IOWA DEPARTMENT OF NATURAL RESOURCES

GOVERNOR KIM REYNOLDS
LT. GOVERNOR ADAM GREGG
DIRECTOR KAYLA LYON

April 25, 2022

GIBBS FARMS LLC
2383 SHELDON AVE
GREENFIELD IA 50849

SUBJECT: Animal Feeding Operation (AFO) Compliance Inspection
Gibbs Farms LLC, Adair County (Facility # 57339), Staff Action # 157822

Dear Mr. Gibbs,

Attached is a copy of the report resulting from the Animal Feeding Operation (AFO) facility compliance inspection conducted on April 19, 2022. I would like to thank you for your assistance during the inspection. Please direct your attention to the requirements and recommendations at the end of the report.

This facility is considered a medium animal feeding operation. However, if manure or process wastewater is discharged into waters of the U.S. through a man-made ditch, flushing system, or other similar man-made device, or manure or process wastewater is discharged directly into waters of the U.S., the facility may be classified as a medium concentrated animal feeding operation (CAFO). If the facility is classified as a medium CAFO, a permit and total containment may be required. As we discussed, you must make every effort to ensure a discharge does not occur.

If you have any questions or feel this report does not represent the conditions at your facility, please contact me via email at kristi.burg@dnr.iowa.gov or telephone at (712) 340-3076 (cell).

Sincerely,

Kristi Burg

Kristi Burg
Environmental Specialist
Field Services and Compliance Bureau

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CC: Gibbs Farms LLC, Facility #57339, Adair County AFO File

Enclosure: AFO Facility Inspection Report
Regulatory Status Form

IOWA DEPARTMENT OF NATURAL RESOURCES
AFO INSPECTION REPORT

FACILITY DESCRIPTION

FACILITY LOCATION	Facility: **Gibbs Farms LLC**			Facility ID#: **57339**
	Address: **2833 State Highway 92**	City: **Greenfield**	State: **IA**	**Zip: 50849**
	PLSS: **SE¼, SW¼, Section 7, Grand River Township (T75N, R30W), Adair County**			
OWNER	Name: **George Gibbs**			
ANIMAL HOUSING TYPE	☐ Confinement ☒ Open Lot ☐ Combined (Confinement & Open Lot)			
ANIMAL INFORMATION	Animal Type(s)	Capacity	Current Head	Number of Bldgs./Pens
	Cattle Beef Finishing	**500 AU**	**350**	**6 pens**
	Date of Construction: **2001**		Date of Expansion: **N/A**	

INSPECTION INFORMATION

INSPECTION DATE	This Inspection: **April 19, 2022**	Last Inspection: **6/24/2005**
PERSONS INTERVIEWED	Name: **George Gibbs**	Title: **Owner**
NEAREST WATERCOURSE	Stream Name: **Marvel Creek**	
	Description of Flow Path: **If an overflow were to occur, it would flow east, northeast through drainage ways.**	

COMPLIANCE SUMMARY

OBSERVATIONS

Nutrient Management:
☐CNMP ☐NMP ☐MMP ☐Other ☒No formal plan

Manure Stockpiling:	Mortality Management:	Runoff from Feed Storage:
☒In controlled area ☐In compliance with rules ☐Not applicable – direct haul ☐Stockpiling in an uncontrolled area	☐Rendering ☐Composting ☒Incineration – Burn pile ☐On-site burial ☐Landfill	☐No outdoor feed storage area ☒Discharge from feedstock storage area is controlled ☐Feed storage is located in an uncontrolled area
Clean Water Diverted: ☒Yes ☐No	Discharge to a Water of the U.S. via Manmade Conveyance: ☐Yes ☒No	Direct Animal Contact with Waters of the U.S.: ☐Yes ☒No

Adjacent Facilities (by same owner/operator): ☐ Confinement ☐ Open Lot ☒None

Evidence of Discharges: ☐Yes ☒No

NPDES PERMIT STATUS

The facility, as observed during the inspection, was a medium AFO and did not need an NPDES permit. NPDES permit is required: ☐Yes ☒No

