

Olson, Dan P [DNR]

From: Olson, Dan P [DNR]
Sent: Thursday, August 13, 2009 10:47 AM
To: David Muhlbauer
Cc: Stipe, Dan [DNR]; Manz, Alison [DNR]
Subject: RE: Muhlbauer Feedlots

PRINTED TO FILE: Dan Muhlbauer South Open Lot (66277), Crawford County
Dan Muhlbauer Middle Open Lot (63239), Crawford County
Dan Muhlbauer North Open Lot (66276), Crawford County

Dave,

I appreciate your efforts to keep us up to date with your daily log book. I am most interested in things that involve the control, management, and application of the manure & any runoff and things related to animal inventories (transfers of animals into, out of, or between feedlots). If you want to include other items, that is fine. The logs that I have received to date are copied below. Examples of items that I would consider to be of import to this office are in **bold & underlined**. In addition, I would offer the following comments:

- When you inspect or check something, note what you observed and any action taken to address problems (e.g. waterer overflowing, repaired float). Record the good as well (e.g. no water leaks observed).
- It would be good to note precipitation received daily – even if it is zero.
- If sending the log daily is the easiest habit to get into, that is fine. Unless something out of the ordinary (such as a release) occurs or is observed, I think that sending the daily log on a weekly basis would be sufficient. Either way is fine.
- I would recommend keeping these logs as available records at the feedlots.

8-10-09

6:30-9:30a.m.

Cattle were fed, monitored health and **inspected lagoons**. (and saw??? – discharge?, holding water?, how much? dry?)

8:30-10:30a.m.

Costers came to grind cornstalks

10:30-Noon

Routine maintenance and took off a PTO shaft and tire for repair.

12:30-4:00p.m.

Took tire and PTO shaft to get fixed and put back on the wagon.

Stopped at P.C.E to get more hose for the lagoon pump and revolving gun.

4:00-7:30p.m.

Set up revolving gun and pumped out water in lagoon. There was not much water to pump out.

Routine maintenance on lagoon pump.

Ordered feedstuffs for the week.

Drove around lots to inspect cattle and **check water tanks**. (were any tanks overflowing?)

8-11-09

6:00-Noon

Fed cattle and monitored health.
Constructed load out on north lot.
Fixed broken hog bin auger.

Noon-7:30

Shuffled cattle between the lots to have pens of cattle the same size; for better consistency when cattle are marketed. (Note changes to inventory, if applicable, at the north, middle, and south lots)

Started to mow bufferstrips and grass around evergreens. (This is relevant if it is a buffer strip that is for manure control.)

8-12-09

6:00-Noon

Fed Cattle, monitored health, and **cleaned water tanks in South and middle lot.**
Hauled corn screenings to feed shed.

Stock piled solid manure from south lot to North West corner of Buetle farm for fall application.

Hauled 1586 to Muhlbauer Repair in Halbur to get worked on.

Noon-7:00

Cleaned water tanks in North lot. (were any tanks overflowing?)

Mowed more headlands and bufferstrips with bushhog mower.

Inspected Cattle, **lots, and water tanks.** (and saw??? – basins holding water?, waterers running over?)

Dan Olson, ESS
IDNR, ESD, FSB, FO4

From: David Muhlbauer [mailto:damuhl@hotmail.com]

Sent: Wednesday, August 12, 2009 7:33 PM

To: Olson, Dan P [DNR]

Subject: Muhlbauer Feedlots

Dan,

What do you think of the my daily log book?

Should I keep sending them to you?

Is there anything you think I could do to make it better?

Thanks,
Dave Muhlbauer

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8/13/2009

Olson, Dan P [DNR]

From: Olson, Dan P [DNR]
Sent: Thursday, August 13, 2009 5:38 PM
To: David Muhlbauer
Cc: Stipe, Dan [DNR]; Manz, Alison [DNR]
Subject: RE: Muhlbauer Feedlots
Attachments: Feedlot Inventories.xls; Muhlbauer Farms Log.doc; Muhlbauer Farms Plan of Action.doc

PRINTED TO FILE: Dan Muhlbauer South Open Lot (66277), Crawford County
 Dan Muhlbauer Middle Open Lot (63239), Crawford County
 Dan Muhlbauer North Open Lot (66276), Crawford County

David,

I am writing to respond to the information that you submitted via e-mail yesterday.

