

## Thompson, Eric - FSIS

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**From:** Thompson, Eric - FSIS  
**Sent:** Tuesday, August 27, 2013 5:40 PM  
**To:** Hammar, Melissa - FSIS  
**Cc:** Bane, Robert - FSIS; Cornett, Julie - FSIS; Kiecker, Paul - FSIS; Engeljohn, Daniel - FSIS  
**Subject:** RE: Rains Natural Meats Gallatin MO, FW: Can you confirm for me.....update  
**Attachments:** Rains Info-Effluent-Offal-Marks 8-16-20130001.pdf; 20575 Zoning Info0001.pdf; Est 20575 Rains Natural Meats Gallatin MO CWA letter.pdf; Grant Application Contents.docx

Good Afternoon Melissa,

We have the effluent and offal agreements, but not the self certification (option 2) from Rains. The MO DNR has not issued a 401/402 permit for the lagoon (option one) so Rains will collect and ship all the effluent to the city of Gallatin, MO.

Attached are the effluent and offal agreements with Darling and the city of Gallatin, zoning information, letter outlining the two options sent to Rains, and a history of what we have in the grant application file.

You may have all of this, but this should make it easy to find and reference what you may need. The effluent agreement with the city of Gallatin was signed on 10-25-1998 and again on 08-13-13. The establishment operated this way until 2006 when it built the lagoon, so it is not new to Rains or the city of Gallatin. The Zoning info and the letter to Rains outlining his options are just for reference. The "history" outlines what we have in the application file so you can see if anything is missing or necessary. Thank You.

It appears he is going to submit information to complete his application package next Tuesday (09-03-2013).

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

-----Original Message-----

**From:** Hammar, Melissa - FSIS  
**Sent:** Tuesday, August 27, 2013 5:11 PM  
**To:** Thompson, Eric - FSIS  
**Subject:** FW: Rains Natural Meats Gallatin MO, FW: Can you confirm for me.....update

Hi Eric,

Have you received the written agreement that outlines Rains' new waste disposal arrangement with the State?

-----Original Message-----

**From:** Hammar, Melissa - FSIS  
**Sent:** Tuesday, August 27, 2013 6:08 PM  
**To:** Engeljohn, Daniel - FSIS; Bolick, Thomas - OGC; 'sheila.novak@usda.gov'; Williams, Charles - FSIS; Cochran, Catherine - FSIS

AR0004783

Subject: RE: Rains Natural Meats Gallatin MO, FW: Can you confirm for me.....update

[REDACTED] I was told that Rains and the State were working to prepare a written agreement. I'll check with the DO to see if they have received the agreement.

-----Original Message-----

From: Engeljohn, Daniel - FSIS  
Sent: Tuesday, August 27, 2013 6:04 PM  
To: Bolick, Thomas - OGC; 'sheila.novak@usda.gov'; Hammar, Melissa - FSIS; Williams, Charles - FSIS; Cochran, Catherine - FSIS  
Subject: Fw: Rains Natural Meats Gallatin MO, FW: Can you confirm for me.....update

FYI.

Melissa, are we ready with the CatEx fo this equine grant request?

Daniel L. Engeljohn, PhD, Assistant Administrator, OFO, FSIS, USDA \*\*\*\*\* Voicemail: (202) 720 0089  
\*\*\*\*\* "OFO -- Verifying Food Safety and Animal Welfare Every Day"

----- Original Message -----

From: Dick, Jere L - APHIS  
Sent: Tuesday, August 27, 2013 06:00 PM  
To: Engeljohn, Daniel - FSIS  
Cc: Davidson, Mark L - APHIS  
Subject: Re: Rains Natural Meats Gallatin MO, FW: Can you confirm for me.....update

Thanks for double checking for us, Dan.

