



STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

March 21, 2017

Scott County Board of Supervisors
Attn: Tim Huey, Director of Planning and Development
500 West 4th Street
Davenport, IA 52801

RE: Notice of Intent to Issue a Permit
Grandview Farms-Sow Site, Facility ID #59556
Scott County

Dear Mr. Huey:

This department has made a preliminary determination that Grandview Farms, Inc. has met the legal criteria to be issued a construction permit for five new swine confinement buildings located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 7, T79N, R3E, Sheridan Township, Scott County, Iowa. The NW $\frac{1}{4}$ of Section 18, T79N, R3E, Sheridan Township, Scott County, Iowa and in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12, T79N, R2E, Hickory Grove Township, Scott County, Iowa. A copy of the draft permit is enclosed for your information. The permit would authorize Grandview Farms, Inc. to construct the confinement feeding operation structure(s) as described in the draft permit.

Pursuant to Iowa Code Section 459.304 and subrule 567 Iowa Administrative Code (IAC) 65.10(7) the Scott County Board of Supervisors may contest the draft permit by filing a timely demand for hearing before the Environmental Protection Commission (EPC). The board shall, **as soon as possible** but not later than fourteen (14) days following receipt of this letter, notify the Director, Department of Natural Resources that it **intends** to file a demand for hearing. The current contact person for the Director is Jerah Sheets (jerah.sheets@dnr.iowa.gov). The demand for a hearing must be submitted to the Director, Department of Natural Resources, Henry A. Wallace Building, 502 E. Ninth Street, Des Moines, Iowa, 50319. The demand for hearing shall be postmarked within thirty (30) days following receipt of this letter and accompanied by a statement that provides **all** the reasons why the permit should not be issued according to the legal requirements of Iowa Code Section 459 "Animal Agriculture Compliance Act" and 567 IAC chapter 65; legal briefs and any other documents to be considered by the commission or a statement indicating that no other documents will be submitted for the commission's consideration; and a statement indicating whether oral argument before the commission is desired. The matter would be heard by the commission at a time and location to be determined by the commission. The commission must render a decision within thirty-five (35) days from the date that the county board of supervisors files a demand for a hearing.

If you have any questions regarding this permit, please contact Paul Petitti, PE at 712/262-4177.

Sincerely,

FIELD SERVICES AND COMPLIANCE BUREAU

A handwritten signature in blue ink that reads "Paul Petitti".

PAUL PETITTI, P.E.

ENVIRONMENTAL ENGINEER SENIOR

c: Thomas Dittmer, 12090 West 240th Street, Eldridge, IA 52748
Iowa DNR - Field Office #6 Attn: Jeff Prier



STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
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DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

March 21, 2017

Thomas Dittmer
12090 West 240th Street
Eldridge, IA 52748

RE: Notice of Intent to Issue a Permit for Grandview Farms-Sow Site
Scott County, Facility ID #59556

Dear Mr. Dittmer:

The Iowa Department of Natural Resources (IDNR) has made a preliminary determination that your application for a construction permit to build five new swine confinement buildings at your existing swine confinement feeding operation satisfies the legal requirements for issuance of a permit. A draft construction permit for your facility is enclosed.

Iowa Code Section 459.304 allows the Scott County Board of Supervisors to contest this decision, as explained in the attached letter. Therefore, the IDNR's intent to issue this permit is not a final decision and you are not authorized to begin construction under the terms of the permit at this time. A final permit will be issued on the 15th day following receipt of this notice by Scott County unless the County timely submits a facsimile (FAX) notice of intent to file a demand for hearing. If the County submits a notice of intent to file a demand for hearing, you will be notified, and the permit will not be issued until it is affirmed by the Environmental Protection Commission (EPC).

You may contest the conditions of the proposed permit as provided in 567 Iowa Administrative Code 65.10(8). A copy of this sub rule is enclosed.

If you have any questions regarding this draft permit, please contact Paul Petitti, PE at 712/262-4177, or our field office directly.

Sincerely,
FIELD SERVICES AND COMPLIANCE BUREAU

A handwritten signature in blue ink that reads "Paul Petitti".

PAUL PETITTI, P.E.
ENVIRONMENTAL ENGINEER SENIOR

c: Scott County Board of Supervisors. Attn: Tim Huey, Director of Planning and Development, 500 W. 4th Street, Davenport 52801
Iowa DNR - Field Office #6 Attn: Jeff Prier

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567 Iowa Administrative Code 65.10(8)

65.10(8) Applicant's demand for hearing. The applicant may contest the department's preliminary decision to approve or disapprove an application for permit by filing a written demand for a hearing. The applicant may elect, as part of the written demand for hearing, to have the hearing conducted before the commission pursuant to paragraph 65.10(8) "a" or before an administrative law judge pursuant to paragraph 65.10(8) "b." If no such election is made, the demand for hearing shall be considered to be a request for hearing before the commission. If both the applicant and the county board of supervisors are contesting the department's preliminary decision, the applicant may request that the commission conduct the hearing on a consolidated basis.

