

Simmons, Liz - FSIS

From: Thompson, Eric - FSIS
Sent: Wednesday, June 12, 2013 9:24 AM
To: Hammar, Melissa - FSIS
Cc: Gilmore, Keith - FSIS; Bane, Robert - FSIS; Cornett, Julie - FSIS; Kiecker, Paul - FSIS
Subject: RE: Rains Natural Meats Gallatin MO, RE: Permits and update

Good Morning Melissa,

No problem with gathering and reporting the information, I just need to know what you need. The general water permit is to meet the requirements of the clean water act. More information below from the e-mail. I reported the permits he does have on 05-09-2013 and I have included the attachment below. In short, if you read the communication from USDA NRCS to Rains, you will see that under section B, General Conditions, 1, 2, 3, 4, & 5, the Missouri DNR was responsible for completing the permitting, but never did, I do not know why. The MO DNR thought it was something procedural on Mr. Rains part. Mr. Rains is seeking to finalize the permit and only has the draft items currently (in the attachment).



Rain's Lagoon
Info0001.pdf

On 05-30-2013 I reported:

I spoke with Amanda Sappington with the Missouri Department of Natural Resources (DNR), Water Protection Program, in Jefferson City, MO. She indicated that yes, her department issues general permits to facilities to meet the following objectives. If you click on the hyperlinks it will give you an incredibly detailed description of the Clean Water Act, the criteria for inspection, classified waters, types of permits, regulations, and lists of permits.

The objective of the Clean Water Act of 1972 along with its amendments are to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. The first national set of water quality standards were published in 1983 and codified in 40 CFR Part 131. These regulations allow individual states to construct their own water quality standards framework providing there is no reduction in protection compared to federal guidelines.

Water quality standards provide a means by which attainment of water quality objectives can be measured. The objective is protection of designated uses through the application of narrative or numeric criteria. The level of protection given to a stream, lake, or river is dependent on the expected or "designated use(s)," of that water. Classified waters in Missouri have been assigned the designated uses that are listed in 10CSR 20-7.031(C) page 10. The antidegradation section requires actions to maintain existing uses. Attainment frequency of water quality standards are used in identifying and characterizing waters of the state for purposes of compiling the 303(d) list and 305(b) report. In addition, effluent limits contained in National Pollution Discharge Elimination System (NPDES) permits are frequently derived using water quality standards.

These general permits are good for a period of 5 years. Ms. Sappington looked up Rains Natural Meats in Gallatin MO and said they were issued a "draft" permit that was not finalized. The normal process is for the Water Protection Program to perform an inspection, submit the "draft" to the DNR, and the permit is issued. In the case of Rains, all she has on file is the inspection report, along with the lagoon certification,

and "draft" permit. She said she would call the DNR and get back with me on the status of Rains' "draft" permit. That is all.

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
Phone-479-751-8412

OFO - Verifying Food Safety and Animal Welfare Everyday

From: Hammar, Melissa - FSIS
Sent: Wednesday, June 12, 2013 8:31 AM
To: Thompson, Eric - FSIS; Gilmore, Keith - FSIS
Cc: Bane, Robert - FSIS; Cornett, Julie - FSIS; Clarkson, Robert - FSIS
Subject: RE: Rains Natural Meats Gallatin MO, RE: Permits and update

Ok. Thanks! I know it's a pain, but when we get sued it will be helpful to have copies of the original documents. Is the general water permit the permit he needs for the lagoon? Or is that the permit for storm water discharge?

From: Thompson, Eric - FSIS
Sent: Wednesday, June 12, 2013 9:25 AM
To: Hammar, Melissa - FSIS; Gilmore, Keith - FSIS
Cc: Bane, Robert - FSIS; Cornett, Julie - FSIS; Clarkson, Robert - FSIS
Subject: Rains Natural Meats Gallatin MO, RE: Permits and update

Good Morning Melissa,

Dr. Clarkson contacted Mr. Rains to inquire about the status of answers to your questions. Mr. Rains response included a bit of frustration over the rash of incoming questions and documents, but he did say he was in the process of gathering the information and that it may take him some time. Dr. Clarkson added that rural Davies county (where the plant is located) has no zoning laws and is not subject to zoning. He submitted his updated application to the Missouri Department of Natural Resources for a general water permit on Monday "if memory serves." This may take some time also. That is all.

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
Phone-479-751-8412

OFO - Verifying Food Safety and Animal Welfare Everyday

Dear Sir or Madam:

I am trying to determine whether issuing a grant of inspection to Rains Natural Meats for equine slaughter will have any effect on the environment. It would be very helpful if you could provide me with a copy of your permit for your septic system and lagoon. Also, it would be helpful if you could tell me what you intend to do with the wastewater. Is the treated wastewater approved for land application?

Additionally, it would be helpful if you could provide me with any zoning permits that you may have. It would be helpful to know if the area was zoned for industrial use and if the area has been zoned for this purpose for a long period of time or if it was recently rezoned. I'm aware that you have told the District Office that Gallatin does not require a special permit to operate a slaughter facility. I'm asking for these documents because I'm hoping to show that the Zoning Commission considered the impact of the slaughter facility upon the public health, safety and welfare of the community; the existing and anticipated traffic flows; parking conditions, setbacks, and height; landscaping and screening; open spaces; signage; lighting; and other items.

Best regards,

Melissa Hammar
Program Analyst
USDA/FSIS/OPPD/IS
Office: (202) 720-2096
FAX: (202) 690-0486
melissa.hammar@fsis.usda.gov



Natural Resources Conservation Service
3915 Oakland Avenue Suite 103
St Joseph MO 64508-4920

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 X 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.

Sincerely,

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

AR0004664

A. FACILITY DESCRIPTION

FACILITY NAME Rains Natural Meats	ADDRESS (PHYSICAL) 23795 260 th St., Gallatin, MO 64640
OWNER Pro-Show Enterprises	ADDRESS 23795 260th St., Gallatin, MO 64640
CONTINUING AUTHORITY Rains Natural Meats	ADDRESS 23795 260 th 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

- Additional construction specifications contained in the application and engineering plans and standard specifications shall be followed.
- This permit does not authorize operation of the wastewater systems. The Missouri Department of Natural Resources should be notified of completion of construction.
- Issuance of a permit for operation of these systems will be contingent on the work substantially adhering to the approved plans and specifications.
- 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.
- 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 1×10^{-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.