COMPLIANCE STATUS

This facility appears to be in compliance with Iowa's environmental regulations at the time of the inspection. Actual conditions may vary over time with the operation and maintenance of the facility. Facility is in compliance: ☒Yes ☐No

AUTHENTICATION				
	Kristi Burg Inspector: **Kristi Burg**	Date: **4/22/2022**	Reviewer: **Alison Manz** Alison Manz	Date: **4/22/22**

IOWA DEPARTMENT OF NATURAL RESOURCES
AFO INSPECTION REPORT

FACILITY EVALUATION

Scope of Inspection

This inspection initially involved a review of the field office files and compliance database. On April 19, 2022, I met with George Gibbs, owner, to conduct an on-site inspection of the operation. The onsite inspection included an operation and maintenance discussion and visual observations of the manure storage structure and facility grounds.

Bio-Security

Prior to inspecting the facility, I discussed bio-security with Mr. Gibbs, and followed the approved DNR bio-security policy.

General Description

The Gibbs Farm LLC facility is located in the SE¼ of the SW¼ of Section 7, Grand River Township (T75N, R30W), Adair County. This facility consists of six open lot pens with a capacity of 800 animals. On the day of my inspection, there were 350 cattle onsite. According to Mr. Gibbs, the open lot pens are scraped as time and weather allows. The aerial photograph below documents the facility.