a. Applicant demand for hearing before the commission. Due to the need for expedited scheduling, the applicant shall, as soon as possible but not later than 14 days following receipt of the department's notice of preliminary decision, notify the department in writing that the applicant intends to file a demand for hearing. The demand for hearing shall be sent to the director of the department and must be postmarked no later than 30 days following the applicant's receipt of the department's notice of preliminary decision. If the county board of supervisors has filed a demand for hearing, the times for facsimile notification and filing a demand for hearing are extended an additional 3 business days. It is the responsibility of the applicant to communicate with the department to determine if a county demand for hearing has been filed. The demand for hearing shall include a statement setting forth all of the applicant's reasons why the application for permit should be approved or disapproved, including legal briefs and all supporting documentation, and a further statement indicating whether an oral presentation before the commission is requested.

b. Applicant contested case appeal before an administrative law judge. The applicant may contest the department's preliminary decision to approve or disapprove an application according to the contested case procedures set forth in 561—Chapter 7; however, if the county board of supervisors has demanded a hearing pursuant to subrule 65.10(7), the applicant shall provide facsimile notification to the department within the time frame set forth in 65.10(8) "a" that the applicant intends to contest the department's preliminary decision according to contested case procedures. In that event, the applicant may request that the hearings be consolidated and conducted as a contested case.

The current contact person for the Director is Jerah Sheets (jerah.sheets@dnr.iowa.gov).

The demand for a hearing must be submitted to:
Director, Department of Natural Resources
Henry A. Wallace Building
502 E. Ninth Street
Des Moines, Iowa 50319

STATE OF IOWA
DEPARTMENT OF NATURAL RESOURCES
HENRY A. WALLACE BUILDING
DES MOINES, IOWA 50319

CONSTRUCTION PERMIT

Date Issued: **DRAFT**

Permit No: **DRAFT**

Issued to:

Grandview Farms, Inc.
12090 West 240th Street
Eldridge, IA 52748

File: Agriculture

RE: Grandview Farms-Sow Site

Facility ID No.: 59556

In accordance with the provisions of Sections 459.303 and 459.304 and 567 Iowa Administrative Code (IAC) 65.7(455B), the Director of the Department of Natural Resources does hereby issue a construction permit for:

One new swine farrowing confinement building #18 at the Home site(130' x 276' x 8' deep pit), to house 480 head of sow and litter, one new swine breeding and gestation confinement building #19 at the West site(102' x 266'10" x 10' deep pit) to house 1508 head of gestating sows and 8 boars, one new swine gilt nursery confinement building #20 at the South site(55'6" x 122' x 8' deep pit) to house 1300 head of nursery swine and two new swine gilt confinement buildings #21 and 22 at the South site (61' 2"x 271' x 8' deep pit), to house 1300 head of swine gilts each as part of an expansion to an existing animal feeding operation. The manure control system consists of deep concrete pits in the proposed buildings. The West site is in the SE¹/₄ of the SE¹/₄ of Section 12, T79N, R2E, Hickory Grove Township, Scott County, Iowa. The Home site is in the SW¹/₄ of the SW¹/₄ of Section 7, T79N, R3E, Sheridan Township, Scott County, Iowa, and the South site is in the NW¹/₄ of Section 18, T79N, R03E, Sheridan Township, Scott County, Iowa. The maximum animal unit capacity (AUC), after completion, of the entire operation, confined at one time, shall not exceed 6480.40 animal units (AU). The total animal capacity of the operation (maximum number of swine to be confined at any one time), after construction, is based on 11,036 head of gestating swine, 2216 head of farrowing swine, 24 head of boar swine, 2600 head of swine gilts and 1300 head of nursery swine.

This permit is issued subject to the following conditions and requirements:

1. No material change in the construction of this project shall be undertaken unless first authorized by this Department.
2. This construction permit shall expire if the authorized construction is not begun within one year. The construction of this project shall be initiated within one (1) year and completed within four (4) years of the date of issuance of this permit. A new construction permit will be required if construction is not completed within the permitted four years.

