

Application Type Renewal  
Facility Type CAFO  
Permit Type Individual

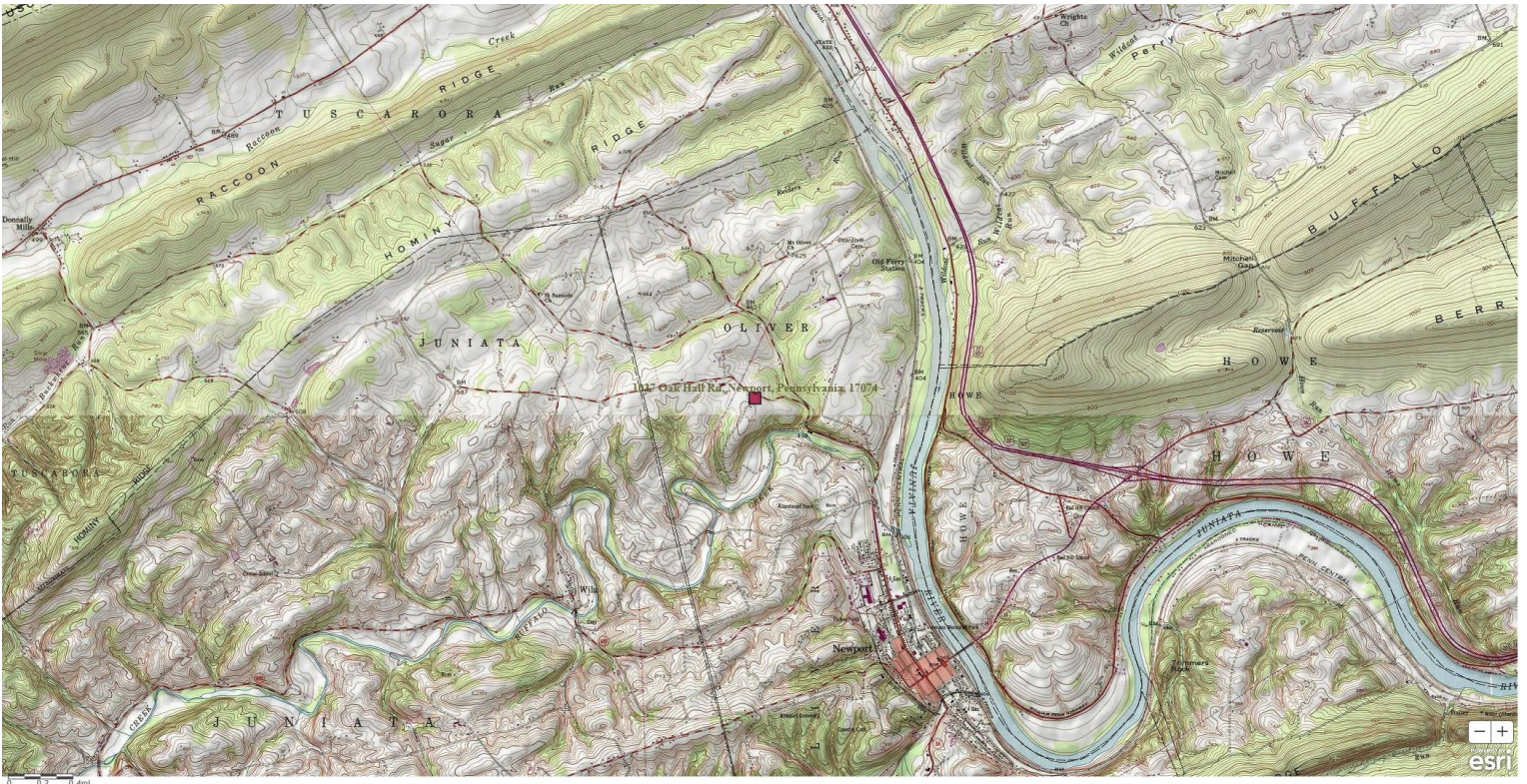
**NPDES PERMIT FACT SHEET  
CAFOs**

Application No. PA0088846  
APS ID 1088863  
Authorization ID 1444037

**Applicant and Facility Information**

Applicant Name	<u>Wenger Farms Pork Production Network LLC</u>	Farm Name	<u>Aspen Perry Farm CAFO</u>
Applicant Address	<u>101 W Harrisburg Avenue Box 26</u> <u>Rheems, PA 17570</u>	Farm Address	<u>1027 Oak Hall Road</u> <u>Newport, PA 17074-7706</u>
Applicant Contact	<u>Philmer Rohrbaugh</u>	Farm Contact	<u>Philmer Rohrbaugh</u>
Applicant Phone	<u>(800) 692-6008</u>	Farm Phone	<u>(800) 692-6008</u>
Client ID	<u>377307</u>	Site ID	<u>547366</u>
SIC Code	<u>0213</u>	Municipality	<u>Oliver Township</u>
SIC Description	<u>Agriculture - Hogs</u>	County	<u>Perry</u>
Date Application Received	<u>September 26, 2022</u>	WQM Required	<u>No</u>
Date Application Accepted	<u>September 27, 2022</u>	WQM App. No.	<u>N/A</u>

Project Description CAFO permit PA0088846 for Aspen Perry Farm is being renewed and transferred to Wenger Farms Pork Production Network LLC.