Following recent inspections at the referenced feedlots, you were directed to:

1. Remove and land-apply manure solids from the existing structures **by August 17, 2009**.
 (It is my understanding, based on telephone conversations with Dan Muhlbauer, that this requirement has been satisfied. If there is appreciable accumulation of solids due to runoff from the feedlot, it may be necessary to repeat this process to preserve the limited capacity in your basins. If it is necessary to remove liquid from the basins to facilitate the removal of solids, the liquids should be land-applied.)
2. Remove and land-apply accumulated open feedlot effluent and process wastewater from the existing structures as needed to prevent overflow.
 (This will be an on-going process).
3. Maintain records of the removal of manure solids and liquids. The records shall include the dates of application, the application rates, the locations where the application occurred, and the methods of application.
 (You may use the Manure Application Record-Keeping Form available at <http://www.iowadnr.gov/afo/forms/5428002.pdf>, if you find it helpful)
4. Until permanent controls are installed and approved by this office, inspect all potential discharge points below each of the feedlots as soon as possible (not more than 12 hours) after each precipitation event and at least daily during any snow melt. Any observed discharges shall be reported, as required in subrule 567 IAC 65.101(9).
5. Maintain records of inspections of potential discharge points for review at the request of this office.
 (This can be done in the daily log that you have been submitting.)
6. Submit a written summary of the daily cattle inventories for each of the 3 feedlots for the last 12 months **by August 17, 2009**.
 (You submitted a spreadsheet showing that the inventory at each of the feedlots has exceeded 1000 head. Regulatory thresholds are based on capacity, i.e. the maximum number of animals that can be housed in a facility at any given time, and not on an average population. **The fact that the capacities of the feedlots are greater than 1000 head may result in additional requirements, potentially including the requirement to obtain NPDES permits and contain all runoff up to the 25 year, 24 hour storm.**)
7. Submit a plan of action (POA) for each feedlot **by August 17, 2009**. The POAs were required to:
 - Include a preliminary concept for manure controls and improvements needed to protect the state's waters from both surface and tile line discharges.
 (Your POA did not include a conceptual plan for manure controls, but you have indicated that plans will be available by August 24, 2009.)
 - Identify the qualified person who will be designing the required controls.

8/13/2009

(You have identified Shawn Shouse.)

- Include a proposed deadline for the development and submission of a final design, **which shall be no later than October 1, 2009.**

(You have indicated that you expect to receive a design from Shawn Shouse by August 24, 2009.)

- Include proposed deadlines for the initiation and completion of construction. **Final construction shall be completed no later than July 1, 2010.**

(Dan Muhlbauer has indicated that you plan to have controls installed yet this fall.)

- Identify interim measures (frequent lot scraping, regular removal of manure and process wastewater from the existing structures, repairs to existing structures, depopulation of areas of the feedlot, etc.) that will be taken to prevent further violations until such time that permanent controls are in place.

(You have indicated that you have plugged the outlet from the basin below the south lot and have purchased equipment to apply the process wastewater from the basins at the south and middle lots.)

It appears that the next step will be the submission of plans for approval on or shortly after August 24. I will be out of the office from August 14 to August 24, so I will look forward to seeing the plans when I get back.

Dan Olson
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*Little progress can be made by merely attempting to repress what is evil.
Our great hope lies in developing what is good. - Calvin Coolidge*

From: David Muhlbauer [mailto:damuhl@hotmail.com]
Sent: Wednesday, August 12, 2009 9:24 PM
To: Olson, Dan P [DNR]
Subject: Muhlbauer Feedlots

Dan,

Attached is our Plan of Action, Manure Removal Timeline, and Cattle Inventories.

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Muhlbauer Farms
Plan of Action 2009

1. Improve lagoon terraces to hold all water run-off. Pump out any existing water.
 - Completed August 6, 2009 (middle and south lot)
2. Plug south lot lagoon tile-line discharge to contain all water in the lagoon.
 - Completed August 6, 2009
3. Use revolving gun designed by PCE for the removal of water build-up. Gun is designed to apply water throughout our fields.
4. Begin construction for permanent control once designs are completed and are then approved by DNR.
 - ISU Extension Engineer, Shane Shouse is designing manure management controls for run off. Expect to receive his plans around August 24, 2009.
5. Maintain ongoing log of the following activities:
 - When yards are scraped and where manure is stock piled (goals is to scrape yards every 1 ½ - 2 weeks).
 - Our own inspection of yards for possible run-off and our report of such run-off to Dan Olson at DNR.
 - Each time manure and water is removed.

Muhlbauer Farms
Log of Events

July 13, 2009

Pumped south lot liquid manure, emptying the lagoon of liquids. Used liquid manure tank and applied on north-west Buetle farm.

July 14, 2009

Pumped middle lot liquid manure emptying the lagoon of liquids. Used liquid manure tank and applied on north-west Buetle farm.

July 15-17, 2009

Removed solid manure from south lot lagoon. Piled manure in north-west corner of Buetle farm for fall application.

August 2, 2009

Received 6/10 inch rain. Pumped out south lot lagoon. Removed 10,000 gallons. Middle not did not have enough liquid to be pumped.

Muhlbauer Farms Feedlot Inventories

[illegible]