pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

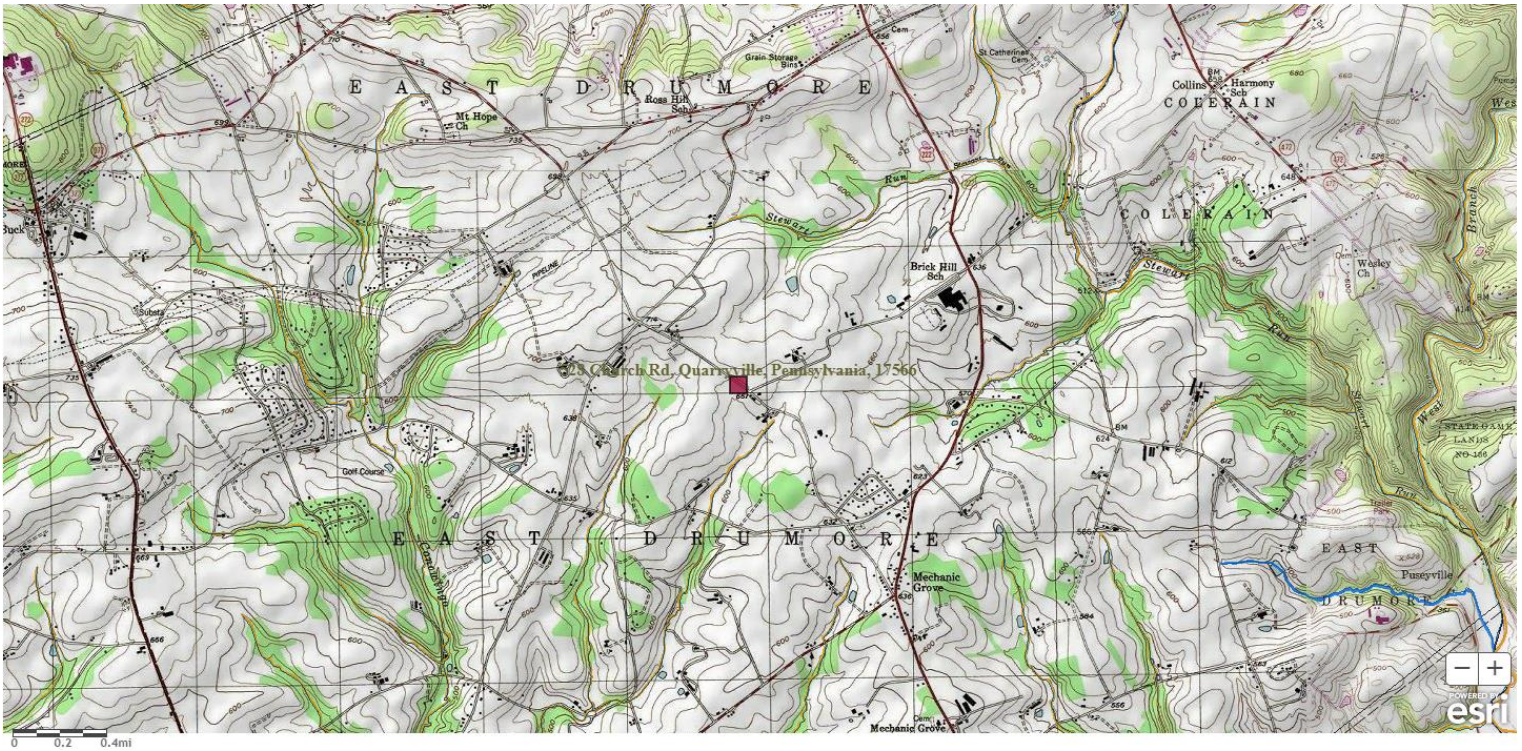
SOUTHCENTRAL REGIONAL OFFICE
CLEAN WATER PROGRAM

Application Type	**Renewal**	Application No.	**PA0262021**
Facility Type	**CAFO**	APS ID	**809373**
Permit Type	**Individual**	Authorization ID	**1472364**

