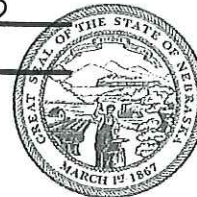


NEBRASKA

Good Life. Great Resources.

DEPT. OF ENVIRONMENT AND ENERGY

Agenda Item # 21b
Date 4/22/20



Pete Ricketts, Governor

COPY

2020 APR 16 AM 10:29
RECEIVED
DODGE COUNTY HIGHWAY DEPT.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Randy Kreikemeier
Randy Kreikemeier Livestock
1040 Walnut Street
North Bend, NE 68649-3527

RE: Randy Kreikemeier Livestock Concentrated Animal Feeding Operation
NDEE ID: 68373
Program ID: LWC 5-1015
Subject: Construction and Operating Permit Issued
NE ¼, NW ¼, Section 35, Township 20N, Range 05E, Dodge County
Consultant: Nutrient Advisors

Dear Mr. Kreikemeier:

Enclosed is your Construction and Operating Permit for livestock waste control facilities (LWCF) at the above concentrated animal feeding operation. This permit is issued by the Nebraska Department of Environment and Energy (Department) in response to your application for Major Modification received on January 30, 2020, with an addendum received on March 5, 2020. The combination of this current application and your June 10, 2005 application has been determined by the Department to meet the Title 130, *Livestock Waste Control Regulations* requirements for a complete application submittal. This permit supersedes the Construction Approval issued on September 20, 2005.

The Permittee, authorized representative or an employee of the operation is required to obtain land application training within 180 days of receiving permit coverage, unless one of these persons satisfactorily completed such training within the past five (5) years. Department records indicate your current training is valid until March 6, 2023. Additional training must be completed every five (5) years.

Your large concentrated animal feeding operation is not required to obtain coverage under a National Pollutant Discharge Elimination System (NPDES) Permit for Concentrated Animal Feeding Operations based on your current operation. NPDES Permit coverage of your operation may be required in the future if your operation discharges into waters of the State or if required due to statutory or regulatory changes.

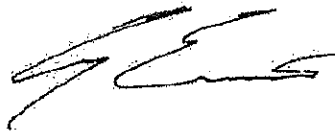
The issuance of this permit does not remove your responsibility to comply with any Natural Resources District, county or local zoning regulations. This concentrated animal feeding operation shall be operated and maintained according to the approved application and addendums, this Construction and Operating

Permit and the requirements in Title 130, *Livestock Waste Control Regulations*. These documents include operating and maintenance requirements, best management practices for the LWCF and requirements for monitoring, reporting and land application of the waste.

Read and become familiar with these documents, as you will be held responsible for your operation's compliance with these requirements. Violation of Title 130 requirements may result in fines, penalties or removal of the livestock from the operation until compliance is met. You are responsible for preventing any runoff or discharge of livestock waste to waters of the State.

If you have any questions, please contact Kevin Franzluebbbers at (402) 471-6687 or myself at (402) 471-4239.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cay Ewoldt', with a stylized flourish at the end.

Cay Ewoldt, Supervisor
Agriculture Section
Water Permits Division
cay.ewoldt@nebraska.gov

Enclosures
cc: Nutrient Advisors



Pete Ricketts, Governor

CONSTRUCTION AND OPERATING PERMIT

Randy Kreikemeier Livestock Concentrated Animal Feeding Operation (IIS No: 68373)

Legal Description: NE ¼, NW ¼, Section 35, Township 20N, Range 05E, Dodge County

Randy Kreikemeier Livestock Concentrated Animal Feeding Operation is issued this Construction and Operating Permit with the following terms and conditions:

- 1) This Construction and Operating Permit covers those facilities in the application for Major Modification approved on April 14, 2020 by the Nebraska Department of Environment and Energy (Department) and any subsequently approved addendums. **This permit supersedes the Construction Approval issued on September 20, 2005.** The Permittee is approved to operate the livestock waste control facilities (LWCF) certified as completed in the Certification of Completion Forms received by the Department on July 20, 2005, July 27, 2005, and September 12, 2005. The conditions of the previously issued Construction Approval are hereby incorporated into this permit. This Construction and Operating Permit is issued for the maximum number of livestock and number of livestock waste control facilities (LWCF) as listed below.