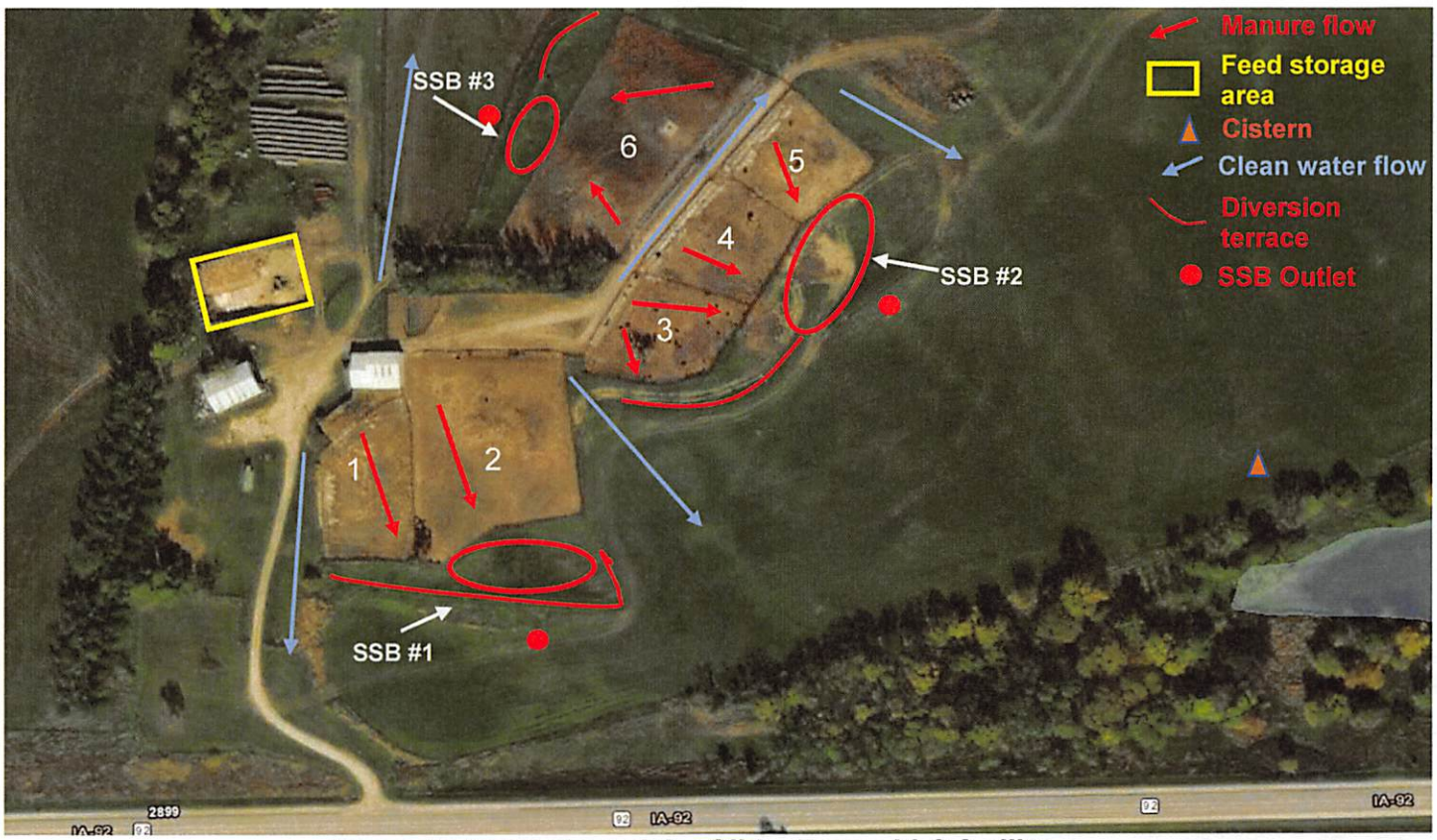


Figure 1: Aerial view of the Gibbs Farms LLC facility

Open Lot Pens and Solids Settling

Manure controls at this feedlot consist of 3 solids settling basins (SSBs). All three SSBs are equipped with perforated outlet pipes surrounded by a picket fence with an outfall on the back side. SSB #1 catches manure from pens #1 and #2. SSB #2 receives effluent from pens #3-#5. Effluent from pen #6 flows to SSB #3. Mr. Gibbs shared that due to the lack of animals at this site, the SSBs have been well maintained and are easy to keep in good condition. I did not note any trenching from the outlet of SSB #1 or #2. I did note that outlet for SSB #1 was difficult to find as it has begun to fill in with dirt and will need cleaned out in order to keep the controls operating correctly.

SSB #3 outlets just across the fence. I noted severe trenching from cattle access of this area and heavy flow during times of precipitation. Marvel Creek is located approximately 2,170 feet to the north of the pen. The trenching in the field eventually leads to a ditch which flows to Marvel Creek. Proper management of the pasture area where the outfall is located is going to be imperative to this facility not causing a water quality violation. As we discussed, proper management may include ensuring manure flow is evenly distributed to prevent trenching and ultimately a direct discharge into the unnamed tributary of Marvel Creek. I did not note water pooled further north of the outlet at the time of my inspection. The likelihood of a water quality violation increases during heavy precipitation events.

Additionally, frequent scraping of feedlot pens can greatly reduce the amount of manure discharged and can reduce the amount of water held on the feedlot surface after a rain event. Failing to scrape the pens frequently can result in large amounts of thick runoff from the pens.

Pursuant to 567 Iowa Administrative Code 65, a water of the state means any stream, lake, pond, marsh, watercourse, waterway, well, spring, reservoir, aquifer, irrigation system, drainage system, and any other body or accumulation of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof.

Photos documenting my observations of the feedlot pens and manure controls are below.

