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TENNESSEE DEPARTMENT OF AGRICULTURE
Water Resources Program

November 30, 2010

Ms. Erin O'Brien
TDEC
L&C Annex, 6th Floor
Nashville, Tennessee 37243

Dear Ms. O'Brien:

I am writing to inform you that I have reviewed the application and Nutrient Management Plan (NMP) for CAFO permit for Noukham and Somphone Chanthaphone in Shelbyville, Tennessee (previous NPDES Permit NO. TNA000101).

This letter is to confirm that the Tennessee Department of Agriculture has reviewed and approved the NMP. I have enclosed a copy of the NMP with maps, Nutrient Management Plan Requirements form and the original signed and dated Notice of Intent (NOI) form, Addendum to Nutrient Management Plan, Closure Plan, and stamped Approval Stamp form for your review and final approval.

Sincerely,

Angela L. Warden
CAFO Specialist

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: //enclosures

Ellington Agricultural Center
440 Hogan Road
Nashville, TN 37220
Telephone: 615-837-5492 Fax: 615-837-5025

TENNESSEE DEPARTMENT OF AGRICULTURE

Water Resources Program

The following individual has submitted all required elements of an NMP/CNMP as required to obtain a CAFO permit. Their Nutrient Management Plan (or CNMP) has been reviewed and approved by this office.

Name of Owner/Operator: Noukham Chanthaphone / Somphone Chanthaphone

Operation Name: Chanthaphone Farms

Address of Operation: 397 Comstock Road Shelbyville, TN 37160

Phone Number: (931)684-3909 County: Bedford

Date application was initiated:

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Date approval forwarded to TDEC:

NOV 30 2010

NMP/CNMP Approval Date:

THE APPROVAL SHALL NOT BE CONSTRUED AS CREATING APRESUMPTION OF CORRECT

NOV 30 2010

OPERATION OR AS WARRANTING THAT THE APPROVED FACILITIES WILL REACH THE DESIGNED GOALS

Date approval received by TDEC

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TDA Reviewer's Name: Angela Warden

TDA Reviewer's Signature: Angela D. Warden 11/30/10
Date

ANTHYAPHONE
OUCHAM AND SOMPHONE
HANTHAPHONE
POULTRY
#120

[redacted] 10/25/10

Nutrient Management Plan Requirements

The following 9 items need to be submitted at the time the permit is applied for. Additional record-keeping items as outlined in the CAFO rules are also considered part of the nutrient management plan and must be kept on-site. More information on each item can be found in the CAFO rule (1200-4-5-.14).

Recvd 11/30/10

☑ 1. **Two maps: (1.)** A map of your farm showing location of any animal barns/houses, compost bins, litter storage bins, manure lagoons/holding ponds, nearby roads, fields to which litter/manure will be applied, and non-application buffer areas around any bodies of water (streams, creeks, rivers, ponds, wells, sinkholes, springs, wetlands, etc.). A hand-drawn map is acceptable and even preferred. **(2.)** A topographic map of the farm (1:24000 scale, showing 1-mile radius from farm) showing property lines.

NA 2. **Nutrient budget** – this is basically a balance sheet of all manure produced on the farm and all manure spread on the farm or removed from the farm. Application rates for all fields should be based on crop needs, realistic crop yield expectations, and actual manure analyses of nutrient content.

NA 3. **Soil test results** for phosphorus and potassium for each application field. These must be taken at a minimum of every five years.

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☑ 4. Results of **manure analysis** from within the past year. Annual manure testing is a requirement for all CAFOs. These results must be included with initial permit application if the farm is in operation. If the farm that is applying for the permit is new and not yet operating, then manure testing results need to be obtained once operation begins. At that point, the manure test results and revised application rates need to be submitted to TDA. Manure test results in subsequent years need to be kept as part of your record-keeping activities.

NA 5. Results of the **Phosphorus Index** applied to each field that has a soil test P value of "High" or "Very High". In those situations, this tool will determine whether your application rates will be based on nitrogen or phosphorus.

Recvd 11/30/10 ☑ 6. Statement regarding method of **dead animal disposal**.

☑ 7. **Closure Plan** to be implemented in the event animal production ceases on the site.

These last two items are only required for medium-size CAFOs that manage **liquid manure**.

NA 8. Documentation of **design of liquid waste handling system**. This should include, but is not limited to: volume for solids accumulation, design treatment volume, total design volume, the approximate number of days of storage capacity, pumping and routing of wastes, and any solid separation process. Ideally, this documentation would consist of the pertinent engineering drawings with accompanying descriptive narrative.

NA 9. The construction, modification, repair, or installation of any portion of a CAFO liquid waste handling system (such as earthen holding pond, treatment lagoon, pit, sump or other earthen storage/containment structure) after April 13, 2006 must be preceded by a thorough **subsurface investigation**. This investigation will include a detailed soils investigation with special attention to the water table depth and seepage potential.