On Aug 27, 2013, at 5:56 PM, "Engeljohn, Daniel - FSIS" <Daniel.Engeljohn@fsis.usda.gov> wrote:

> FYI  
>  
>  
>  
> Daniel L. Engeljohn, PhD, Assistant Administrator, OFO, FSIS, USDA \*\*\*\*\* Voicemail: (202) 720  
0089 \*\*\*\*\* "OFO -- Verifying Food Safety and Animal Welfare Every Day"  
>  
> ----- Original Message -----  
> From: Thompson, Eric - FSIS  
> Sent: Tuesday, August 27, 2013 05:40 PM  
> To: Engeljohn, Daniel - FSIS  
> Cc: Gilmore, Keith - FSIS; Bane, Robert - FSIS; Cornett, Julie - FSIS; Kiecker, Paul - FSIS  
> Subject: Rains Natural Meats Gallatin MO, FW: Can you confirm for me.....update  
>  
> Good Afternoon Dr. Engeljohn,  
> It appears from the information supplied by Dr. Clarkson below, that Rains is contacting APHIS  
to discuss the unloading pens at the facility. He may submit information supporting his  
application next Tuesday. That is all.  
>  
> Eric Thompson  
>  
> From: Clarkson, Robert - FSIS  
>  
> Mr. Rains called me a little while ago and said he was planning on submitting his 'info' next  
Tuesday to get his grant. He intends to operate as soon as possible after he gets his grant. I  
didn't offer anything except I wasn't sure how long the review process would take and that if/when

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he was issued a grant, inspection would have to be assigned. I passed on he still had a few things to sort out (the unloading pen for APHIS). I believe he said he was going to contact APHIS.

>

> From: Engeljohn, Daniel - FSIS

>

> APHIS just informed me that they were told to have an APHIS representative present at the Missouri facility this coming Sunday in preparation for equine slaughter. Obviously, the slaughter would not be under FSIS jurisdiction since we have not yet issued a grant. Can you conduct some intelligence on this so that I can let APHIS know? APHIS is taking the request seriously. Thanks.

>

> Daniel L. Engeljohn, PhD

> Assistant Administrator

> Office of Field Operations (OFO), FSIS, USDA

> Rm 344-E JWB, 1400 Independence Ave, SW, WDC 20250

> Main Office -- (202) 720-8803

> Voicemail -- (202) 720-0089

> Text -- (202) 368-5457

> Fax -- (202) 720-5439

> "OFO -- Verifying Food Safety and Animal Welfare Every Day"

>

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AUTHORIZATION CERTIFICATE

The response to this information collection is voluntary. This information is needed before FSIS can grant approval to manufacture brands or other marking devices bearing official inspection legends. This information is used to control and monitor the brands or devices to prevent them from being illegally manufactured. (9 CFR Parts 317.3 (b) and 381.131 (b)(1))

This certificate, when signed by an authorized representative of the Administrator, authorizes the making of brands or other devices bearing official inspection legends.

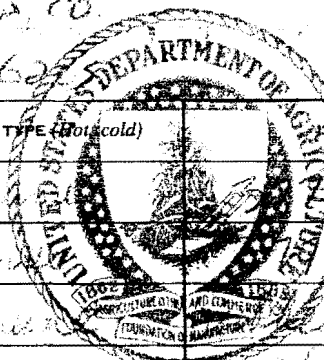
SECTION I - ITEMS 1-12 COMPLETED BY ESTABLISHMENT, ITEMS 13-20 COMPLETED BY MANUFACTURER

1. ESTABLISHMENT NO. E-20575 2. ESTABLISHMENT NAME Rains Natural Meats  
3. STREET ADDRESS 23795 260<sup>th</sup> Street  
4. CITY Gallatin 5. STATE MO 6. ZIP CODE 64640  
7. SIGNATURE OF ESTABLISHMENT OFFICIAL David Rains 8. DATE 6-21-13

