



TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
JACKSON ENVIRONMENTAL FIELD OFFICE
1625 HOLLYWOOD DRIVE JACKSON, TENNESSEE 38305-4316
Division of Water Resources
PHONE (731) 512-1300 STATEWIDE 1-888-891-8332 FAX (731) 661-6283

Certified Mail # 7013 0600 0000 1749 8323

March 2, 2016

Mr. Mike Sumners
Trihope Dairy
5945 Jones Bend Road
Paris, TN 38242

**Re: Inspection Findings Letter
Trihope Dairy – TN0080667
Henry County, TN**

Dear Mr. Sumners;

On February 23, 2016, Kevin Smith with the Tennessee Department of Environment & Conservation, Division of Water Resources (TDEC-DWR) conducted a Compliance Evaluation Inspection (CEI) of your dairy facility in Henry County. Paul Brawley and John Newberry with TDEC-DWR were also present for the inspection. I appreciate you taking time from your schedule to meet with our TDEC-DWR staff members for this compliance inspection of your facility.

Your facility is permitted for approximately 1,650 dairy cows. At the time of inspection you had approximately 770 mature dairy cows at your facility. It was noted that you were maintaining the following records: inspections of waste storage systems, freeboard records, daily rainfall, daily waterline inspections, records of land application of manure, records of most recent manure analysis, and records of soil analysis. TDEC-DWR appreciates you keeping and providing these records for review during the inspection.

During the CEI, it was noted that there are a few areas in record keeping, which need attention. They are as follows:

- A copy of your current NPDES permit was not available for review during the inspection. A copy of your current NPDES permit was provided to you during the inspection. Please make sure a copy of your current NPDES permit remains on-site and available for review.
- A copy of your current Comprehensive Nutrient Management Plan (CNMP) was not available for review during the inspection. A copy of your CNMP should be kept on-site and available for review. If needed, our office will be glad to email a copy of your current approved CNMP to you.
- Weekly storm water control inspections were not being recorded. Your NPDES permit requires you to maintain records of weekly stormwater control inspections for your facility. Enclosed is an example record form you can use to keep track of weekly stormwater control inspections in the future.
- Third party manure transfers were not being recorded. Your NPDES permit requires you to maintain a record of third party manure transfers. It was noted during the inspection that you indicated you have transferred manure to some local farmers for application to their fields. When you transfer manure to a third party, a third party transfer form should be filled out and kept by you and a copy should be provided to the person receiving the manure. Also, a copy of the most recent manure analysis should be provided to the person receiving the manure. Enclosed is a third party manure transfer form. In the future, if any manure is transferred from your facility to a third party please fill out this form for your records and provide a copy to the recipient of the manure.


- During the inspection, it was noted that manure was land applied to a field you had leased the previous year that was not covered under your current CNMP. You indicated there were no plans to apply manure to the field again this year. Your NPDES permit requires you to have all manure application fields listed in your CNMP. In the future, please make sure your CNMP is updated to include all manure application fields under your operational control before land applying to these fields.
- During the inspection, a 4th lagoon was observed on the south side (up-gradient) of your secondary lagoon. This lagoon had wastewater in it on the day of inspection. It is unclear what role this lagoon plays in managing the facilities wastewater. Further, this 4th lagoon is not accounted for in your current CNMP. Please have your CNMP updated to include this lagoon as a part of your wastewater storage. Depending on how/if this lagoon is connected with the other 3 lagoons, a depth marker may also be required to be installed in this lagoon.
- An Annual Report has not been submitted for your facility. Your permit requires you to submit an annual report for the previous year's activity by February 15 of the following year. Page 10 and 11 of your permit outlines the items to include in your Annual Report. Two example Annual Report templates have been enclosed with this letter.

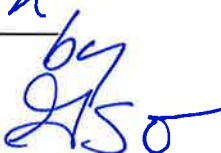
Your facility has 3 waste storage lagoons connected in series. The first lagoon dewateres solids and has a pipe which allows wastewater to flow into a secondary lagoon. From the secondary lagoon there is a pipe which allows wastewater to flow into the lower lagoon. The levees of your lagoons have been mowed and appear to be maintained. However, there was not a depth marker clearly identifiable by TDEC staff in the lower lagoon. You indicated that you can gauge the depth of the lower lagoon by observing the liquid level on a wooden support post in the lower lagoon. Section 3.4.2 of your permit (page26), states the following: "All open surface liquid impoundments must have a depth marker which clearly indicates the minimum capacity necessary to contain the runoff and direct precipitation of the 25-year, 24-hour rainfall event (6.84 inches of precipitation) and the minimum required freeboard according to the lagoon design." Please clearly mark the wooden post to indicate the 25-year, 24-hour rainfall event and the minimum required freeboard according to the lagoon design. Another option is to install a depth marker which clearly indicates the 25-year, 24-hour rainfall event and the minimum required freeboard according to the lagoon design.