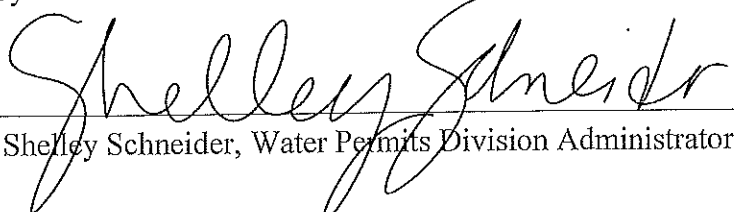
| Type(s) of Livestock | Maximum Capacity (# of head) |
|----------------------|------------------------------|
| Swine ≥ 55 lbs. | 5,260 |

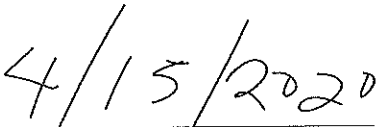
| Type(s) of LWCF | Number of LWCF |
|----------------------|----------------|
| Underfloor Deep Pits | 6 |

- 2) The Permittee, authorized representative or an employee of the operation is required to obtain land application training within 180 days of receiving permit coverage, unless such training was satisfactorily completed within the past five (5) years by at least one of the persons required to obtain the training. Additional training must be completed every five (5) years.
- 3) The Permittee shall allow the Department access, at any reasonable time, to the operation, LWCF, and any records required under Title 130, *Livestock Waste Control Regulations* and this permit.
- 4) The Permittee shall obtain approval from the Department prior to making any modifications or changes to the design or operation of the LWCF.

- 5) The operation and LWCF shall be operated in compliance with the approved application, this permit, Title 130 regulations and the laws of the State of Nebraska. This permit may be revoked, modified or suspended as provided for in Title 130 regulations.
- 6) If changes to the nutrient management plan are substantial, a public notice will be published on the Department's webpage for a period of fifteen (15) days. The following items of the nutrient management plan in the application approved on April 14, 2020 are terms of this permit:
 - a. Adequate storage of manure, litter and process wastewater, including procedures to ensure proper operation and maintenance of the storage facilities.
 - b. Proper management of mortalities to ensure that they are not disposed of in a liquid manure, storm water or process wastewater storage or treatment system that is not specifically designed to treat animal mortalities.
 - c. Clean water is diverted, as appropriate, from the production area.
 - d. Prevent direct contact of confined animals with waters of the State.
 - e. Chemicals and other contaminants handled on-site are not disposed of in any manure, litter, process wastewater or storm water storage or treatment system unless specifically designed to treat such chemicals and other contaminants.
 - f. Appropriate site-specific conservation practices to be implemented, including as appropriate buffers or equivalent practices, to control runoff of pollutants to waters of the State.
 - g. Protocols for appropriate testing of manure, litter process wastewater and soil.
 - h. Protocols to land apply manure, litter or process wastewater in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of the nutrients in the manure, litter or process waste water using either a narrative rate or linear approach.
 - i. Specific records that will be maintained to document the implementation and management of the elements described above.

Pursuant to a Delegation Memorandum dated July 1, 2019 and signed by the Director, the undersigned hereby executes this document on behalf of the Director.


Shelley Schneider, Water Permits Division Administrator


Date

LIVESTOCK PROGRAM APPROVAL SLIP

TYPE OF LETTER: CONSTRUCTION & OPERATING PERMIT ISSUED

OPERATION: Randy Kreikemeier Livestock

IIS #: 68373

DRAFTER: Kevin Franzluebbers

PROGRAM ID #: 5-1050

DATE: April 13, 2020

LEGAL DESCRIPTION: NE ¼, NW ¼, Section 35, Township 20N, Range 05E, Dodge County

| REVIEWED BY: | <u>NAME</u> | <u>INITIALS</u> | <u>DATE</u> |
|--------------|-------------------|-----------------|-------------|
| | Daniel Ross | DR | 4/14/2020 |
| | Cay Ewoldt | _____ | _____ |
| | Shelley Schneider | _____ | _____ |

COMMENTS: (Add Comments Here)

Enclosures to Operation:

- Letter - Original
- Additional Requirements for C&O/NPDES
- Approved Application and Addendums
- BMP for Odor
- Certification of Completion (Submitted)
- Citizenship Attestation Form
- Form E (Field Phosphorus Risk)
- Guidelines for GW Monitoring Plan
- Groundwater Monitoring Plan (Approved)
- Inspection Report (Post-Construction)
- Land Application Training Attachment
- Title 130 (10/4/2011)
- Nutrient Management Plan
- Record Keeping Guidance
- Routine Inspection Checklist
- NGPC T&E Review: Whooping Crane Survey Protocol
- Other:
- Other:

Copy of Letter to:

Field Offices also get Addendums & Certification Form

- Program Specialist
- Holdrege Field Office - Jerry
- North Platte Field Office - Calvin
- North Platte Field Office - Steve
- Scottsbluff Field Office - Kaitlyn

Other:

- Letter
- (Name of Person or Company)
- (Street or P.O. Box)
- (City/State/Zip Code)

Copy of Letter Only:

- Dodge County Board
- Lower Elkhorn NRD
- State Senator Lynne Walz

Copies to Consultant(s):

Nutrient Advisors
 449 East Deere Street
 West Point, NE 68788

NOTES OR SPECIAL INSTRUCTIONS:

- Letter and Const. & Operating Permit (Copies)
- Approved Application and Addendums (Copy)
- Certification of Completion (Blank)
- Certification of Completion (Submitted)
- Inspection Report (Post-Construction)