In addition to the items above, the following form(s) must accompany your application:

☑ ***Notice of Intent* form** must be submitted with all applications from Class II (Medium) CAFOs

OR

NA **EPA Forms 1 and 2B** must be submitted with all applications from Class I (Large) CAFOs.

Recvd 11/30/10 ☑ **Addendum to Nutrient Management Plan**.

Ten. .ee Department of Environment and Conse. .on,
Division of Water Pollution Control
401 Church Street, 6th Floor L & C Annex, Nashville, TN 37243
(615) 532-0625

CONCENTRATED ANIMAL FEEDING OPERATION (CAFO)
STATE OPERATING PERMIT (SOP)
NOTICE OF INTENT (NOI)

Type of permit you are requesting: ☐ SOPCD0000 (designed to discharge) ☑ SOPC00000 (no discharge) ☐ Unknown, please advise

Application type: ☑ New Permit ☐ Permit Reissuance ☐ Permit Modification

If this NOI is submitted for Permit Modification or Reissuance provide the existing permit tracking number: TNA000101

OPERATION IDENTIFICATION

Operation Name: NOUKHAM CHANTHAPHONE SOMPHONE CHANTHAPHONE	County: BEDFORD
Operation Location/ Physical Address: 397 COMSTOCK ROAD	Latitude: 35°28'09.62" Longitude: 86°33'10.04"

Name and distance to nearest receiving water(s):

If any other State or Federal Water/Wastewater Permits have been obtained for this site, list those permit numbers: NONE

Animal Type: ☑ Poultry ☐ Swine ☐ Dairy ☐ Beef ☐ Other ____

Number of Animals: 114,000	Number of Barns: 6	Name of Integrator: TYSON

Type of Animal Waste Management: (check all that apply)
☑ Dry
☐ Liquid
☐ Liquid, Closed System (i.e. covered tank, under barn pit, etc.)

Attach the NMP ☐ NMP Attached	Attach the closure plan ☐ Closure Plan Attached	Attach a topographic map ☐ Map Attached

PERMITTEE IDENTIFICATION

Official Contact (applicant): Somphone Chanthaphone	Title or Position: co-owner			
Mailing Address: 389 Comstock Rd.	City: Shelbyville	State: TN	Zip: 37160	☐ Correspondence ☐ Invoice
Phone number(s): (931) 684-3969	E-mail:			
Optional Contact:	Title or Position:			
Address:	City:	State:	Zip:	☐ Correspondence ☐ Invoice
Phone number(s):	E-mail:			

APPLICATION CERTIFICATION AND SIGNATURE (must be signed in accordance with the requirements of Rule 1200-4-5-.05)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name and title; print or type	Signature	Date
SOMPHONE CHANTHAPHONE OWNER	Somphone Chanthaphone	11-23-10

STATE USE ONLY

Received Date	Reviewer	EFO	T & E Aquatic Fauna	Tracking No.
	Impaired Receiving Stream	High Quality Water		NOC Date

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continued

Addendum to Nutrient Management Plan:

By my signature below, I affirm that I have read, understand, and will comply with the following stipulations from Tennessee's CAFO rule (1200-4-5-.14) that apply to my CAFO operation.

1) All clean water (including rainfall) is diverted, as appropriate, from the production area.
2) All animals in confinement are prevented from coming in direct contact with waters of the state.
3) All 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.
4) All sampling of soil and manure/litter is conducted according to protocols developed by UT Extension.
5) All records outlined in 1200-4-5-.14(16)d-f will be maintained and available on-site.
6) Any confinement buildings, waste/wastewater handling or treatment systems, lagoons, holding ponds, and any other agricultural waste containment/treatment structures constructed after April 13, 2006 are or will be located in accordance with NRCS Conservation Practice Standard 313.
7) Drystacks of manure or stockpiles of litter are always kept covered under roof or tarps.
8) An *Annual Report* will be written for my operation and submitted between January 1 and February 15 of each year. It will include all information required by rule [1200-4-5-.14(16)g].

Somphone Chanthaplone
Signature of CAFO Operator:

11-23-10
Date:

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CHANTHAPHONE FARM
NUTRIENT MANAGEMENT PLAN

3.1) NMP Procedures in General:

The procedures and practices currently performed by the owners of this farm are based on the averge of 114,000 birds per flock. There are six (6) flocks per year. Mortality rate is about 3%. With litter production rate of 2.1 lbs. per head, the chicken may generate about 1,393,308 lbs. or 697 tons of litter per year. There are six (6) broiler houses on the land. The farm owner decakes the houses and temporarily stores contaminated litter or manure in the waste storage facility, and later on removes them off the farm. Approximately 20 tons of litter will be retained in the storage building to be used in the composting process. Mortality from the broiler operation will be composted accordingly in the composting compartments.