NPDES PERMIT FACT SHEET
CAFOs

Applicant and Facility Information

Applicant Name	**Joshua T Akers**	Farm Name	**Joshua Akers Duck CAFO**
Applicant Address	590 Church Road Quarryville, PA 17566-9790	Farm Address	528 Church Road Quarryville, PA 17566-9790
Applicant Contact	Joshua Akers	Farm Contact	Joshua Akers
Applicant Phone	(717) 989-6041	Farm Phone	(717) 989-6041
Client ID	303752	Site ID	771788
SIC Code	0212,0259	Municipality	East Drumore Township
SIC Description	Agriculture - Beef Cattle, Except Feedlots, Agriculture - Poultry And Eggs, Nec	County	Lancaster
Date Application Received	February 8, 2024	WQM Required	Yes
Date Application Accepted	February 15, 2024	WQM App. No.	3613403
Project Description	Joshua T Akers submitted an application for Individual CAFO permit renewal for the existing Joshua Akers Duck CAFO.		



Approve	Deny	Signatures	Date
x		*Hans D. Shollenberger* Hans D. Shollenberger / Project Manager	05/30/2024
x		*Scott M Arwood* Scott M. Arwood, P.E. / Environmental Engineer Manager	05/31/2024

Description:

Joshua T Akers submitted an application for Individual CAFO permit renewal for the existing Joshua Akers Duck CAFO located in East Drumore Township, Lancaster County. The operation has one duck barn and the following animal population:

Animal Type	Number	AEUs
Duck, starter: 0–17 days	19,000	15.58
Duck, finisher: 17-38 days	19,000	69.60
Beef Cow	18	25.20
Beef Calf: 0–8 mo.	18	3.55
	Total AEUs =	113.93

Since the operation does not exceed an animal density of 2 AEUs/Acre, the operation is not considered a CAO. 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 nearest receiving water to the operation is Tributary 07186 To Conowingo Creek, designated as High Quality Cold Water Fishes and Migratory Fishes (HQ-CWF, MF)(Unnamed Tributary to McFarland's Run), located in Watershed 7-K. This stream is impaired by agriculture nutrients, siltation, and organic enrichment. Since the operation is located in a High Quality Watershed, the Department's Individual CAFO permit is appropriate for this operation.

Manure/Nutrient Management:

The current NMP was approved on September 1, 2021, for crop years 2022, 2023, and 2024. There are 216.5 acres available on lands owned and rented by the applicant for manure application according to the NMP, resulting in a density of 0.53 AEUs/acre.

Manure Group Information:

Manure Group	Manure Generated Annually	Manure Used on the Farm	Manure Exported (gallons or tons)
Duck Liquid Fall	950,000.0 gal	1,120,800.0 gal	0.0
Duck Liquid Winter	225,000.0 gal	242,200.0 gal	0.0
Duck Liquid Spring	625,000.0 gal	1,417,400.0 gal	0.0
Beef	100.0 tons	100.0 tons	0.0
Beef - uncollected	255.6 tons	255.6 tons	0.0
PP1 Beef	256.0 tons	256.0 tons	0.0

Exported Manure:

	Amount and Source of Manure Exported per Season (gallons/ tons)			
Name/ Address	Spring	Summer	Fall	Winter
No manure is exported off this operation.				

No manure is exported from this operation. However, if the NMP were ever updated to include manure exportation, the following requirements would have to 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 NMP.

The HDPE-lined Lagoon should have a minimum of 5.1' of freeboard by December 15th of each year to implement the NMP.

Manure Storage Facilities:

Storage	Type	Dimensions	Freeboard	Usable Capacity @ Freeboard
Name	*Liquid or solid*	*Ft x ft*	*Minimum regulatory*	*Gallons or cubic feet*
HDPE Lined Lagoon	Liquid	145' x 205' x 14'	1 ft*	1,487,560 gallons

*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 AEUs is 12 inches, however a site specific freeboard of 2ft is required to implement the approved NMP

The operation was issued WQM 3613403 on August 8, 2013.

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:

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 (Composting)

There are no NRCS Practice Codes prescribed as BMPs in the approved 2022 to 2024 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 shed.

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 Joshua Akers Agricultural E&S Plan include Conservation Crop Rotation, Residue Management, Nutrient Management, Waterway, Contour Farming, Waste Storage Facility, Pasture Management, Forage Harvest Management, and Fence.

Downstream Public Water Supplies:

The nearest downstream public water supply intake is located beyond the Pennsylvania Maryland State line which is located over 13 miles downstream. 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.