9. NAME AND ADDRESS OF FIRM BRANDS OR DEVICES BEING ORDERED FROM

Specialty Food Equip. Co.  
4717 R. of Palms  
Rockland Park, KS 66207

10. NUMBER OF BRANDS/DEVICES	11. SIZE (If applicable)	12. TYPE (Hot/cold)	13. SERIAL NUMBER(S) (To be completed by manufacturers)
1	cold	Equip	28 55011 K190
1	cold	Equip	28 55031 K1101
1	rubber	Equip	377810451 7472
1	rubber	Equip	377802501 7473



14. NAME OF MANUFACTURER BUNZL PROCESSING SUPPLIES  
15. STREET ADDRESS 535 E 17th  
16. CITY NKK 17. STATE MO 18. ZIP CODE 64614  
19. SIGNATURE OF BRAND MANUFACTURER [Signature] 20. DATE 6/21/13

NOTE TO MANUFACTURER: Send Brand(s)/Device(s) and Copy 1 of this certificate to the address below.

SECTION II - AUTHORIZATION - TO BE COMPLETED BY FSIS, IO, PROGRAM EMPLOYEE

1. NAME OF USDA, FSIS, IO, EMPLOYEE (To receive brands / devices from manufacturer) Rob Clarkson  
2. STREET ADDRESS 23795 260<sup>th</sup> St.  
3. CITY Gallatin 4. STATE MO 5. ZIP CODE 64640  
6. NAME OF FSIS, IO, EMPLOYEE MAKING AUTHORIZATION Rob Clarkson 7. TITLE Frontline Supervisor  
8. SIGNATURE OF FSIS, IO, EMPLOYEE MAKING AUTHORIZATION [Signature] 9. DATE 6/20/2013

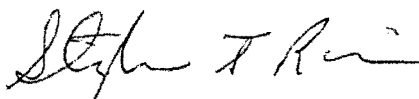
RAINS NATURAL MEATS  
23795 260<sup>TH</sup> STREET  
GALLATIN, MO 64640

August 16, 2013

Rains Natural Meats after stunning all blood and organs will go into barrels, [REDACTED] will pick up barrels and remove from premises. Only wash water will go into holding tank or lagoon.

This is the procedure that Rains Natural Meats has always used and can be verified by all previous USDA inspectors.

Rains Natural Meats

A handwritten signature in cursive script, appearing to read "Stephen T. Rain".

Received  
10-31-2011

Des Moines, IA 50317

[REDACTED] picks up rendering material from Rains Processing and brings it to our rendering facility in Des Moines Iowa where it gets rendered pertaining to Local, State, and Federal laws.

Any questions, feel free to contact me.

[REDACTED]  
Transportation Manager  
[REDACTED]

AR0004788

# RHODES - SAYRE & ASSOCIATES INC.

## CONSULTING ENGINEERS

Water Supply - Sewerage  
Solid Waste - Drainage  
Urban Planning and Development  
Evaluation - Rate Studies  
Construction Layout and Supervision  
Bridge and Roadway Design

660-258-7745

401 WEST HELM, P.O. BOX 365  
BROOKFIELD, MISSOURI 64628

Richard G. Rhodes, P.E.



September 23, 1998

The Honorable Dean Pierce  
City Council  
City of Gallatin  
City Hall  
112 East Grand  
Gallatin, Missouri 64640

Re: Gallatin, Missouri  
Rains Natural Meats

Dear Mayor and Council:

Upon discussion with the City's Wastewater Treatment Plant Operator, and the City's recent experience of sanitary wastes delivered to the Wastewater Treatment Facility by Rains Natural Meats, we recommend the City accept the wastewater upon a regular schedule, as needed, produced by Rains Natural Meats. Any fees associated with the wastewater treatment will be at the City's discretion. As the past wastewater contained basically domestic wastewater of low organic strength, no operational problems have been noticed and none anticipated. There is adequate capacity at the Treatment Facility for this additional loading. As has been done, the wastewater should be added to the collection system upstream of the Treatment Facility to provide flow equalization. If the organic strength or other constituents of the wastewater should increase substantially, the need for possible pretreatment should be evaluated at that time.