Photo #1: Pen #1, looking Northwest from SSB #1, noting manure flow

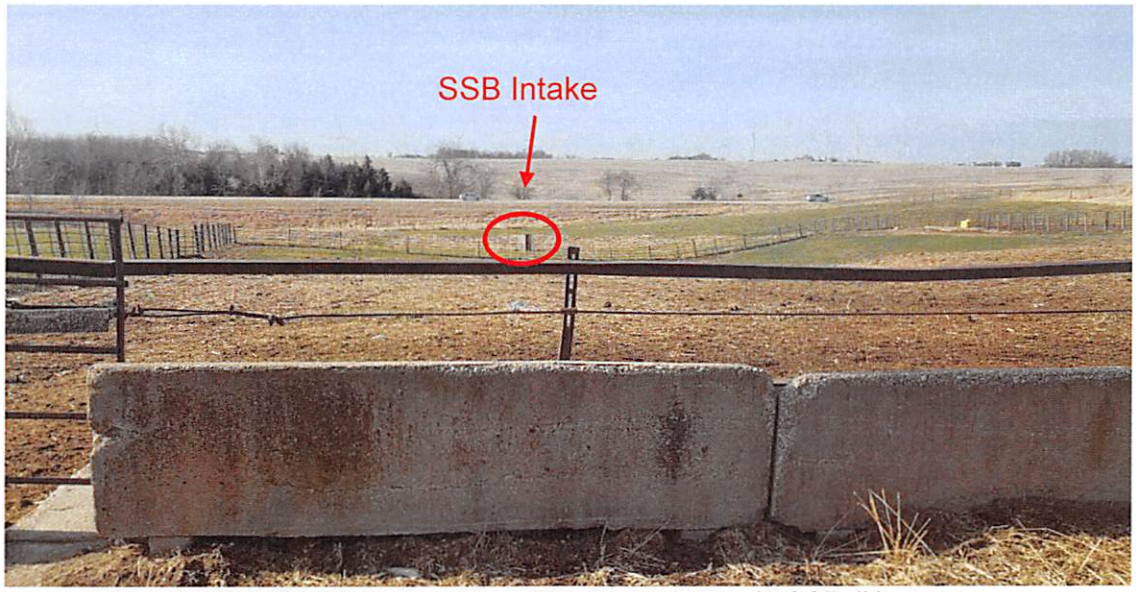
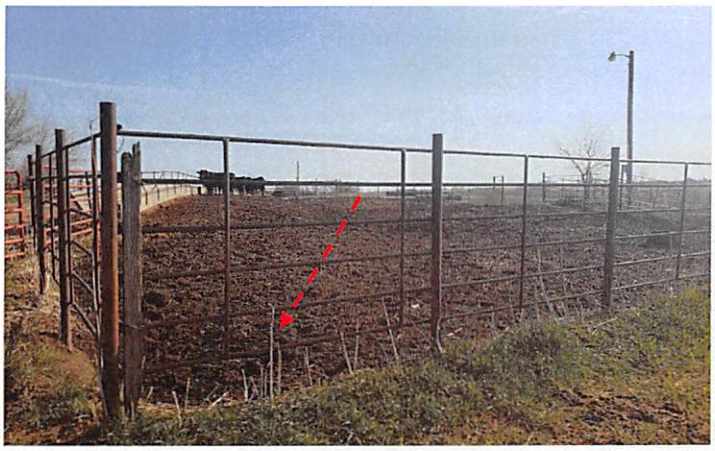


Photo #2: Pen #2, looking south towards SSB #1

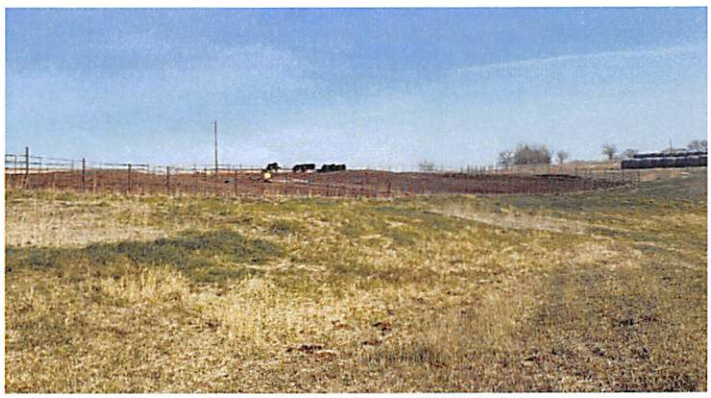
Photo #3: Pen #3, looking north from SSB #1

Photo #4: Outlet of SSB #1, showing partial blockage




Photos #5-6: Pen 3, noting diversion terrace to direct flow to SSB #2, looking north and southeast respectively


