

Application Type Renewal
Facility Type CAFO
Permit Type Individual

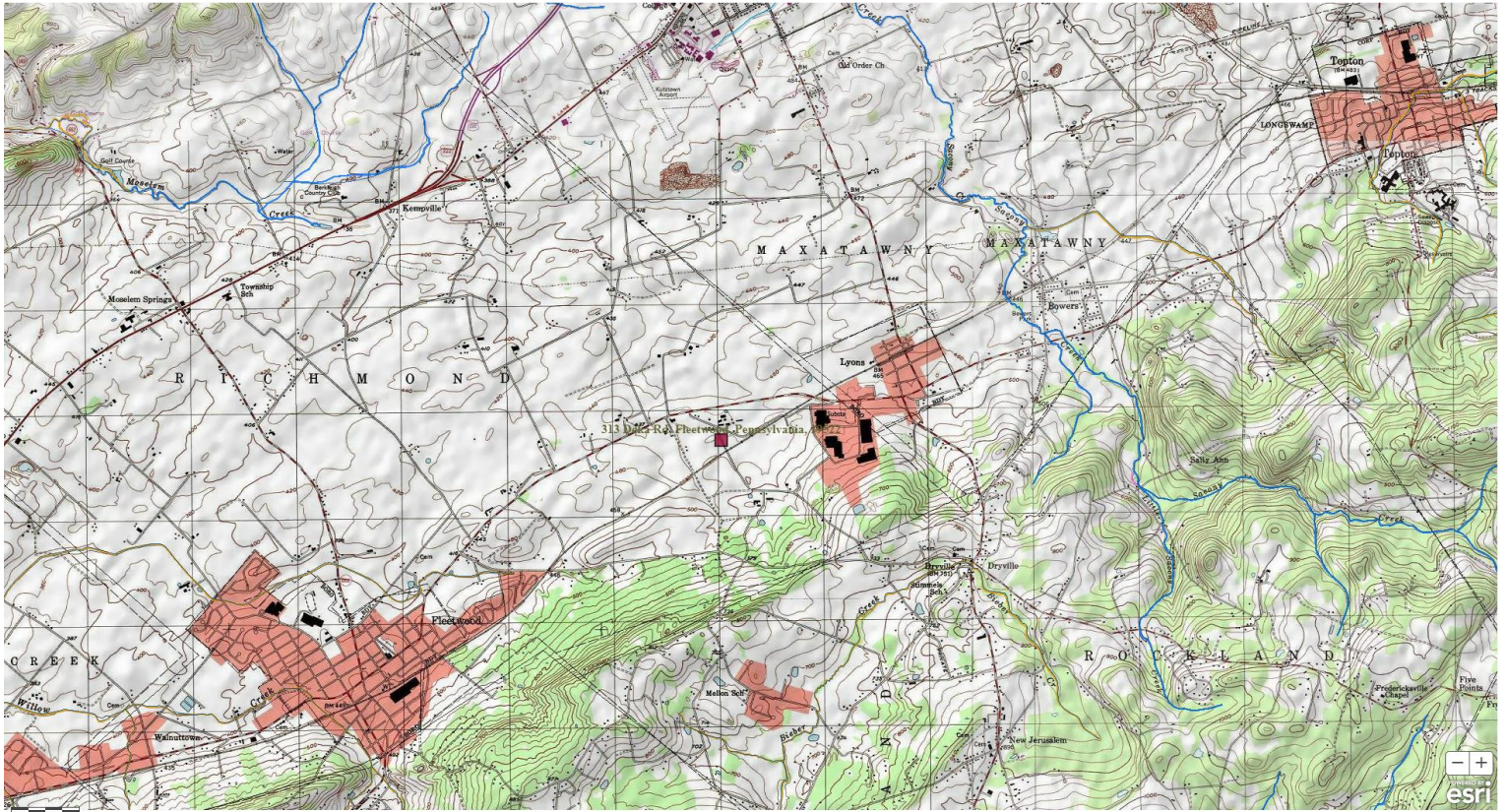
**NPDES PERMIT FACT SHEET
CAFOs**

Application No. PA0248478
APS ID 814663
Authorization ID 1479369

Applicant and Facility Information

Applicant Name	<u>Michael Burkholder</u>	Farm Name	<u>Whispering Pines Farm CAFO</u>
Applicant Address	<u>313 Deka Road</u> <u>Fleetwood, PA 19522-9068</u>	Farm Address	<u>313 Deka Road</u> <u>Fleetwood, PA 19522-9068</u>
Applicant Contact	<u>Michael Burkholder</u>	Farm Contact	<u>Michael Burkholder</u>
Applicant Phone	<u>(610) 944-5942</u>	Farm Phone	<u>(610) 944-5942</u>
Client ID	<u>305191</u>	Site ID	<u>675187</u>
SIC Code	<u>0213</u>	Municipality	<u>Richmond Township</u>
SIC Description	<u>Agriculture - Hogs</u>	County	<u>Berks</u>
Date Application Received	<u>April 4, 2024</u>	WQM Required	<u>No</u>
Date Application Accepted	<u>April 10, 2024</u>	WQM App. No.	<u>N/A</u>

Project Description Michael Burkholder submitted an application for Individual CAFO permit renewal for the Whispering Pines existing swine operation.



