



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

November 17, 2016

Mr. Danny Ham
1586 Atlantic Avenue
Henry, TN 38231

**Re: 11-15-16 Inspection Findings Letter
Tosh Farms - Henry Permit Tracking No. SOPC00011
1100 Lewis Lane Henry, Tennessee 38231**

Dear Mr. Ham;

I conducted an Inspection of the Tosh Farms - Henry facility on November 15, 2016. This inspection was conducted as a routine inspection. Thank you for taking time to meet with me during the inspection and show me around the facility. Your cooperation during the inspection was greatly appreciated.

The Tosh Farms – Henry facility is permitted under the SOPC00000 General Permit. The Tosh Farms – Henry facility is permitted for approximately 2,480 swine. At the time of inspection, the facility had approximately 2,048 swine housed on-site. A copy of your current permit as well as a copy of your current Comprehensive Nutrient Management Plan (CNMP) was available for review during the inspection. You provided the following records for review during the inspection: waste storage system inspections, daily rainfall, daily waterline inspections, land application records and soil analyses. A 2015 Annual Report has also been submitted for the facility.

At the time of inspection, you did not have freeboard records or a copy of the most recent manure analysis available for review. However, you did provide a copy of freeboard records and a copy of the most recent manure analysis to me by email on November 15, 2016. In addition, stormwater control inspection records were not being maintained. The facility had a record form for this inspection but has not been filling it out. Records of stormwater control inspections should be kept in the future.

No manure is transferred from this facility. All manure is applied to crop fields located adjacent to the facility and these fields are included for wastewater application in your current approved CNMP. Mortalities from the facility are transferred to the Tosh Gilkey Facility to be composted as indicated in the approved CNMP for the facility.

A small pit barn has been built on the southeast side of the original pit barn since the approval of the current CNMP. This small pit barn is not accounted for in the current approved CNMP. The CNMP for the facility should be updated to include the additional manure storage capacity of the small pit barn. Also, information regarding the description of the operation and manure generated from the facility should be updated. **Please submit an updated CNMP which includes information for the small pit barn to me by January 20, 2017.**

I appreciate you taking time from your schedule to meet with me for the inspection. Also enclosed with this letter is a copy of my Inspection Report from my visit on November 15, 2016.

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

Thank You,

A handwritten signature in blue ink that reads "Kevin Smith". The signature is written in a cursive style with a horizontal line underneath it.

Kevin Smith, Environmental Scientist 3
TDEC, Division of Water Resources

cc: TDWR-JFO File: Tosh Farms - Henry SOPC00011



TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
 DIVISION OF WATER RESOURCES
 WILLIAM R. SNODGRASS TENNESSEE TOWER
 312 ROSA L. PARKS AVENUE, 11TH FLOOR
 NASHVILLE TN 37243
 1-888-891-8332 (TDEC)

Compliance Inspection for Concentrated Animal Feeding Operation (CAFO)

INSPECTION TYPE									
Routine	<input checked="" type="checkbox"/>	Comprehensive	<input type="checkbox"/>	Complaint	<input type="checkbox"/>	Follow Up	<input type="checkbox"/>	Termination	<input type="checkbox"/>

Facility Name: Tosh Farms - Henry	County(ies): Henry
Street Address or Location: 1100 Lewis Lane Henry, TN	Latitude (dd.ddd): 36.214293
	Longitude (-dd.ddd): -88.418575

Official Contact: Jay Oliver	Email: joliver@toshfarms.net	Contact Phone: 731-243-4861
Address: P.O. Box 308	City: Henry	State: TN Zip: 38231

Inspection Date: 11/15/2016	Entry Time: 9:15	Exit Time: 10:05
Weather Conditions: Mostly Sunny, temps in 50s		Inspector(s): Kevin Smith

PERMIT	
Permit Number: SOPC00011	<input checked="" type="checkbox"/> copy available on site
Issuance Date: 9/1/2015	Expiration Date: 7/31/2018
Number of Animals the Facility is permitted for	2480

FACILITY INFORMATION	
Type of Operation:	Swine
Current Number of Animals:	2,048
Number of Animals in Confinement:	2,048
Number of Houses/Barns:	2 Barns
Animals have direct contact with Waters?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, explain:
<input type="checkbox"/> Assessed as Impaired? List Impairment(s):	

25-year, 24 hour rainfall amount for this location (include source)	6.44 inches, http://hdsc.nws.noaa.gov/hdsc/pfds/
Description of Facility if unpermitted	

Does facility layout match information provided in approved NMP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No – Attach a sketch or map of current layout.
An additional small pit barn has been built on southeast side of original pit barn.

NUTRIENT MANAGEMENT PLAN (NMP)	
Facility has NMP	<input checked="" type="checkbox"/> yes <input checked="" type="checkbox"/> copy available on site <input type="checkbox"/> no
NMP approved by Tennessee Dept. of Agriculture (NMP approved on: 5/27/2015)	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no

RECORD KEEPING				
Requirement:	Yes	No	Partial	Comments
Inspections of Waste Storage System	X			
Liquid Systems, Freeboard Records <input type="checkbox"/> N/A – not a liquid system	X			Sent to me by email on 10/15/16
Weekly Inspection of Storm Water Controls		X		Facility had record forms for this inspection and will begin filling out and keeping records of Stormwater Control Inspections.