By **April 22, 2016**, please submit a 2015 Annual Report and an update to your CNMP accounting for the 4th lagoon. Also provide documentation showing you have installed an appropriate depth marker in the lower lagoon. Your attention and cooperation in addressing these issues is greatly appreciated. Also enclosed with this letter is a copy of the completed Facilities Inspection Report from the CEI conducted on February 23, 2016.

If you need assistance or have any questions please contact Kevin Smith at 731-512-1305 or by email at Kevin.X.Smith@tn.gov.

Thank You,


 Conner Franklin, Manager
 TDEC, Division of Water Resources

by


cc: TDWR-JFO File: Mike Sumners Dairy / TN0080667
 TDWR-NFO



TDEC - Division of Water Resources
Jackson Field Office

ICIS NPDES Facilities Inspection Report

Facility Data

NPDES ID: Facility Site Name:
 Address:
 Permit Eff. Date: Permit Exp Date: SIC Code:

Compliance Monitoring Information

Compliance Monitoring Activity Name:
 * If Bio Monitoring is selected above, select the method used:
 Compliance Monitoring Activity:

Compliance Monitoring Dates/Times

Entry Date/Time (mm/dd/yyyy hh:mm): Exit Date/Time (mm/dd/yyyy hh:mm):

Facility Representatives

On-Site Representative(s) Title, Phone Number Responsible Official(s), Title, Phone Number

Statute and Section Information

Federal Statute: State Statute:
 Programs:
 Compliance Monitoring Reason:
 Compliance Monitoring Agency Type: Agency Name:
 Did EPA assist/ Inspection? Time Physically conducting activity: Days: Hours:
 Inspection Type: Compliance Monitoring Action Outcome:
 Lead Agency: Compliance Monitoring Rating Code:
 If Joint Inspection, what was the purpose of the other party?

Areas Evaluated During Inspection (Check only those areas evaluated)

<input checked="" type="checkbox"/> Permit	<input type="checkbox"/> Self - Compliance Program	<input type="checkbox"/> Pretreatment
<input checked="" type="checkbox"/> Records / Records	<input type="checkbox"/> Compliance Schedule	<input checked="" type="checkbox"/> Pollution Prevention
<input checked="" type="checkbox"/> Facility Site Review	<input type="checkbox"/> Laboratory	<input checked="" type="checkbox"/> Storm Water
<input type="checkbox"/> Effluent / Receiving Waters	<input checked="" type="checkbox"/> Operations & Maintenance	<input type="checkbox"/> Combined Sewer Overflow
<input type="checkbox"/> Flow Measurement	<input type="checkbox"/> Sludge Handling / Disposal	<input type="checkbox"/> Sanitary Sewer Overflow

Compliance Monitoring Summary

See attached TDEC inspection letter.

EPA and State Representatives

	TDEC-DWR / Jackson Field Office / 731-512-1305	Feb 23, 2016
Inspector's Signature	Agency / Office / Phone	Date
	TDEC-DWR / Jackson Field Office / 731-512-1300	Feb 23, 2016
Manager's Signature	Agency / Office / Phone	Date

(Note: This form can only be printed to an XPS document, then saved for later use.)

CAFO Weekly Storm Water Management Structure Inspections Log Sheet

Facility Name: _____ NPDES Permit No.: _____

Instructions: Use this form to keep track of weekly visual inspections of your storm water management structure(s) (including storm water and runoff diversion devices, and devices used to channel contaminated storm water to a wastewater storage or containment structure). List the items that need to be inspected below.

Keep track of your inspections in the following table by filling out one row each week when you inspect your storm water management structures. Provide the following information:

- § the date of the inspection
- § the initials of the inspector
- § check the "OK" box if no problems were found
- § use the "Notes" column to describe problems, if you find any, and how they might be fixed
- § fill in the "date corrected" column with the date when you correct the problem

	Date	Initials	OK (T if no problems found)	Notes (Note any problems found and possible solutions.)	Date Corrected
Week 1					
Week 2					
Week 3					
Week 4					
Week 5					

NPDES Permit No.: _____

	Date	Initials	OK (T if no problems found)	Notes (Note any problems found and possible solutions.)	Date Corrected
Week 6					
Week 7					
Week 8					
Week 9					
Week 10					
Week 11					
Week 12					
Week 13					
Week 14					
Week 15					
Week 16					

NPDES Permit No.: _____

	Date	Initials	OK (T if no problems found)	Notes (Note any problems found and possible solutions.)	Date Corrected
Week 17					
Week 18					
Week 19					
Week 20					
Week 21					
Week 22					
Week 23					
Week 24					
Week 25					
Week 26					
Week 27					

