

Application Type Renewal  
Facility Type CAFO  
Permit Type Individual

**NPDES PERMIT FACT SHEET  
CAFOs**

Application No. PA0259900  
APS ID 598909  
Authorization ID 1457780

**Applicant and Facility Information**

Applicant Name	<u>Bryan Byers</u>	Farm Name	<u>Bryan Byers Farm</u>
Applicant Address	<u>81 Four Pines Road</u> <u>Quarryville, PA 17566-9799</u>	Farm Address	<u>81 Four Pines Road</u> <u>Quarryville, PA 17566-9799</u>
Applicant Contact	<u>Bryan Byers</u>	Farm Contact	<u>Bryan Byers</u>
Applicant Phone	<u>(717) 786-8963</u>	Farm Phone	<u>(717) 786-8965</u>
Client ID	<u>252345</u>	Site ID	<u>681058</u>
SIC Code	<u>0259</u>	Municipality	<u>East Drumore Township</u>
SIC Description	<u>Agriculture - Poultry And Eggs, Nec</u>	County	<u>Lancaster</u>
Date Application Received	<u>October 11, 2023</u>	WQM Required	<u>No</u>
Date Application Accepted	<u>October 18, 2023</u>	WQM App. No.	<u>N/A</u>
Project Description	<u>Bryan Byers submitted an application for CAFO permit renewal for his existing duck operation.</u>		



Approve	Deny	Signatures	Date
x		<i>Hans D. Shollenberger</i> Hans D. Shollenberger / Environmental Engineering Specialist	November 17, 2023
x		<i>Scott M Arwood</i> Scott M. Arwood, P.E. / Environmental Engineer Manager	11/17/2023

**Description:**

Bryan Byers submitted an application for CAFO permit renewal for his existing duck operation located in East Drumore Township, Lancaster County. The operation is not considered a CAO since the animal density does not exceed 2 AEUs/Acre. The operation is considered a large CAFO for exceeding the EPA large CAFO threshold of 5,000 ducks when using a liquid manure handling system. The operation has the following animal population:

Animal Type	Number	AEUs
Duck, finisher: 17-38 days	37,600	178.46
	<b>Total AEUs =</b>	178.46

The nearest receiving water to the operation is Tributary 07191 To Conowingo Creek, designated as High Quality-Cold Water Fishes and Migratory Fishes (HQ-CWF, MF), located in Watershed 7-K. This stream is impaired by habitat modification and alterations and agriculture nutrients and siltation. The Department’s Individual CAFO permit is appropriate for this operation.

**Manure/Nutrient Management:**

The current NMP was approved on October 5, 2022, for crop years 2023, 2024, and 2025. There are 271.8 acres available on lands owned and rented by the applicant for manure application according to the NMP, resulting in a density of 0.66 AEUs/acre.

*Manure Group Information:*

Manure Group	Manure Generated Annually	Manure Used on the Farm	Manure Exported (gallons or tons)
Duck Manure - Fall	650,000.0 gal	674,900.0 gal	0.0
Duck Manure - Spring	650,000.0 gal	679,250.0 gal	0.0

*Exported Manure:*

Name/ Address	Amount and Source of Manure Exported per Season (gallons/ tons)			
	Spring	Summer	Fall	Winter
Barry Graver 1033 Penny Road Holtwood PA 17532	342,500 gallons Duck	0	342,500 gallons Duck	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, 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 concrete circular storage must have a minimum of 7.74ft of freeboard by December 15th of each year to implement the NMP.

**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</i>	<i>Minimum regulatory</i>	<i>Gallons or cubic feet</i>
Circular Concrete Storage	Liquid	100' x 12'	2ft*	656,250 gal

\*According to 25 Pa. Code § 91.36(a)(6)(ii) the minimum regulatory freeboard for a liquid storage exposed to rainfall on an operation with less than 1,000 AEU's is 12 inches, however a site specific freeboard of 2ft is required to implement the approved NMP

There are no proposed manure storages, no field stacking of manure, and no planned alternative manure technology practices for this operation.

**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 (Concrete Circular Storage)
- Mortality Management (Composting Onsite)

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:**

All animal mortalities are composted onsite using grass clippings and horse manure. The horses are under the control of another operator and their manure is handled via a Manure Management Plan.

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

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

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

Agricultural E&S Plans have been included and verified to exist for land subjected to plowing and tilling activities. Some BMPs prescribed in the Bryan Byers Home Farm plan include Conservation Crop Rotation (328), Cover Crop (340), Grass Waterways (412), Residue and Tillage Management, No-till (329), Residue and Tillage Management, Mulch Till (345), Terrace (600), Waste Storage Facility (313), Mortality Composting Area (317) and Underground Outlet (620).

**Downstream Public Water Supplies:**

The nearest downstream public water supply intake is located over 23 miles downstream on the Susquehanna River across the Pennsylvania and Maryland state line. This operation is not expected to adversely impact any public water supplies.

**NPDES Permit Fact Sheet**  
**NPDES Permit No. PA0259900**  
**Bryan Byers Farm**

**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.