



STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

3 May 2013

Mike Butikofer
PO Box 183
Farmersburg, IA 52047

RE: NOTICE OF VIOLATION

NPDES General Permit No. 2 at 18851 Fawn Hollow Road in Clayton County
Authorization # IA - 21092

Enclosed you will find an inspection report prepared by personnel of this office from a routine inspection of the above referenced storm water NPDES authorization.

Violations of the National Pollution Discharge Elimination Systems (NPDES) General Permit No. 2 were noted. They are listed in the Required Actions of the attached inspection report. You are required to address them immediately. Your project may be eligible for permit development assistance through ISU Ag Engineer, Greg Brenneman, ph. 319-337-7864.

This notice does not preclude the DNR from pursuing additional enforcement action regarding these or any other violations.

If you have any questions, you may contact Rick Martens at the address or phone number listed below.

Sincerely,

ENVIRONMENTAL SERVICES DIVISION

A handwritten signature in black ink, appearing to read "Clark W. Ott".

Clark W. Ott
Environmental Specialist Senior

c: DNR – Storm Water Coordinator - Des Moines
File – STW/Clayton County
e-file – 22 Farmersburg STW 21092 Butikofer 42913 ins rpm

Enclosure



**IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL SERVICES DIVISION
NPDES GENERAL PERMIT #2 INSPECTION REPORT**



Facility Name: Mike Butikofer Feedlot NPDES No.: 21092 Valid Through: 10/10/2014	Owner: Mike Butikofer PO Box 183 Farmersburg, IA 52047 Primary Contact: Mike Butikofer Phone Number: 563-880-0402	Persons Interviewed: Mike Butikofer		
Type of Inspection: <input checked="" type="checkbox"/> Routine Compliance Inspection <input type="checkbox"/> Follow-Up Compliance Inspection <input type="checkbox"/> Complaint Investigation <input type="checkbox"/> Site Visit	Inspection Date: 29 May 2013 Inspection Time: 1:00 pm Previous Inspection: N/A	Inspection Weather: Sunny Recent Rainfall: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comments: Agricultural		
Site Location: Township: 94N Section: 24 Range: R5W	Total Site Size (acres): 460X65 ft. Number of Acres Disturbed: over 1 acre	Is this site part of a common plan of development? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list other site(s):		
Compliance Status: "C" = requirement is "in compliance." "NC" = requirement is "not in compliance." "UC" = requirement is "unknown compliance."		C	NC	UC
1. Plan is signed in accordance with Part VI.G and is retained at the construction site throughout the project?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The plan has been updated based on changes in design, construction, operation or maintenance or if SWPPP proved to be ineffective?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Pollution Prevention Plan Content:				
1. Does SWPPP describe size of site and acres to be disturbed?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does SWPPP clearly describe the intended sequence of major activities and control measures to be utilized during each activity?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Does SWPPP describe and identify the erosion & sediment control measures to be employed?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Does SWPPP contain site map?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Does SWPPP contain all necessary signed contractor certification statements?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Recordkeeping:				
1. Are site inspections being performed as required by permit (every 7 days)?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Has plan been updated based on changes in design, construction, operation, or maintenance, or if SWPPP proved to be ineffective?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. If deficiencies are noted in site inspection, are they corrected and SWPPP updated within 7 days of discovery?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Visual Observations:				
1. Are all necessary erosion and sediment control measures have been installed/constructed?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Erosion and sediment control measures are being maintained properly?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Adequate final topsoil depth?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Has off-site tracking been controlled?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Storm sewer and/or tile intakes have been protected?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Control measures have prevented the discharge of sediment off the construction site?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Control/Stabilization Measures Utilized:				
<input checked="" type="checkbox"/> Earthen Dike <input type="checkbox"/> Mulch <input type="checkbox"/> Sod <input checked="" type="checkbox"/> Sediment Basin <input checked="" type="checkbox"/> Check Dam <input type="checkbox"/> Compost Sock <input type="checkbox"/> Silt Fencing <input checked="" type="checkbox"/> Temporary Seeding <input type="checkbox"/> None <input checked="" type="checkbox"/> Hay Bales <input type="checkbox"/> Geotextiles <input type="checkbox"/> Other _____				

Comments:

This permit covers the construction of an open lot cattle deep-pit building, with an estimated capacity of 999 head. Owner Mike Butikofer is also the primary contractor. Mr. Butikofer stated that some professional consultation was obtained and he was made aware that the NPDES permit was required prior to construction. He installed controls to prevent runoff but was unaware of the requirement to develop a storm water pollution prevention plan. We jointly walked the perimeter of the development and inspected controls. Footprint of the development is in a crop field. The receiving stream system includes Howard Creek, which enters a US FWS property downstream. Permit requirements were discussed along with animal feeding operation requirements.

Facility Name: **Mike Butikofer Feedlot**
NPDES #: **21092**
Inspection Date: **29 May 2013**
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Assistance in developing the required plan is available through Iowa State University Extension Engineer, Greg Brenneman, ph. 319-337-7864.


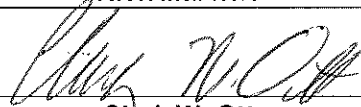
Violation(s) NPDES General Permit #2:

The facility must immediately develop and implement a storm water pollution prevention plan, install all needed controls and begin record keeping.

General Permit #2 is required to be followed until the entire development that is covered under IA-21092 has reached final stabilization.

The Notice of Discontinuation cannot be submitted until the entire development that is covered under IA-21092 has reached final stabilization.

All other requirements as listed in the NPDES General Permit #2 are also to be followed.

Inspector Signature:  Rick Martens	Date: 3 May 2013
Reviewer Signature:  Clark W. Ott	Date: 5/3/13