

## Simmons, Liz - FSIS

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**From:** Clarkson, Robert - FSIS  
**Sent:** Thursday, May 09, 2013 5:31 PM  
**To:** Thompson, Eric - FSIS; Cornett, Julie - FSIS  
**Cc:** Bane, Robert - FSIS  
**Subject:** RE: Keith Gilmore FW: Equine slaughter

For sure, navigable waterways, losing streams, emergency spillways, and water protection requirements are not my comfort zone.

**Rob Clarkson, DVM**  
Frontline Supervisor  
Springdale District, Circuit 06  
bb 785-764-9945

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**From:** Thompson, Eric - FSIS  
**Sent:** Thursday, May 09, 2013 5:26 PM  
**To:** Cornett, Julie - FSIS; Clarkson, Robert - FSIS  
**Cc:** Bane, Robert - FSIS  
**Subject:** RE: Keith Gilmore FW: Equine slaughter

Thanks Dr. Cornett,

The document is from the USDA NRCS and permits the construction with parameters. Dr. Clarkson called and got some clarification as to losing stream, impairment waterway, and other terms, but this is a permit to construct and then certification of construction. So it was built according to soil conservation and water protection requirements. I do see that it has an emergency spillway, but it also has operating parameters and requirements to monitor them. As far as the regulation goes, I really don't know where else to go. The MO Department of Natural Resources is supposed to license the operation and we can't find a number for them yet. More fun!

Eric Thompson  
Deputy District Manager  
United States Department of Agriculture  
Springdale District Office  
4700 South Thompson  
Bldg B, Suite 201, Springdale, AR 72764  
[eric.thompson@fsis.usda.gov](mailto:eric.thompson@fsis.usda.gov)  
Phone-479-751-8412

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**From:** Cornett, Julie - FSIS  
**Sent:** Thursday, May 09, 2013 4:58 PM  
**To:** Clarkson, Robert - FSIS; Thompson, Eric - FSIS

**Cc:** Bane, Robert - FSIS; Kiecker, Paul - FSIS; Cornett, Julie - FSIS  
**Subject:** Re: Keith Gilmore FW: Equine slaughter

Even a discharge lagoon can overflow. Does the state office hv any rules regarding overflow contingency? And Two does state office hv any ruleS about application on fields and any underground water source that might impact? If they don't should we talk to EPA office?

My thoughts.

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Sent from my BlueBerry Wireless Handheld  
Julie Cornett,DVM MPH  
USDA FSIS SDO  
bb479-530-6520  
[julie.cornett@fsis.usda.gov](mailto:julie.cornett@fsis.usda.gov)

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**From:** Clarkson, Robert - FSIS  
**Sent:** Thursday, May 09, 2013 09:05 PM  
**To:** Thompson, Eric - FSIS  
**Cc:** Bane, Robert - FSIS; Cornett, Julie - FSIS; Kiecker, Paul - FSIS  
**Subject:** RE: Keith Gilmore FW: Equine slaughter

I met with David and Steve Rains today at 1030 hrs to collect the info on 9 CFR 304.2(c)(1). Attached is a .pdf with their lagoon approval info. I am assuming by 'discharge' they mean sewage and waste from operations of the facility. Not run-off from the parking lot or gutters (storm water). The owner stated to me it was a no-discharge lagoon with a management plan to apply the lagoon water to hayfields if it gets full. The documents attached are an approval recommendation from NRCS and the technical details are from the construction permit. We may be able to contact the NRCS to verify the info, it seemed legit to me though. I consider it compliant with 9 CFR 304.2(c)(1).

They asked me several times if I had heard anything or if I knew when the grants would be processed, to which I replied I hadn't heard anything and didn't know. They stated their reps were in D.C. trying to get info. They showed me some supporting documents they added to their HACCP system, they haven't been able to find anything specific to equine and what I saw applied to beef. They said they didn't think their HACCP guy had run it by Dr. Trout yet. I told them they would need to make sure they had a Recall Plan in place, it would be necessary when the grant can be processed. I referred them to FSIS Notice 34-12. Other than that we talked a little about all the wet weather and local farmers trying to get their corn in. Thanks,

<<Rain's Lagoon Info0001.pdf>>

**Rob Clarkson, DVM**

*Frontline Supervisor*

*Springdale District, Circuit 06*

*bb 785-764-9945*

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**From:** Thompson, Eric - FSIS  
**Sent:** Thursday, May 09, 2013 7:33 AM  
**To:** Clarkson, Robert - FSIS; Trout, Bryan - FSIS; Ganzel, David - FSIS

**Cc:** Bane, Robert - FSIS; Cornett, Julie - FSIS; Kiecker, Paul - FSIS  
**Subject:** Keith Gilmore FW: Equine slaughter

Good Morning,

The note below from Dr. Gilmore asks for daily updates on any and all contacts with Rains Natural Meats in Gallatin, MO. I will do this the first thing each day from now until told to stop. If you have any contact with these guys just let me know by the end of the day so I can combine it and send it on up the next morning. Thanks.