Photos #7-8: Pen 4, looking north and south respectively




Photos #9-10: Pens #5, looking north from SSB area and southeast from feed drive


Photos #11-12: SSB #2, looking east and west respectively


Photos #13-14: Outlet for SSB #2 and effluent flow path, looking southeast

Photo #15: Pen #6, looking northwest from feed drive

Photo #16: Pen #6, looking southwest from NW corner of pen, noting SSB #3

Photo #17: SSB #3, looking east, northeast at Pen #6

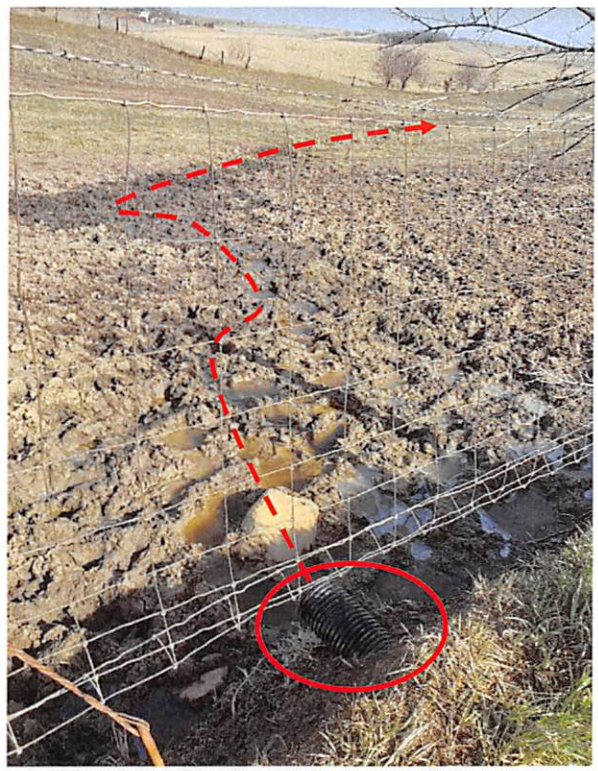


Photo #18: Outlet of SSB #3 into pasture area, noting trenching and manure flow

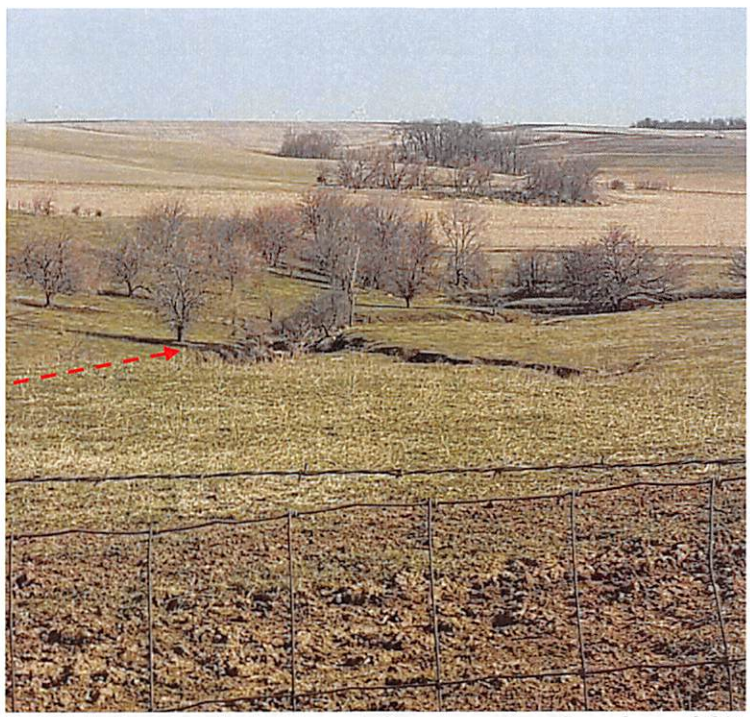


Photo #19: Ditch that leads to Marvel Creek, noting flow from SSB #3 outlet

I identified and observed areas of flow direction and the potential areas and direction of discharge. As we discussed, continued efforts to evenly distribute the effluent from the solid settling basin outlets will allow for the waste to infiltrate and help eliminate the potential for a discharge to a water of the state.

Pursuant to 567 - 65.101(1), the minimum level of manure control for any open feedlot shall be the removal of settleable solids from the manure prior to discharge into a water of the state. Please be advised that removal of solids is the minimum level of manure control required.

Manure Handling
Mr. Gibbs stated that he does not have any manure stockpiles in the fields. According to Mr. Gibbs, typically manure is stockpiled upgradient of the SSBs if needed. As we discussed, frequent scraping of feedlot pens can greatly reduce the amount of manure discharged and can reduce the amount of water held on the feedlot surface after a rain event. Failing to scrape the pens frequently can result in large amounts of thick runoff from the pens.