If I may be of any further assistance, please advise.

Very truly yours,

RHODES-SAYRE & ASSOCIATES, INC.

A handwritten signature in cursive script that reads "Dennis L. Speichinger".

Dennis L. Speichinger, P.E.

DLS/na

AR0004789



**CITY of GALLATIN**  
County Seat of Daviess County, Missouri

H. Dean Pierce  
Mayor

112 East Grand  
Gallatin, MO 64640  
Vicki Corwin, Clerk  
660-663-2011  
FAX 660-663-3937

10/25/98

Rains Natural Meats  
23500 260th Street  
Gallatin, MO. 64640

RE: Wastewater Treatment

Dear Rains Natural Meats:

The sanitary waste report was found to have low organic strength and no operational problems were noticed or anticipated at this time. There is adequate capacity at the Treatment Facility for this additional loading. The wastewater will be added to the collection system upstream of the Treatment Facility to provide flow equalization, as has been done. If the organic strength or other constituents of the wastewater should increase substantially, the need for possible pretreatment should be evaluated at that time. Any fees associated with the wastewater treatment will be at the City's discretion.

If you have any questions concerning this matter, please feel free to call.

Sincerely,

Kristy L. Cannell  
City Clerk

enclosed: Consultants Report



RAINS NATURAL MEATS  
23795 260<sup>TH</sup> STREET  
GALLATIN, MO 64640

June 10, 2013

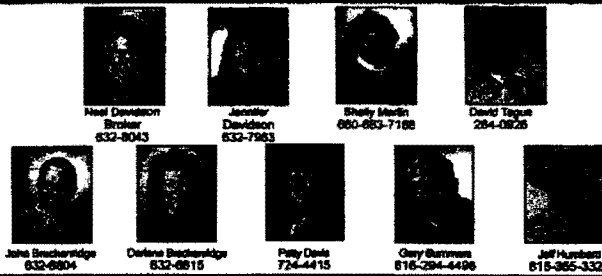
To: Melissa Hammar:

Enclosed is a map of Daviess County, Union Township As noted on this map Rains Natural Meats is located in the rural area. A letter from the County Clerk of Daviess County is also attached that states Daviess County does not have comprehensive zoning.