I need to know positive or negative so I can give an accurate report. Thanks.

Also, to answer Dr. Gilmore's question, I need to know if

[REDACTED]

Thanks.

The legal description for the location is SE1/4, SE1/4, SE1/4, Sec. 10, T59N, R27W, Davies County. The lagoon capacity is [REDACTED]. It was approved on Dec. 19, 2006 by Missouri Department of Natural Resources-Water Protection Program, P.O Box 176, Jefferson City, MO 65102. The closest receiving stream is an unnamed tributary of the Grand River. The first classified body of water is the Grand River.

Eric Thompson

Deputy District Manager

United States Department of Agriculture

Springdale District Office

4700 South Thompson

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**From:** Gilmore, Keith - FSIS

**Sent:** Thursday, May 09, 2013 6:14 AM

**To:** McKean, Jennifer - FSIS; Davis, Gary - FSIS; Turner, Rosemary - FSIS; York, Randy - FSIS; Thompson, Eric - FSIS;

Clarkson, Robert - FSIS  
**Subject:** Equine slaughter

We need to get affirmative statements from the DO/OFO regarding whether any of the equine slaughter grant requestors may have discharge into navigable waters (9 CFR 304.2(c)(1). Also, we now want daily updates on any activities occurring at the plants occurring over the past 24 hours (plant visits, contacts, communications, etc....), so if you could email those to me each day, even if it is negative, I would appreciate it.

Keith Gilmore

Executive Associate for Regulatory Operations

210 Walnut St

Room 923

Des Moines, IA 50309

515-727-8970

OFO-Verifying food safety and animal welfare every day.



Natural Resources Conservation Service  
3815 Oakland Avenue Suite 103  
St Joseph MO 64506-4920

December 19, 2006

Missouri Department of Natural Resources  
Water Protection Program  
P.O. Box 176  
Jefferson City, MO 65102

RE: Construction Certification for Rains Natural Meats Waste Management Facility and Lagoon  
Construction Permit 3451

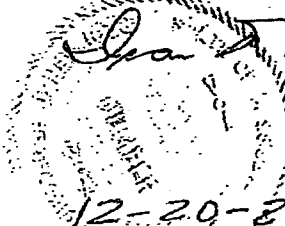
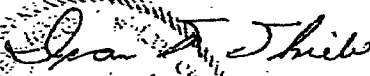
This is to certify that NRCS employees under my technical supervision and I have inspected construction of the waste management facility for Rains Natural Meats and Feedlot and found it was built substantially according to the approved plans and specifications. The depth, area, and volume of the lagoon equal or exceed the requirements of the original design.

Due to dry conditions and difficulty in getting water into the lagoon to protect the clay liner, the original 1 ft. thick clay liner cracked to a depth of up to 3 inches. Rainfall runoff into the lagoon then prevented recompaction of the upper portion of the liner. Samples were subsequently taken from three locations near the bottom of the lagoon and tested for permeability by Allstate Consultants of Columbia, MO. Their report is attached. Note the highest permeability rate reported was  $1 \times 10^{-8}$  cm/sec. or an order of magnitude lower than referenced in the Missouri Small Sewage Works regulations. This along with the favorable visual inspection of the subgrade before the clay liner was installed indicates very satisfactory performance can be expected of the clay liner. Acceptance and approval of the lagoon, the clay liner, and associated sediment basins and clean water diversions is recommended.

Missouri NRCS Operation and Maintenance recommendations are being supplied to Rains Natural Meats as an operating manual, along with examples of record sheets which can be used to track rainfall, lagoon water levels, and land application. Rains Natural Meats plans to rent irrigation equipment or hire a custom pumper to apply lagoon effluent to hayland to the north and west of the lagoon according to the Nutrient Management Plan.

Any questions about this certification can be directed to me at the above address, or by phone at 816-232-6555, Ext. 121, or by e-mail at [ivan.thiele@mo.usda.gov](mailto:ivan.thiele@mo.usda.gov).