Approve	Deny	Signatures	Date
X		<i>Hans D. Shollenberger</i> Hans D. Shollenberger / Project Manager	4/16/2024
X		<i>Scott M Arwood</i> Scott M. Arwood, P.E. / Environmental Engineer Manager	04/17/2024

Description:

Michael Burkholder submitted an application for Individual CAFO permit renewal for the Whispering Pines existing swine operation located in Richmond Township, Berks County.

The operation has the following animal population:

Animal Type	Number	AEUs
Swine grow finish: 10–28 wk.	2,400	396.00
	Total AEUs =	396.00

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.

The nearest receiving water to the operation is Bieber Creek, designated as Exceptional Value and Migratory Fishes (EV, MF), located in Watershed 3-D. This stream is impaired by pathogens of an unknown source. Since the receiving stream is recognized as Exceptional Value, the Department’s Individual CAFO permit is appropriate for this operation.

Manure/Nutrient Management:

The current NMP was approved on September 28, 2022, for crop years 2023, 2024, and 2025. There are 132.6 acres available on lands owned and rented by the applicant for manure application according to the NMP, resulting in a density of 2.99 AEUs/acre.

Manure Group Information:

Manure Group	Manure Generated Annually	Manure Used on the Farm	Manure Exported (gallons or tons)
Hog Manure Spring Applied	649,549.0 gal	667,120.0 gal	29,149.0 gal
Hog Manure Fall Applied	649,549.0 gal	221,000.0 gal	454,549.0 gal
Imported Food Processing Residual (FPR)	715,000.0 gal	715,000.0 gal	0.0
Mortality Compost	35.0 tons	35.1 tons	0.0

Exported Manure:

Name/ Address	Amount and Source of Manure Exported per Season (gallons/ tons)			
	Spring	Summer	Fall	Winter
Steven Burkholder 269 Fredericksville Road, Mertztown, PA 19539	133,000 gal Swine	0	133,000 gal Swine	0
John Burkholder 55 Stump Rd., Fleetwood, PA 19522	35 tons Compost & 362,500 gal Swine	0	362,500 gal Swine	0
Wilmer Burkholder 129 School Road, Fleetwood, PA 19522	284,500 gal Swine	0	284,500 gal Swine	0

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,

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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.

The Big Pit should have a minimum of 5.6' of freeboard and the Small Pit should have a minimum of 8.2' of freeboard by December 15th of each year to implement the NMP.

Manure Storage Facilities:

Storage	Type	Dimensions	Freeboard	Usable Capacity @ Freeboard
<i>Name</i>	<i>Liquid or solid</i>	<i>Ft x ft</i>	<i>Minimum regulatory</i>	<i>Gallons or cubic feet</i>
Big Pit Concrete Circular Storage	Liquid	100' x 7'	1 ft	352,308 gallons
Small Pit Concrete Circular Storage	Liquid	80' x 7'	1 ft	225,477 gallons
Finishing Underbarn Storage	Liquid	80' x 150' x 2'	0.5 ft	134,640 gallons
Farrow Nursery Underbarn Storage	Liquid	70' x 42' x 2'	0.5 ft	119,381 gallons

The Finishing Underbarn Storage flows to the Big Pit Concrete Circular Storage.

Half of the Farrow Nursery Underbarn Storage flows to the Big Pit Circular Storage and half flows to the Small Pit Circular Storage.

According to the approved 2023-2025 CY NMP, the Gestation Underbarn Storage (Manure Storage #5) is no longer in use and will be torn down. Leann Shirk of Rosetree Consulting LLC agreed to update the Department once the Gestation Barn/Gestation Underbarn Storage has been officially decommissioned. The final CAFO permit will not be issued until the storage has been decommissioned.

There are no proposed manure storage facilities, no plans to field stack manure, and no planned alternative manure technology practices for this operation.

BMPs Applicable to the Chesapeake Bay TMDL:

Although this operation is not in the Chesapeake Bay watershed, 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 relative to the Chesapeake Bay TMDL. 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 (Concrete Circular Storages and Underbarn Storages)
- Mortality Management (Composting)

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 protect water quality criteria. This determination will be reevaluated through review of self-inspection reporting, annual reporting, and regular compliance inspections

Animal Mortality:

Mortalities are composted on site in the mortality compost facility.

Animal Concentration Areas (Chapter 102.4a):

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

Chapter 102 E&S (Conservation Plans):

Conservation Plans have been included and verified to exist for land subjected to plowing and tilling activities. Some BMPs listed in the Michael Burkholder Conservation Plan include 313 Waste Storage Facility, 316 Animal Mortality Facility, 328 Conservation Crop Rotation, 340 Cover Crop, 345 Residue Management – Mulch Till, 412 Grassed Waterway, 511 Forage Harvest Management, 512 Forage & Biomass Planting, 560 Access Road, 590 Nutrient Management, 606 Subsurface Drain, 633 Waste Recycling, and 634 Manure Transfer.

The existence of conservation plans for importers located in special protection watersheds was confirmed.

Downstream Public Water Supplies:

The nearest downstream public water supply intake is located over 35 miles downstream at the Pennsylvania American Water in Royersford, PA. This operation 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.