Additionally, we discussed open feedlot manure stockpiles must be placed in an area where it is unlikely to result in runoff to a water course or to a man-made conduit like a tile line, ditch or culvert that leads to a water course. All open feedlot manure stockpiles must meet the following requirements:

- It is not in a grassed waterway or where water pools or has concentrated flow,
- It is on land with less than 3 percent slope or has adequate methods, structures or practices in place to contain stockpile solids for land with greater than 3 percent slope, and
- It complies with required separation distances to sensitive areas, which includes being placed at least 400 feet from a water source. Please note that the stockpile must be land applied within six months after creation and in a manner that does not cause surface or groundwater pollution.

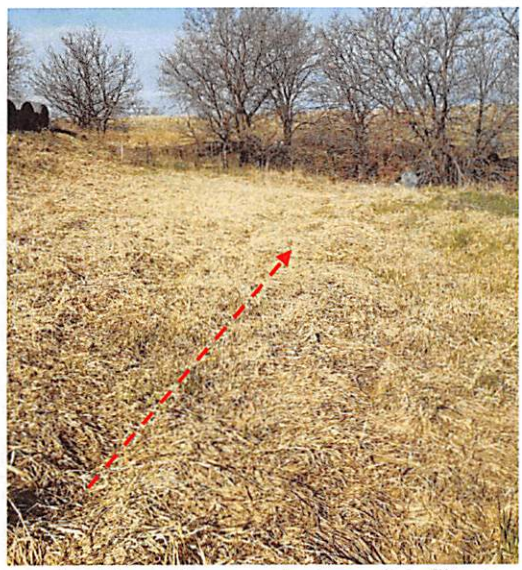
Please note that a stockpile must be land applied within **six months** after creation and in a manner that does not cause surface or groundwater pollution. As we discussed, keeping a record of the manure hauled to the field along with dates when the manure is applied, will aid in ensuring you are meeting the six-month requirements. I provided you a sample record keeping form and a manure stockpile handout during the inspection.

Clean Water Diversion
I observed that the current storm water diversion structures and practices appear to be functioning properly. I recommend you inspect and maintain these structures regularly and after every rainfall and snowmelt event to ensure proper operation and continued water diversion from your open feedlot.

Feed Storage
The feed storage area consists of uncovered piles of silage, gluten, dry distiller's grain (DDG). Bales were intact and stored in a way that would be unlikely to cause water quality violations from runoff water. I observed that the potential for runoff from the feed storage area appears to be adequately controlled. Currently, any runoff from the open feed storage area would flow to the northeast corner of the feed storage area before infiltrating onto adjacent ground. I did not observe tile intakes in the area. As we discussed, feedstocks have potential to cause water quality violations and these areas should be monitored regularly.

Photo #20: Feed storage area

Photo #21: Runoff from feed storage area and northeast corner, looking northwest



Photos #22-23: Pooled runoff from feed storage area and adjacent ground where it infiltrates

Mortality Management

According to Mr. Gibbs, dead animal disposal is addressed by throwing dead cattle on the brush pile and burning them. He also shared that he does not have the mortality rate that he used to have when the operation was operating at full capacity. As we discussed, this method is not considered proper disposal. Iowa law requires animal mortality to be properly disposed of within 24-hours after death. Approved Iowa on-farm animal mortality disposal methods are burning, burial, rendering, and composting.

Burning or incinerating animal mortalities can only be performed in an engineered incinerator. Homemade incinerators may not be used. Open burning is **NOT** permitted.

Burial must be on the premises where the animal mortality originated. Burial must be no greater than 6 feet deep with a minimum of 30 inches of soil cover, be in well-drained soil and at least 2 feet above the highest groundwater elevation. Burial must be at least 100 feet from a private well, 200 feet from a public well, 50 feet from an adjacent property line, 500 feet from an existing inhabited residence and 100 feet from a stream, lake or pond. Burial cannot be in a wetland, floodplain or shoreline area. Burial is limited to 7 slaughter or feeding cattle per acre per year. All mortalities must be covered immediately with six inches of soil and finally with a minimum 30 inches soil cover when the burial pit is finished.