Approve	Deny	Signatures	Date
X		<i>Hans D. Shollenberger</i> Hans D. Shollenberger / Environmental Engineering Specialist	July 12, 2023
X		<i>Scott M Arwood</i> Scott M. Arwood, P.E. / Environmental Engineer Manager	7/12/2023

**Description:**

The CAFO permit renewal application for Aspen Perry Farm under client Hershey Ag Services was received by the Department on September 26, 2022. Prior to the issuance of the renewal permit a transfer application was received for PA0088846 to transfer Aspen Perry Farm from Hershey Ag Services to Wenger Farms Pork Production Network LLC. During the renewal/transfer no changes are being made to animal numbers or types. The Aspen Perry Farm CAFO is an existing swine operation located in Oliver Township, Perry 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 2,500 swine when weighing 55 pounds or more. The operation has the following animal population:

Animal Type	Number	AEUs
Sow and litter	690	324.30
Gestating sow	3,200	1,440.00
	<b>Total AEUs =</b>	<b>1,764.30</b>

The nearest receiving water is Tributary 11498 To Buffalo Creek, designated as High-Quality Cold-Water Fishes and Migratory Fishes (HQ-CWF, MF), located in Watershed 12-B. This stream is not impaired by Department Standards. The Department’s Individual CAFO permit is appropriate for this operation.

**Manure/Nutrient Management:**

The current NMP was approved on September 12, 2022, for crop years 2023, 2024, and 2025. There are 0 acres available on lands owned by the applicant for manure application according to the NMP, resulting in a density of 1,764.30 AEUs/acre. The NMP transfer from Hershey Ag to Wenger Farms Pork Production Network LLC was acknowledged by the Perry County Conservation District on June 12, 2023.

*Manure Group Information:*

Manure Group	Manure Generated Annually	Manure Used on the Farm	Manure Exported
Swine - fall	1,600,000.0 gal	0.0	1,600,000.0 gal
Swine - winter	1,600,000.0 gal	0.0	1,600,000.0 gal
Swine - Spring	1,600,000.0 gal	0.0	1,600,000.0 gal
Swine - Summer	1,600,000.0 gal	0.0	1,600,000.0 gal
Compost	300.0 tons	0.0	300.0 tons

*Exported Manure:*

*This operation is 100% export to a Broker.*

Name/ Address	Amount and Source of Manure Exported per Season (gallons/ tons)			
	Spring	Summer	Fall	Winter
Kendall Bauman (Broker) 402 Winding Hill Road Newport PA 17074	Swine: 3,117,000 gal & Compost: 150 ton	Swine: 2,078,000 gal & Compost: 150 ton	Swine: 2,078,000 gal & Compost: 150 ton	Swine: 1,700,000 gal & Compost: 150 ton

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 not approved in the NMP.

Manure storage facilities should have adequate freeboard on December 15<sup>th</sup> to implement the NMP. The HDPE lagoon must have at least 5.5 feet of freeboard on December 15<sup>th</sup> to allow for 3.5 feet of winter storage space and the required 2 feet of minimum freeboard.

**Manure Storage Facilities:**

<b>Storage</b>	<b>Type</b>	<b>Dimensions</b>	<b>Freeboard</b>	<b>Capacity</b>
<i>Name</i>	<i>Liquid or solid</i>	<i>Ft x ft x ft</i>	<i>Minimum regulatory</i>	<i>Gallons or cubic feet</i>
HDPE Lined Lagoon (Single Cell)	Liquid	270' x 375' x 14'	2'	6,943,793 gallons

The manure is not agitated and is sampled by the hauler during the pump out. There are no proposed manure storages, no planned alternative manure technologies, and no infield stacking of manure on this operation.

While the Lagoon exceeds 2.5 MG of capacity, the facility was constructed prior to October 22, 2005 and did not require a DEP issued WQM permit. Any new or expanded manure storage facilities in the future will require a WQM permit.

**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 (HDPE Lined Lagoon)
- Mortality Management (Onsite Mortality Composting Facility)

There are no NRCS Practice Codes prescribed as BMPs in the approved 2023 to 2025 NMP.

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 mortalities are composted in the compost facility and all compost is exported to a broker.

**Animal Concentration Areas (Chapter 102.4a):**

The operation does not have Animal Heavy Use Areas (AHUAs).

**Chapter 102 E&S (Conservation Plans):**

An agricultural E&S plan is not applicable to this operation, as there are no lands available for manure application and no AHUAs on the operation.

**Downstream Public Water Supplies:**

The nearest downstream public water supply intake is the Newport Borough Water Authority System intake in the Juniata River approximately 3 miles downstream from the CAFO. The farm is not expected to adversely impact any public water supplies.

**Compliance History:**

There are no open violations for this operation.

**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.