3. The design capacity of the manure storage system for the entire swine confinement feeding operation is for a total animal unit capacity of 6480.40 animal units and a maximum animal capacity, to be confined at any one time, of 11,036 head of gestating swine, 2216 head of farrowing swine, 24 head of boar swine, 2600 head of swine gilts and 1300 head of nursery swine. A new construction permit shall be obtained prior to making any additions or alterations to the manure control system, making any process changes that would materially affect the manure control system, expanding the animal capacity, or increasing the volume of manure.
4. Animals shall not be placed in the new confinement buildings and manure shall not be stored in the new concrete pits until all of the following are satisfied:
 - a) **Construction is completed.**
 - b) **Your engineer submits a certification that the below the floor concrete pits were:**
 - **Constructed in accordance with the current concrete design standards of 567 IAC-65.15(14);**
 - **Supervised by the engineer or his designee during critical points of construction and inspected by the engineer after construction;**
 - **Constructed in accordance with the drainage tile removal standards of 567 IAC - 65.15(7)"b" including a report of the findings and actions taken to comply with this subrule; and**
 - **Constructed in accordance with the minimum required separation distances as outlined in 567 IAC 65, Table 6-C.**
 - c) **You must notify this Department's Field Office in Washington, Iowa, at 319/653-2135 prior to the initial concrete pour for your manure storage structure floors.**
 - d) **You receive written approval from this Department.**
5. If karst terrain (limestone, dolomite, or other soluble rock) is found during excavation of the permitted formed manure storage structure(s), the upgraded concrete standards set forth in 567 IAC 65.15(14)"c", must be followed. Construction of an unformed manure storage structure in karst terrain, as defined in 567 IAC 65.1(455B), is prohibited. The Department must first authorize any design changes to the project, as required in condition 1 of this permit.
6. The Master Matrix evaluation of your application by Scott County received on March 10, 2017, includes scores for criteria 12, 16, 17, 19 and 25. The Master Matrix requires that a (design, operation and maintenance) plan for these criteria be included in the application and that compliance with said plan be a condition of the Permit. Briefly stated:
 - a) **You shall build, maintain and operate the enhancements of your stockpile facility according to your County approved design, operation and maintenance plan. (criterion # 16)**
 - b) **You shall build, maintain, and operate the concrete manure storage pit according to your County-approved design, operation, and maintenance plan. (criteria # 12, and 17)**
 - c) **You shall build, maintain, and operate the truck turnaround according to your County-approved design, operation, and maintenance plan. (criterion # 19)**
 - d) **You shall build, maintain, and operate the manure volume reduction (feeding and watering) systems according to your County approved design, operation, and maintenance plan. (criterion # 25)**

7. The Master Matrix evaluation of your application by Scott County received on March 10, 2017, includes scores for criteria 26 "e", 32, 35 and 40. The Master Matrix requires that the limitations or actions you accepted in choosing to receive scores for these criteria must be included as conditions of the Permit. Briefly stated:
 - a) **The manure produced at this confinement operation shall be injected or incorporated on the same date it is land applied. (criterion # 26 "e")**
 - b) **An additional separation distance of 200 feet above the minimum requirement shall be maintained during the injection or same date incorporation of manure to the closest educational institution, religious institution or commercial enterprise. (criterion # 32).**
 - c) **An additional separation distance of 400 feet above the minimum requirement shall be maintained during the injection or same date incorporation of manure to the closest high quality (HQ) water, high quality resource (HQR) water, or protected water area (PWA). (criterion # 35)**
 - d) **You shall follow the County approved emergency action plan in the event of an emergency and keep a copy of this plan on site. (criterion # 40)**
8. Prior to entering the winter season, a sufficient volume of manure shall be removed from the manure storage structures to provide adequate volume for storage of manure produced in the livestock production facilities during the winter season.
9. All the manure removed from the manure storage facilities shall be disposed of by land application in accordance with your approved manure management plan. You must also keep your manure management plan current and maintain records sufficient to demonstrate compliance with the plan. A copy of the approved Plan shall be kept within 30 miles of the site in accordance with 567 IAC 65.17(12).
10. Water usage in the confinement facilities that result in dilution of manure entering the manure storage structures shall be minimized.
11. Dilution water shall not be added to the manure storage structures except during manure emptying operations.
12. Human sanitary wastes (including showers and laundry facilities) shall not be discharged to the manure storage structures.
13. A water use permit is required for the withdrawal or diversion of more than 25,000 gallons of water per day. Water purchased from municipal or rural water systems is excluded. Any future wells shall be located respective of regulated separation distances and installed according to county permit requirements. For more information or to verify permit requirements, contact Jim Neleigh at 515/725-0276.
14. No construction activities shall be initiated unless a NPDES General Permit No 2, for "Storm water discharge associated with construction activities" is obtained from this Department if the site disturbance from all construction activities **equals or exceeds one (1) acre**. For more information or to verify permit requirements contact Joe Griffin at 515/725-8417.

15. The issuance of this permit in no way relieves you the applicant of the responsibility for complying with all local, state and federal laws, ordinances, regulations and other requirements applying to the construction or operation of this facility.

Pursuant to Iowa Code Section 459.304, you have the right to appeal any condition of this permit as provided in 567 IAC 65.10(8).

Please contact Paul Petitti, PE at 712/262-4177 with any questions.

For the Department of Natural Resources:

CHUCK GIPP, DIRECTOR

By: _____ **DRAFT**
ENVIRONMENTAL SERVICES DIVISION

Date: _____ **DRAFT**

- c: Scott County Board of Supervisors. Attn: Tim Huey, Director of Planning and Development, 500 W. 4th Street, Davenport 52801
Iowa DNR - Field Office #6 Attn: Jeff Prier