Records of Daily Rainfall	X		
Records of Daily Waterline Inspections	X		
Records of Compost Temperature and Moisture			N/A, mortalities transferred to T and T Gilkey
Records of Manure Transferred Off Site			N/A, no manure exported from facility.
Copies of Third Party Waste Transfer Forms			N/A, no manure transferred from facility.
Records of Land Application of Manure	X		Last manure application was in October 2016
Maintenance Reports i.e., equipment calibrations	X		
Annual Manure/Litter Analysis	X		Sent to me by email on 10/28/16
Soil Analysis (min. every 5 years)	X		Soil Analyses conducted on field F141 on 1/13/14 , field F47 on 1/1/2013, and field F33 on 1/8/2014
Annual Reports Submitted to DWR	X		Annual Report for 2015 has been submitted
Required Training for Employees	X		
Emergency Response Plan	X		Page 11 of CNMP

MANURE MANAGEMENT (STORAGE)

Manure Storage Structure(s):

- Holding pond/lagoon, select liner type: compacted clay synthetic
- Above-ground constructed structure, describe:
- Under-house structure (i.e. pit barn)
- manure pack house
- composting
- other

Constructed per NRCS Standards (as shown in NMP)? Yes No Unknown

VISUAL INSPECTION OF MANURE MANAGEMENT STRUCTURE(S)

Requirement:	Yes	No	Comments
Structure(s) appears to be properly maintained	X		
Structure(s) appears to be sound (e.g. no rills, holes, etc. noted)	X		
Rain gauge installed and maintained	X		Rain gauge near entrance to pit barn was broken and it is going to be replaced. There was another rain gauge located near mobile home where you drive up to pit barns.
Structure(s) maintain liquid waste	X		
Banks are maintained			N/A, pit barn
Marker is present to gauge freeboard	X		Uses PVC pipe to gauge depths in pit barns
Freeboard	X		Over 5 feet of freeboard in pit barns on day of inspection

Notes/Concerns:

Additional small pit barn has been added to facility. CNMP needs to be updated to included additional manure storage capacity and information on manure generation should be updated for facility in CNMP.

Do(es) Manure Management Structure(s) match what is described in the NMP? Yes No – Attach a sketch or map of current structures.

An additional small pit barn has been built at facility.

MANURE MANAGEMENT (UTILIZATION OF NUTRIENTS)

	Yes	No	N/A	Comments
Manure Transferred Off Site		X		No manure is exported off-site from facility
Facility following manure transfer requirements			X	No manure is exported off-site from facility
Manure is Land Applied on Farm	X			
Facility has Adequate Land for manure/litter application	X			Facility has 257.1 Spreadable acres for manure application.
Facility has a schedule for Land Application and is following the schedule	X			
Facility has appropriate setbacks and buffers	X			
- no land application w/in 100 ft. of water features or has a 35 ft. vegetated buffer or a 60 ft. natural riparian buffer	X			
- no land application w/in 100 ft. of potable well	X			
- 60 ft. natural riparian buffer btw. Stream and land application areas for new CAFO adjacent to exceptional TN waters and ONRW			X	

Description of Land Application System if it differs from what is listed in NMP:
Does not differ.

VISUAL INSPECTION OF LAND APPLICATION AREAS

Field	Crop Growing	BMPs/Buffers	Notes
JAMEY TOSH F47	HARVESTED		76.6 SPREADABLE ACRES
TOSH CHUNN 141	HARVESTED		47.4 SPREADABLE ACRES
TOSH HENRY 33	HARVESTED		133.1 SPREADABLE ACRES. / THIS WAS ONLY FIELD USED FOR MANURE APPLICATION AT THE TOSH-HENRY FACILITY IN 2016. HAS BEEN OVER 2 WEEKS SINCE LAST MANURE APPLICATION.

Do Application Areas match information provided in NMP? Yes No – Attach a sketch or map of current application areas.

MORTALITY MANAGEMENT

Are mortalities managed so that discharges of pollutants to surface waters are avoided? yes no

Are mortalities managed so that they are not disposed of in manure, stormwater, or process wastewater storage or treatment systems that are not designed to treat animal mortalities? yes no

VISUAL INSPECTION OF MORTALITY SITE

Mortality Management On Site

- burial
- Class I landfill
- incineration
- rendering
- composting
- Other, explain: **Mortalities are transferred to the Tosh Gilkey facility to be composted.**

Facility is Managing Mortality According to the NMP yes no

Notes/Concerns:
CNMP indicates mortalities will be transferred to the Tosh Gilkey facility to be composted.

BEST MANAGEMENT PRACTICES

Is clean water diverted, as appropriate, from the production area? yes no

CHEMICAL MANAGEMENT

Are pesticides and/or other contaminants being disposed of in any manure, litter, process wastewater, or stormwater storage or treatment system not specifically designed to treat such chemicals and other contaminants? yes no

Method of Disposal of Chemicals:
Sharps are placed in sharps container.

VISUAL INSPECTION OF CHEMICAL STORAGE

Facility is managing chemicals according to the NMP yes no

Notes/Concerns:

DISCHARGES

Has the Facility had a Discharge? no yes date(s) _____
 reported to the Division and/or EPA
 description of discharge
 perform required sampling?

Description of Actions taken

General Comments:

- Facility had a copy of their permit and CNMP available for review on day of inspection. Facility was maintaining the following records: waste storage inspections, freeboard records, daily rainfall, waterline inspections, land application records, soil analyses records, and annual manure analyses.
- Facility needs to fill out and keep records of stormwater control inspections. Facility had record form for this inspection just was not filling out.
- CNMP for facility needs to be updated to reflect additional small pit barn which has been built at facility since approval of CNMP. Information including description of operation, manure storage capacity, and manure generation needs to be updated in CNMP for facility.

On-Site Contact (if available)

On-Site Contact Name (Print):	On-Site Contact Title:	Signature:	Date:
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TDEC Personnel/Information

Inspector's Name (Print): Kevin Smith	Signature: 	Date: 11/16/2016	EFO: Name and Address Jackson Field Office 1625 Hollywood Drive Jackson, TN. 38305
		Time:	