Rendering of mortalities is an approved method of disposal. Dead animals must be picked up in a timely manner. The pickup location must be in a good location to prevent runoff to a water course or man-made

conduit like a ditch, tile line, or culvert that leads to a water course. Mr. Gibbs shared that the rendering truck doesn't like to stop if the cow is over 2 years old, so he quit calling.

On-farm composting is a natural process for animal mortality disposal. The co-compost (such as wood chips, sawdust or corn stalk bales) must be maintained with an adequate base layer (from 12 to 24 inches thick, depending on the size and number of mortalities), with 6 to 12 inches between carcasses, and a minimum of 30 inches to cover carcasses. Cover should be maintained to prevent access by scavenging animals. No animal parts should be visible.

Wells

According to Mr. Gibbs, this facility is serviced by a 32 feet deep cistern fed from a pond located southeast of the feedlot and just north of Highway 92. Mr. Gibbs also shared that Rural Water is a backup water source for the feedlot. For future reference, shallow wells must be at least 200 feet from confinements and deep wells must be at least 100 feet away.

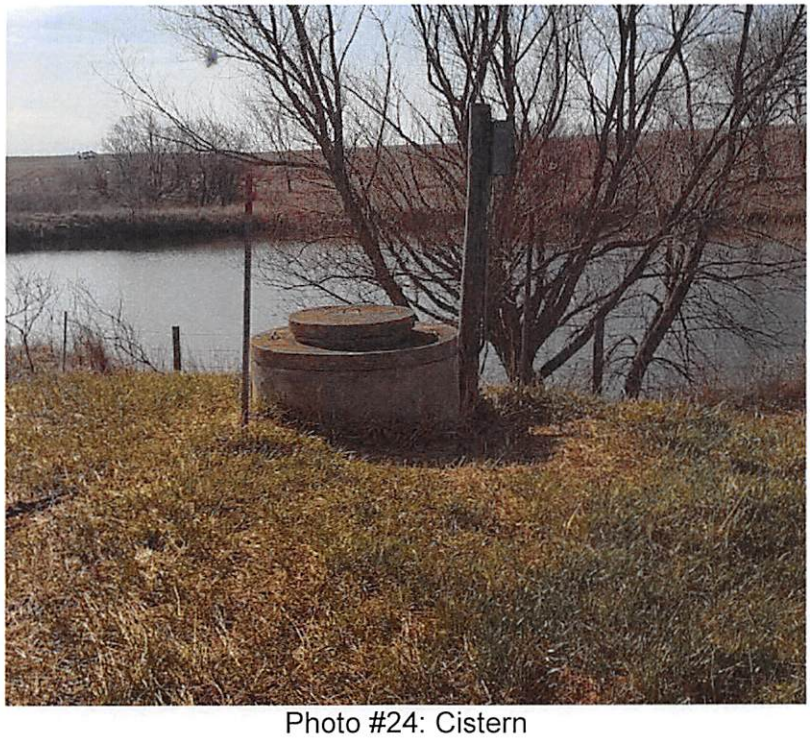


Photo #24: Cistern

Medium Concentrated Animal Feeding Operation (CAFO)

Pursuant to 567—65.103 (455B,459A) the DNR may evaluate any animal feeding operation that is not defined as a large or medium CAFO, and designate it as a CAFO if, after an on-site inspection, it is determined to be a significant contributor of manure or process wastewater to waters of the United States. In making this determination, the department shall consider the following factors:

a. The size of the operation and the amount of manure or process wastewater reaching waters of the United States;
b. The location of the operation relative to waters of the United States;
c. The means of conveyance of manure or process wastewater to waters of the United States;
d. The slope, vegetation, rainfall, and other factors affecting the likelihood or frequency of discharge of manure or process wastewater into waters of the United States; and
e. Other relevant factors.

Additionally, 567-65.103(2) states, no animal feeding operation with an animal capacity less than that specified for a medium CAFO shall be designated as a CAFO unless manure or process wastewater from the operation is discharged into a water of the United States through a man-made ditch, flushing system, or other similar man-made device.