NPDES Permit No.: _____

	Date	Initials	OK (T if no problems found)	Notes (Note any problems found and possible solutions.)	Date Corrected
Week 28					
Week 29					
Week 30					
Week 31					
Week 32					
Week 33					
Week 34					
Week 35					
Week 36					
Week 37					
Week 38					

NPDES Permit No.: _____

	Date	Initials	OK (T if no problems found)	Notes (Note any problems found and possible solutions.)	Date Corrected
Week 39					
Week 40					
Week 41					
Week 42					
Week 43					
Week 44					
Week 45					
Week 46					
Week 47					
Week 48					
Week 49					

NPDES Permit No.: _____

	Date	Initials	OK (T if no problems found)	Notes (Note any problems found and possible solutions.)	Date Corrected
Week 50					
Week 51					
Week 52					

APPENDIX B

Agreement for the Removal of Litter, Manure and/or Process Wastewater from an AFO

The conditions listed below help to protect water quality. These conditions apply to litter, manure and/or process wastewater removed from an AFO. This agreement is for (amount of waste removed, i.c. tons, gallons, etc.)

_____ of waste, removed on (date) _____, from the facility owned by _____ and located at _____.

- A. The litter, manure and/or process wastewater must be managed to ensure there is no discharge of litter, manure and/or process wastewater to surface or groundwater.
- B. When removed from the facility, litter, manure and/or process wastewater should be applied directly to the field or stockpiled and covered with plastic or stored in a building.
- C. Litter, manure and/or process wastewater must not be stockpiled near streams, sinkholes, wetlands or wells.
- D. Fields receiving litter, manure and/or process wastewater should be soil tested at least every two or three years.
- E. A litter, manure and/or process wastewater nutrient analysis should be used to determine application rates for various crops.
- F. Calibrate spreading equipment and apply litter, manure and/or process wastewater uniformly.
- G. Apply no more nitrogen or phosphorus than can be used by the crop.
- H. A buffer zone is recommended between the application sites and adjacent streams, lakes, ponds, sinkholes and wells. The following non-application buffer widths, taken from NRCS Conservation Practice Standard 590, should be used when applicable:

Object, Site	Buffer Width, feet	Situation
Wells	150	Up-slope of application site
	300	Down-slope of application site, if conditions warrant application
Waterbody	30-100	Depending on the amount and quality of vegetation and slope
Public Use Area	300	All
Residences	300	Other than producer

- I. Do not apply litter, manure and/or process wastewater when the ground is frozen, flooded, saturated or on steep slopes subject to flooding, erosion or rapid runoff.
- J. Cover vehicles hauling litter, manure and/or process wastewater on public roads.
- K. Keep records of locations where poultry litter will be used as a fertilizer.

I, _____ am the person receiving litter, manure, and/or process wastewater and do understand the conditions listed above.

(signature)

(date)

(address)

(phone)

CAFO Annual Report- Liquid

This must be submitted between January 1 and February 15 each year.

Previous Permit Number (if applicable) _____ Reporting Period _____ Report in (mm/dd/yyyy- mm/dd/yyyy) _____
 / / ---- / /

Facility Name: _____

Address: _____

Phone Number: _____

I. Type and Number of Animals

Report the maximum number of animals confined at your facility at any one time
 (matches Notice of Intent (NOI) form and previous Nutrient Management Plan)

Type(s) of Animal	Number	Type of Confinement (Open Area or Housed Under One Roof)

II. Manure Produced

Estimated Amount of Manure Produced _____
 (gallons)

III. Manure Exported

Estimated Amount of Manure/ Liquid exported off of the farm within the last year: _____
 (gallons)

IV. Land Application

Complete this section if you applied manure to owned or leased land. If not applicable, state "N/A".

Total number of acres outlined in your Nutrient Management Plan (NMP) that manure was applied during the past year*:
 _____ + _____ = _____
 (Personal Farm acres) (Rented Acres) (Total acres)

Total number of acres that manure was applied during the past year**:
 _____ + _____ = _____
 (Personal Farm acres) (Rented Acres) (Total acres)

The amount of supplemental (commercial) fertilizer applied during the last year: _____
 (pounds or tons or gallons)

The actual amount of manure applied during the last year*:

 (tons or pounds or gallons)

* If no manure was land applied on your farm or rented fields, state "none."

** If more acres were land applied than what was outlined in your NMP, attach a brief explanation.

- 1) A List of the Actual Crops Planted.
- 2) The Actual Yield(s) for Each Crop.
- 3) The Calculations Used to Determine Nutrient Applications (*if not calculated in or if planted out of sequence shown in current Nutrient Management Plan*).

Field	Crop Planted	Expected Yield	Actual Yield		Field	Crop Planted	Expected Yield	Actual Yield

Rev Jul 15 2014

CAFO Annual Report- Liquid (cont.)