Sincerely,



12-20-2006  
Ivan F. Thiele, PE (E21390)  
Area Engineer

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

An Equal Opportunity Provider and Employer

AR0004592

**A. FACILITY DESCRIPTION**

FACILITY NAME Rains Natural Meats	ADDRESS (PHYSICAL) 23795 260 <sup>th</sup> St., Gallatin, MO 64640
OWNER Pro-Show Enterprises	ADDRESS 23795 260th St., Gallatin, MO 64640
CONTINUING AUTHORITY Rains Natural Meats	ADDRESS 23795 260 <sup>th</sup> St., Gallatin, MO 64640
LEGAL DESCRIPTION SE¼, SE¼, SE¼, Sec. 10, T59N, R27W, Daviess County	
LATITUDE / LONGITUDE (DEG., MIN., SEC.) (+39 55 57.0/ -093 54 38.0)	
RECEIVING STREAM, CLASSIFICATION (U, C, P) Unnamed tributary to Grand River (U)	FIRST CLASSIFIED WATER BODY NAME (C / P) & NO. Grand River (P) 0430
USGS # & SUB-WATERSHED # (10280101-160003)	SIC CODE (FACILITY/DISCHARGE) 2011
303(d) IMPAIRMENT (STREAM OR WATERBODY) N.A.	THIS FACILITY DISCHARGES TO Sinkhole? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Losing Stream? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

○ The project at Rains Natural Meats in Gallatin, Missouri will consist of an anaerobic lagoon with a grease trap to serve a beef feedlot and a slaughterhouse/meat processing. This Construction Permit is based on the plans and specifications submitted to the department on August 3, 2005 and revisions dated August 10, 2005.

Storage structure size (at overflow level):  
 \_\_\_\_\_ sq. ft. surface area; \_\_\_\_\_ ft. total depth; \_\_\_\_\_ cubic ft. total volume  
 Storage structure operating levels:  
 Maximum operating level = \_\_\_\_\_ (feet below emergency spillway)  
 Minimum operating level = \_\_\_\_\_ (feet below emergency spillway)  
 Area draining into storage basin is \_\_\_\_\_ acres  
 Design storage is \_\_\_\_\_ days  
 Wastewater volume (1 in 10 year) is \_\_\_\_\_ gallons per day  
 Wastewater volume average is \_\_\_\_\_ gallons per day; \_\_\_\_\_ gallons per year  
 Population equivalent is N.A.  
 Available acres owned: \_\_\_\_\_ acres of grassland and row crops  
 Available acres under spreading agreements: \_\_\_\_\_ acres of row crops and grassland  
 Total acres available: \_\_\_\_\_ acres  
 Land application equipment: irrigation equipment

**B. GENERAL CONSTRUCTION CONDITIONS**

- (1) Additional construction specifications contained in the application and engineering plans and standard specifications shall be followed.
- (2) This permit does not authorize operation of the wastewater systems. The Missouri Department of Natural Resources should be notified of completion of construction.
- (3) Issuance of a permit for operation of these systems will be contingent on the work substantially adhering to the approved plans and specifications.
- (4) Approval by the department must be obtained prior to making any changes to the plans and specifications that might alter the pollutant control capabilities of the proposed installation.
- (5) As the Missouri Department of Natural Resources does not examine structural features of design or the efficiency of mechanical equipment, the issuance of this permit does not include approval of these features.

- (1) Lagoons and earthen impoundments shall be constructed with a flat bottom.
- (2) Compaction of the berm fill material and bottom seal material with only a bulldozer will usually not be considered adequate.
- (3) The minimum seal thickness shall be twelve (12) inches, unless otherwise specified in the approved plans and specifications. The bottom seal and berm fill shall be brought up in horizontal layers not to exceed six (6) inches in thickness. Installation of the liner shall be according to the approved plans.
- (4) The seal on the inner slopes of the basin shall extend up to where the liner intersects the top of the berm.
- (5) Each layer of fill and seal material shall be compacted under optimum moisture conditions to achieve the required compacted permeability of  $1 \times 10^{-7}$  cm/sec, or less.
- (6) Upon completion of the seal installation, a protective device shall be installed to prevent erosion of the seal at all pipe inlet locations. The method of protection shall ensure the integrity of the seal from turbulence at all stages of operation from the prefill stage to the maximum operating level.
- (7) Prefilling with fresh water shall be conducted to protect the constructed seal.
- (8) The berm shall be seeded and mulched as soon as site conditions allow.
- (9) The recommendations contained in the geologic report from the Missouri Department of Natural Resources, Division of Geology and Land Survey, shall be followed.