AR0004791



321 N. Walnut, Cameron, MO 816.632.4400  
Toll Free 1.888.632.4400

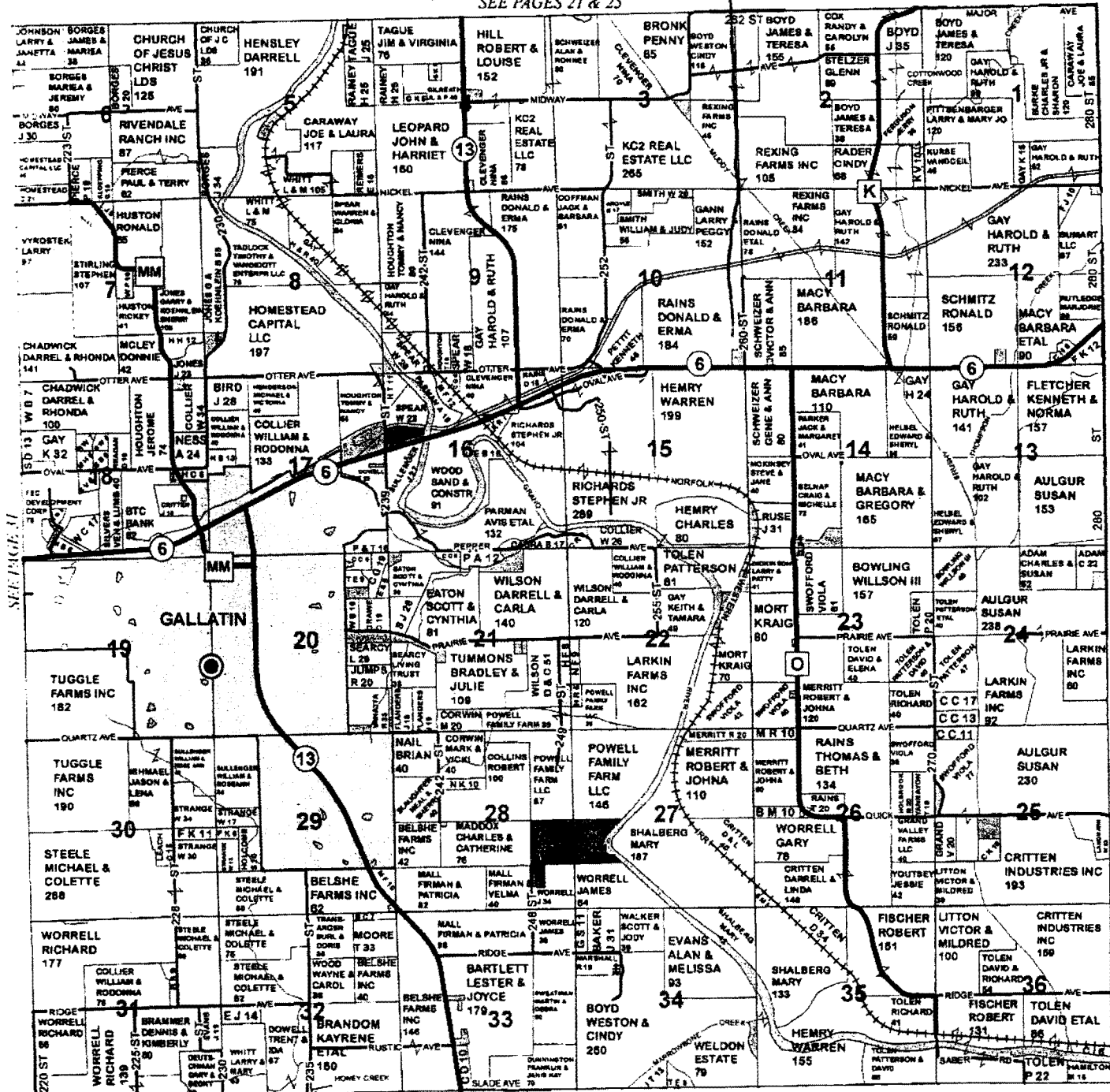


Check out our website for over 10,000 acres for sale.  
[www.DavidsonFarms.com](http://www.DavidsonFarms.com)

UNION

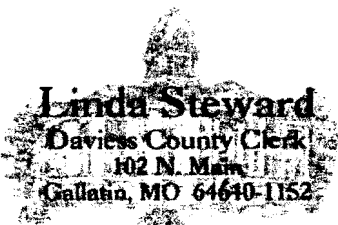
*Kans Natural Meats*  
SEE PAGES 21 & 25

T59N • R27W



SEE PAGE 31

SEE PAGE 35



Telephone: 660-663-2641  
Fax: 660-663-3075  
E-mail: [daviess@sos.mo.gov](mailto:daviess@sos.mo.gov)

Sally Black, Deputy County Clerk  
Rhonda Lambert, Election Registrar

## CERTIFICATION OF ZONING

STATE OF MISSOURI

COUNTY OF DAVIESS

I, Linda Steward, County Clerk of Daviess County, do hereby certify that Daviess County does not have comprehensive zoning.

Further, no permits are required for building. No requirements are made by the County of Daviess beyond chapter 701 RSMo.

Linda Steward,  
Daviess County Clerk

Done in my office in Gallatin Missouri this the 10<sup>th</sup> day of June, 2013.