This must be submitted between January 1 and February 15 each year.

V. Lab Results*

* If all liquid waste is comingled, only one manure sample is required.

Manure Analysis #1	Nitrogen _____	Phosphorus _____	Potassium _____
Manure Analysis #2	Nitrogen _____	Phosphorus _____	Potassium _____
Manure Analysis #3	Nitrogen _____	Phosphorus _____	Potassium _____

Attach copies of your manure test results.

Soils Analysis If soils analyses were taken within the last year and the results were not disclosed in your most recent Nutrient Management Plan, please submit copies of the results for each field.

VI. Other

Was your current NMP developed by a certified nutrient management planner?

(Please note, this is not a requirement)

_____ (Yes or No)

Did any of your manure or process wastewater discharge into the waters of the state this last year?

_____ (Yes or No)

If "Yes" what amount:

_____ (date of release)

_____ (gallons)

_____ (time of release)

Attach a copy of the current permit's Appendix B and Appendix C forms.

VII. Contact Information

Mail Annual Reports to:

Tennessee Department of Environment and Conservation (TDEC)

Division of Water Resources

ATTN: John Newberry, Permit Writer

Snodgrass - Tennessee Tower

11th Floor

312 Rosa L. Parks Blvd.

Nashville, TN 37243

Personnel:

John Newberry (615) 532-7743

Brad Harris (615) 532-5367

Notes:

Tennessee CAFO Factsheet – Appendix D Annual Report Template

<i>NPDES CAFO Permit Annual Report</i>	
NPDES Permit Number: _____	Reporting period (mm/dd/yyyy- mm/dd/yyyy) ___/___/____ - ___/___/____
Facility Name: _____	
Address: _____ _____	
Phone Number: _____	

I. TYPE AND NUMBER OF ANIMALS.

Report the maximum number of each type of animal confined at this facility at any one time.

Type	Number in Open Confinement	Number Housed Under Roof
Mature Dairy Cows		
Dairy Heifers		
Veal Calves		
Other Cattle		
Swine (55 lbs or more)		
Swine (under 55 lbs)		
Horses		
Sheep or Lambs		
Turkeys		
Chickens (broilers)		
Chickens (layers)		
Ducks		
Other (specify): _____		

II. MANURE, LITTER AND PROCESS WASTEWATER PRODUCTION.

Report the estimated amount of manure, litter and process wastewater that was generated at this facility in the 12-month period covered by this report.

- A. Amount of manure generated _____ tons
- B. Amount of litter generated _____ tons
- C. Amount of process wastewater generated _____ gallons.

III. MANURE, LITTER AND PROCESS WASTEWATER TRANSFERRED TO OTHER PERSONS.

Report the estimated amount of manure, litter and process wastewater transferred to other persons in the 12-month period covered by this report.

- A. Amount of manure transferred _____ tons
- B. Amount of litter transferred _____ tons
- C. Amount of process wastewater transferred _____ gallons

IV. LAND APPLICATION ACRES COVERED BY THE NUTRIENT MANAGEMENT PLAN.

Report the total number of acres that are covered by this facility's nutrient management plan. Include all land application acres covered by the nutrient management plan, whether or not they were used for land application during the 12-month period covered by this report.

Total number of land application acres covered by the nutrient management plan _____

V. TOTAL NUMBER OF ACRES USED FOR LAND APPLICATION OF MANURE, LITTER OR PROCESS WASTEWATER.

Report the total number of acres of land where manure, litter or process wastewater generated at this facility was spread. Include only application areas under the control of this CAFO facility.

Total number of acres used for land application _____

VI. SUMMARY OF DISCHARGES.

Provide a summary of each discharge of manure, litter and/or process wastewater from the production area(s) that occurred in the 12-month period covered by this report. Attach additional sheets, if needed.

Date ^a	Time ^b	Description ^c	Volume ^d

^a Date: The date of the discharge. If the discharge was detected after it happened, give an estimate of the date when the discharge occurred.

^b Time: The time of the discharge. If the discharge was detected after it happened, give an estimate of the time when the discharge occurred.

^c Description: Provide other relevant information about the discharge, including the source, cause, composition (e.g., emergency overflow of process wastewater from lagoon #2), and impacts observed (e.g., fish kill in waterbody).

^d Volume: Give an estimate of the number of gallons or tons of manure, litter or process wastewater discharged.

VII. NUTRIENT MANAGEMENT PLAN

Indicate whether the facility's nutrient management plan was either developed or approved by a certified nutrient management planner (e.g., a comprehensive nutrient management plan).

Was the current version of this facility's nutrient management plan prepared or approved by a certified nutrient management planner? Yes No

Print Name: _____ Date: _____

Signature: _____