



March 13, 2019

Kevin Blood
Kevin Blood Dairy
1131A 245th Street
State Center, IA 50247-9646

Subject: **Notice of Violation:** Minimum Manure Control Requirements [567 IAC 65.2(3)]
Complaint #26472
Facility #60101

Dear Mr. Blood:

On February 22, 2019, this department received an anonymous complaint alleging that manure originating from the Kevin Blood Dairy was being released and traveling east onto a neighboring property and potentially into a nearby stream. Bryan Bunton and Dennis Thielen with DNR Field Office 5 investigated the site the same day and observed manure overflowing from the primary earthen basin. A pump fitting failed which caused the basin to overflow and release an estimated 25,000 gallons. The released manure flowed across snow-covered ground and pooled in a neighboring field. Facility employees were able to contain a substantial amount of the manure by constructing a temporary dike just below the basin. Mr. Bunton and Mr. Thielen visually checked and sampled the nearby creek for signs of manure and found none.

A pumping crew arrived on site and pumped all manure from behind the temporary dike back into storage. Manure was then transferred to the third basin (located roughly a mile away) so that adequate freeboard was present in both basins. Manure that had spilled onto the neighboring property was spread out over the fields to the extent possible using a large tractor and blade.

Mr. Bunton conducted a follow-up visit on March 1, 2019. All spilled manure had been removed from the temporary dike, but some remained between the hoop building and the basin. He asked that this be cleaned up to the extent possible, and to keep an eye on the area where manure was spilled to ensure that no manure enters the nearby creek during snowmelt. The pumpers were on site at the time of his visit and both basins had at least 2 feet of freeboard present.

567 Iowa Administrative Code (IAC) 65.2(3) states that the minimum level of manure control for a confinement feeding operation shall be the retention of all manure produced in the confinement enclosures between periods of manure application and as specified in this rule. The rule goes on to state that manure from unformed manure storage structures shall be removed as necessary to maintain a minimum of 2 feet of freeboard.

A follow-up report was both hand delivered and sent electronically to Mr. Bunton on March 1, which described the incident in detail and proposed corrective actions to prevent this type

of incident in the future. Specifically, you have proposed to install a transfer (overflow) pipe between the basins, in concurrence with recommendations from Mr. Nick Rowe with ProAg Engineering, Inc. Mr. Rowe also suggested an overflow ditch connecting the basins as a final failsafe.

This approach is acceptable. Prior to proceeding, please have Mr. Rowe submit an engineering drawing along with a written description of the proposed project to this office. Our engineering staff will review the proposal, and you may proceed upon written approval. Field Office 5 staff will likely visit the site upon completion.

You may contact Bryan Bunton (515-725-0105; bryan.bunton@dnr.iowa.gov) or this office with any questions or comments. Thank you for your assistance in this matter.

Sincerely,



Ted Petersen
Supervisor, Field Office #5

cc: Trent Lambert, DNR AFO Enforcement Coordinator, via email