



DNREC – Surface Water Discharges
DDA- Nutrient Management Program



LEGAL NOTICE

General Concentrated Animal Feeding Operation Permits

The Department of Natural Resources and Environmental Control (DNREC), Division of Water Resources, Surface Water Discharges Section and the Department of Agriculture, Nutrient Management Program, hereby give notice that the following farms have applied for coverage under National Pollutant Discharge Elimination System (NPDES) General Concentrated Animal Feeding Operation (CAFO) Permit Number DE 5000N/11, to operate a Large, Medium, or Designated Poultry CAFO without land application of manure under Section 9.5 of the DNREC’s Regulations Governing the Control of Water Pollution.

Large CAFO’s are characterized as having equal to or greater than 125,000 chickens (C), 82,000 laying hens (L), or 55,000 turkeys (T). Medium CAFO’s are characterized as having 37,500-124,999 chickens, 25,000-81,999 laying hens, or 16,500-54,999 turkeys. Designated CAFO’s are determined by the department and can be any size. Chicken manure is not land applied by these farms and is exported off the farm. Manure is stored and mortalities are handled in a manner to prevent contamination of waters of the state. All farms have Animal Waste Management Plans that meet the criteria of the CAFO Regulations. Manure, litter, and/or process wastewater discharges are prohibited from the production area. There are currently no known existing production area discharge points at these farms. Any discharges of manure, litter, and/or process wastewater that may occur would be new discharges and are required to be reported to the departments.

| Farm Name and Address | Owner/Operator Name and Address | Animal Type | Animal Number | Watershed |
|---|---|-------------|---------------|----------------|
| Bauer Poultry Farms INC. 396 Hayfield Road Harrington, DE 19952 | Joe Bauer 396 Hayfield Road Harrington, DE 19952 | C | 125,600 | Choptank River |
| Nature’s Way and Full Draw Farm 30472 / 30325 Firetower Road Laurel, DE 19956 | Lewis R. Atkins 30472 Firetower Road Laurel, DE 19956 | C | 138,000 | Broad Creek |
| Judith Farm 3517 Judith Road Dover, DE 19901 | Roger and Karen Davis 1671 Peach Basket Road Felton, DE 19943 | C | 167,800 | St Jones River |
| Tenacity LLC 953 White Marsh Branch Road Harrington, DE 19952 | Richard Dye 953 White Marsh Branch Road Harrington, DE 19952 | C | 90,000 | Choptank River |

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|---|---|---|---------|------------------|
| Michael Noffsinger 203 Wolfpit Ridge Road Harrington DE, 19952 | Michael Noffsinger 203 Wolfpit Ridge Road Harrington, DE 19952 | C | 122,000 | Marshyhope Creek |
| L & J Farm 4795 Milford Harrington Highway Harrington, DE 19952 | Linda and John Brown 4795 Milford Harrington Highway Harrington, DE 19952 | C | 82,000 | Mispillion River |
| Jim Adkinson 1911 Prospect Church Road Harrington, DE 19952 | James and Carol Adkinson 1911 Prospect Church Road Harrington, DE 19952 | C | 127,000 | Marshyhope Creek |
| Woodward Farm 2730 Vernon Road Harrington, DE 19952 | Diana Woodward 2730 Vernon Road Harrington, DE 19952 | C | 71,358 | Marshyhope Creek |
| Windy Day Farms 5045 Mud Mill Road Wyoming, DE 19934 | Christopher A. Long 5045 Mud Mill Road Wyoming, DE 19934 | C | 106,800 | Choptank River |

On the basis of a preliminary staff review and application of lawful standards and regulations, DNREC proposes to issue general CAFO permit coverage to the above referenced farms, subject to certain effluent limitations and conditions.

The Secretary of DNREC intends to issue General NPDES CAFO permit coverage under Section 9.5 of the Department's Regulations Governing the Control of Water Pollution for the above farms. Section 9.5 of the Department's Regulations Governing the Control of Water Pollution allows for such activity pending public notice.

Copies of the Notice of Intent, Animal Waste Management Plan, and permit are available by contacting:

Nutrient Management Program
Delaware Department of Agriculture
2320 South DuPont Highway
Dover, DE 19901
(302)-698-4500
Dda.foia@state.de.us

A public hearing will not be held on any of the above farms unless the Secretary of DNREC receives a meritorious request by 4:30 p.m. **Friday, December 30, 2016**. A request for a hearing shall list the specific farm, be in writing and shall state the nature of the issues to be raised at the hearing. It must also show a familiarity with the application and a reasoned statement of the activity's probable impact.