I did not document a discharge to a water of the state on the day of the inspection. However, the tile outlet for SSB #3 could be considered a man-made conveyance if flow enters Marvel Creek approximately 2,170 feet to the north. It is recommended that measures be taken to ensure trenching does not occur in the pasture area to ensure direct discharges do not occur.

It should be noted that failure to treat all manure runoff would result in a violation of 567 - 61.3(2), general water quality criteria. This rule states, in part, that surface water shall be free from substances attributable to point source wastewater discharges that will settle to form sludge deposits.

Corrective Actions

- Remove all settleable solids from the open feedlot effluent prior to discharge.
- Ensure that any discharge does not result in a water quality violation. Pursuant to 567- 61.3(2) all surface waters in Iowa shall be free from wastewater discharges or agricultural practices that produce stream conditions with objectionable color, odor or other aesthetically objectionable conditions.
- Notify the DNR 24-Hour spill number at 515-725-8694 for any release.
- Frequently scrape pens.
- Ensure all manure is flowing into the settling areas.
- Ensure erosion does not occur.
- Regularly inspect the potential flow path(s) from all areas of the facility to assess its impact on the environment and the risk of water quality violations.
- Ensure dirt work and landscaping is properly addressed to prevent erosion.
- Ensure feed stock and compost runoff controlled.
- Maintain records for land application of manure solids.
- Maintain the facility and ensure it operates as designed.

Summary

This facility is currently considered a medium AFO and is not covered under a NPDES permit. As the facility ages, preventative maintenance will become increasingly important in order to ensure the facility operates as designed.

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Animal Feeding Operation (AFO) Regulatory Status

Facility Name: **Gibbs Farms LLC** Facility ID: **57339** County: **Adair**

- ☐ Large CAFO – Discharging – NPDES Permit Required
- ☐ Large CAFO – No discharge – No NPDES Permit Required
- ☐ Large CAFO – Has NPDES Permit
- ☐ Medium CAFO – NPDES Permit Required
- ☒ Medium AFO – No NPDES Required
- ☐ Medium AFO – Has NPDES Permit
- ☐ Designated CAFO – NPDES Permit Required
- ☐ Small AFO – No NPDES Permit Required

This determination was made based on conditions and observations made at the time of the inspection on April 19, 2022. Please note that the regulatory status of the facility can change if conditions at the facility change or are different from those documented during the inspection.

Inspector: Kristi Burg Kristi Burg Date: April 19, 2022

Regulatory Definitions of Large CAFOs, Medium CAFOs, and Small CAFOs

These regulatory definitions are from the Code of Federal Regulations (CFR), implementing the federal Clean Water Act.

A **Large CAFO** confines at least the number of animals described in the table below.
A **Medium CAFO** falls within the size range in the table below and either:

- "(A) Pollutants are discharged into waters of the United States through a man-made ditch, flushing system, or other similar man-made device; or
- (B) Pollutants are discharged directly into waters of the United States which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in the operation." 40 CFR 122.23(b)(6)(ii)

If an operation is found to be a significant contributor of pollutants to waters of the United States, the permitting authority may designate a medium-sized facility as a CAFO as provided in 40 CFR 122.23(c).

A **Small CAFO** confines the number of animals listed in the table **and** has been designated as a CAFO by the permitting authority after determining that it is a significant contributor of pollutants to waters of the United States as provided in 40 CFR 122.23(c).

Animal Sector	Size Thresholds (number of animals)		
	Large CAFOs	Medium CAFOs	Small CAFOs
cattle or cow/calf pairs	1,000 or more	300 – 999	less than 300
mature dairy cattle	700 or more	200 – 699	less than 200
veal calves	1,000 or more	300 – 999	less than 300
swine (weighing over 55 pounds)	2,500 or more	750 -2,499	less than 750
swine (weighing less than 55 pounds)	10,000 or more	3,000 – 9,999	less than 3,000
horses	500 or more	150 – 499	less than 150
sheep or lambs	10,000 or more	3,000 – 9,999	less than 3,000
turkeys	55,000 or more	16,500 – 54,999	less than 16,500
chickens other than laying hens (other than a liquid manure handling system)	125,000 or more	37,500 – 124,999	less than 37,500
laying hens (other than a liquid manure handling system)	82,000 or more	25,000 – 81,999	less than 25,000