United States  
Department of  
Agriculture

Food Safety  
and Inspection  
Service

Field  
Operations

Springdale District Office  
4700 South Thompson, B-201  
Springdale, AR 72764  
(479)751-8412

June 10, 2013

Via E-mail: [REDACTED] com and  
UPS Tracking # 1Z09R6A40193989019

David Rains, President  
Rains Natural Meats, Est. 20575  
23795 260th Street  
Gallatin, MO 64640

Dear Mr. Rains:

The Food Safety and Inspection Service (FSIS) is currently reviewing your application for federal inspection services dated January 15, 2013. Section 304.2(c)(1) of the agency's regulations (9 C.F.R. § 304.2(c)(1)) requires all applicants for inspection services at an establishment where any activity thereof may result in any discharge into navigable waters as defined by the Clean Water Act (33 U.S.C. § 1251 et seq.) (CWA) to provide FSIS with a certification issued by the State in which the discharge originates that such activity will be conducted in a manner which will not violate the applicable water quality standards of the CWA.<sup>1</sup> This certification is provided for in section 401(a) of the CWA (33 U.S.C. § 1341(a)). The regulations further provide that no grant of inspection can be issued unless such certification has been obtained, or is waived because of the failure or refusal of the State to act on a request for certification within a reasonable period (which shall not exceed 1 year after receipt of such request). For further information and guidance concerning the section 401 certification process, please see: [http://water.epa.gov/lawsregs/guidance/cwa/waterquality\\_index.cfm](http://water.epa.gov/lawsregs/guidance/cwa/waterquality_index.cfm).

You may demonstrate compliance with the regulatory requirement in 9 CFR 304.2(c)(1) in one of two ways:

- (1) You may attest<sup>2</sup> that the operations at your establishment will not result in any discharge into any navigable waters. It is important to note that section 401 certification is triggered by the *potential* for a discharge; an actual discharge is not required. The attestation can be in the form of a letter to the District Office that is processing your application for inspection services. The letter must contain the following statement: "I declare that the operations conducted at my facility [insert the name and address of your facility] will not result in a discharge into any navigable waters as defined by the Clean Water Act (33 U.S.C. § 1251 et seq.)." The letter must also include the reasons why you believe that no

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<sup>1</sup> The applicable standards are found at sections 301, 302, 303, 306, and 307 of the CWA (33 U.S.C. §§ 1311, 1312, 1313, 1316, and 1317).

<sup>2</sup> In any matter involving any branch of the U.S. Government, knowingly and willfully making a materially false, fictitious, or fraudulent statement or representation, or making or using any false writing or document knowing that the same contains any materially false, fictitious, or fraudulent statement or representation, is a crime punishable by fines, imprisonment of up to five (5) years, or both, in accordance with 18 U.S.C. § 1001.

such discharge will occur. We recommend that your statement be supported by credible evidence, such as a report from a hydrologist or other qualified expert.

- (2) If you have determined that there is the potential for a discharge into any navigable waters, or if you are unable to determine whether there is such a potential, then you must contact the appropriate State agency and request a section 401 certification. You also should provide a copy of your request for State certification to the District Office that is processing your application for inspection services. If the appropriate State agency issues the requested certification, you should provide a copy of the State certification to the District Office that is processing your application for inspection, so that FSIS can complete the processing of your application for inspection services. If the State authorities refuse to act on your request for certification or fail to act upon it within one (1) year from the date that they receive your certification request, then this regulatory requirement will be waived and FSIS will resume processing your application for federal inspection.

Please be advised that if (1) you are unwilling or unable to attest that operations at your establishment will not result in any discharge into any navigable waters, or (2) you apply to the appropriate State agency for a certification and your application is denied, then FSIS will be unable to issue you a grant of federal inspection unless and until you demonstrate that you have come into compliance with all applicable clean water standards.

Sincerely,



for

Paul A. Kiecker  
District Manager