water supplies.

Compliance History:

On January 18 and 20, 2023, staff of the Pennsylvania Department of Environmental Protection conducted a follow-up CAFO Inspection at Evergreen Farms, 3102 Evergreen Lane, Spruce Creek in Franklin Township, Huntingdon County. The inspection was completed in follow-up to DEP's June 15, 2021 CAFO Compliance Evaluation Inspection. Due to violations found during the inspections, Evergreen Farms Inc. was issued a Notice of Violation (NOV) on February 2, 2023 which requested the submission of a Corrective Action Plan (CAP). DEP received the CAP on May 23, 2023 and deemed it to be adequate for addressing the concerns noted in DEP's February 2, 2023 Notice of Violation. The open violations have since been closed.

The following site specific Part C permit requirements must be met in accordance with the agreed upon CAP dated May 23, 2023:

- 1) Runoff Concerns at the ACAs at the LeCrone (LCPP2), Main (EPP2 and SW corner of E5A) and Keatley (KPP3A & KPP4) Farms.
 - a. LCPP2 (ACA)-Currently livestock do not have access to this animal concentration area: ACA will be seeded in Spring of 2023 (Critical area planting) and managed to maintain vegetation.
 - b. EPP2- Livestock will be confined to barnyard, limiting size of ACA. Accumulated manure will be removed from the ACA routinely. Denuded areas of pasture will be seeded in Spring of 2023 (Pasture and Hay planting). Area of accelerated erosion will be re-graded & seeded summer of 2023; livestock will not have access to pasture area directly south of the barn until vegetation is established.
 - c. ACA Southwest Corner of E5A- Gate will be installed in Spring of 2023 to limit access to this area. The area will be used only to sort and load cattle. Area will be reseeded and managed with vegetation.
 - d. KPP3A & KPP4- Heifer numbers have been reduced at the Keatley farm. Animal concentration areas will be reseeded in Spring of 2023 and maintained with vegetation. (Critical area planting)
- 2) High/low-flow silage leachate system at the Main Farm. Weekly inspections of silage leachate system at Home Farm and routine maintenance to ensure system is properly functioning. Rock riprap will be installed below concrete level spreader to prevent gully erosion, Spring 2023. The vegetated filter area will be addressed to restore function in the Summer of 2023. It is confirmed that all low flow is being collected and transferred to the manure storage.
- 3) Erosion Concerns at E3A & E4 at the main farm- Rock lined waterway or outlet will be installed above and below culvert pipe under driveway (Lined Waterway or Outlet). The rock lined waterway will provide safe conveyance form a conservation practice without causing erosion as well as prevent or stabilize existing gully erosion. Downslope area in field E4 of concentrated flow/lined waterway will be graded, seeded (Fall 2023) and maintained as a grassed waterway.
- 4) Silage Leachate runoff concerns at the LeCrone Farm- Remaining feed stored here will be used. Daily inspections/monitoring will occur to ensure this area does not pollute waters of the Commonwealth. Bunk area will be reevaluated for future use or limited use. Moisture of stored feed will be managed in the field prior to harvest, pile could be covered and only a portion of the bunk area could be used. If the bunk storage area is used moving forward, silage will only be placed in portion of bunk that is contained. Moisture will be controlled in the field at harvest and leaching is not anticipated. Evergreen Farms has started shipping heifers to a custom raising operation out of state, storing feed at LeCrone may not be necessary in the future.
- 5) Small trees should be removed that are growing along the following manure storage: Main Farm Lagoon (Pit #3), Peterson Lagoon, Keatley Lagoon, Oliver East Lagoon, Rhodes Lagoon, Gensimore circular

NPDES Permit Fact Sheet
NPDES Permit No. PA0088561
Evergreen Farms CAFO

concrete, and LeCrone Circular Concrete. Woody vegetation has been cut/removed from manure storages (pictures included). Evergreen farms will continue to monitor woody vegetation growth around storage and remove as needed.

- 6) Groundhog burrows should be filled on the existing exterior embankments of Keatley and Peterson Lagoons. Groundhog burrows have been filled (pictures included). Evergreen Farms will continue to monitor storages for burrows and repair/remove as needed.
- 7) Spouting should be installed at the east end of the south roof of the Pauls Rd barn at the LeCrone Farm. Downspouts and underground outlet will be installed at this location in Fall of 2023.
- 8) Ag E&S Plans will be updated to include best management practices included in this corrective action plan by September 30, 2023.

Public Participation:

DEP will publish notice of the receipt of the NPDES permit application and a tentative decision to issue the individual NPDES permit in the *Pennsylvania Bulletin* in accordance with 25 Pa. Code § 92a.82. Upon publication in the *Pennsylvania Bulletin*, DEP will accept written comments from interested persons for a 30-day period (which may be extended for one additional 15-day period at DEP's discretion), which will be considered in making a final decision on the application. Any person may request or petition for a public hearing with respect to the application. A public hearing may be held if DEP determines that there is significant public interest in holding a hearing. If a hearing is held, notice of the hearing will be published in the *Pennsylvania Bulletin* at least 30 days prior to the hearing and in at least one newspaper of general circulation within the geographical area of the discharge.