The owner has about 20 acres of land on this farm. No litter and/or compost will be applied to this piece of land.

The litter storage\composting facility is subject to routine inspection of replaceable parts that need maintenance or repair at least twice a year. There are two existing waste storage buildings that are in use for this operation. The structures sizes are about 80 ft. X 40 ft.

3.2) NMP Imlimentation:

Chanthaphone Farm is an existing site that is presently permitted under an individual permit. The farm is currently in active operation. The above plan and procedures have been implimented and closely adhered to by the farm owners.

No plan for #3.1.a., 3.1.d., and 3.1.i. was developed on this farm. There is no liquid waste discharge that could be produced by the farm operations. And # 3.1.e. and 3.1.g. are not applicable.

The NMP Daily Activity Log is kept in the broiler control room near the litter storage building to record the number of dead birds from the broiler operation and to monitor the litter and compost removed off of the farm location. This record keepping serves as a means of documenting and tracking the implementation and management of the plan.

The current NMP will be reviewed annually to identify significant changes to the plan that need to be reported to the the state.

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CEPS Central Analytical Laboratory

Report Date: 10/26/2010
Report No: 111563

uark.edu/depts/posc
University of Arkansas
Poultry Science Center L-209
Fayetteville, AR 72701
479-575-6532

Investigator	Naukham Chanthaphone
Institution	
Department	
Address	397 Comstock Rd; Shelbyville, TN 37160
Customer#	111563
Phone#	
Report Description	NPK of Poultry Litter

CAL Sample ID: 111563

Sample ID	N lbs/ton	P lbs/ton	K lbs/ton
Litter	57.6	19.8	46.3

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Sample was analyzed on an *as-is* basis.

Report Approved: Linda K. Kirby 10-26-10
Linda K. Kirby Date

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Closure Plan

In the event that broiler production at this location ceases, the following will be done within 360 days:

- Any litter/compost currently in storage at the time of closure will be removed and spread on the farm or spread elsewhere according to my Nutrient Management Plan.
- All litter in houses will be removed and spread on the farm or spread elsewhere according to my Nutrient Management Plan.
- All land application of litter will be done at application rates calculated in the Nutrient Management Plan.
- The most current litter analysis will be provided to anyone removing litter from the farm.
- Any dead birds in the houses at the time of closure will be composted.

Somphone Chanthaphan

Date: 11-23-10

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APPENDIX B

Agreement for the Removal of Litter, Manure and/or Process Wastewater from an AFO

The conditions listed below help to protect water quality. These conditions apply to litter, manure and/or process wastewater removed from an AFO. This agreement is for (amount of waste removed, i.e. tons, gallons, etc.) 720 Tons of waste, removed on (date) 4/25/10, from the facility owned by SOMPHONE CHANTHAPHONE and located at 397 COMSTOCK ROAD.

A. The litter, manure and/or process wastewater must be managed to ensure there is no discharge of litter, manure and/or process wastewater to surface or groundwater.

B. When removed from the facility, litter, manure and/or process wastewater should be applied directly to the field or stockpiled and covered with plastic or stored in a building.

C. Litter, manure and/or process wastewater must not be stockpiled near streams, sinkholes, wetlands or wells.

D. Fields receiving litter, manure and/or process wastewater should be soil tested at least every two or three years.

E. A litter, manure and/or process wastewater nutrient analysis should be used to determine application rates for various crops.

F. Calibrate spreading equipment and apply litter, manure and/or process wastewater uniformly.

G. Apply no more nitrogen or phosphorus than can be used by the crop.

H. A buffer zone is recommended between the application sites and adjacent streams, lakes, ponds, sinkholes and wells. The following non-application buffer widths, taken from NRCS Conservation Practice Standard 590, should be used when applicable:

Object, Site	Buffer Width, feet	Situation
Wells	150	Up-slope of application site
	300	Down-slope of application site, if conditions warrant application
Waterbody	30-100	Depending on the amount and quality of vegetation and slope
Public Use Area	300	All
Residences	300	Other than producer

I. Do not apply litter, manure and/or process wastewater when the ground is frozen, flooded, saturated or on steep slopes subject to flooding, erosion or rapid runoff.

J. Cover vehicles hauling litter, manure and/or process wastewater on public roads.

K. Keep records of locations where poultry litter will be used as a fertilizer.

I, Jimmy Hawkins (name) am the person receiving litter, manure, and/or process wastewater and do understand the conditions listed above.

Jimmy Hawkins (signature) 6/18/10 (date)

6125 Hwy 64E Waverlee TN 37183 (address) 931-580-9302 (phone)

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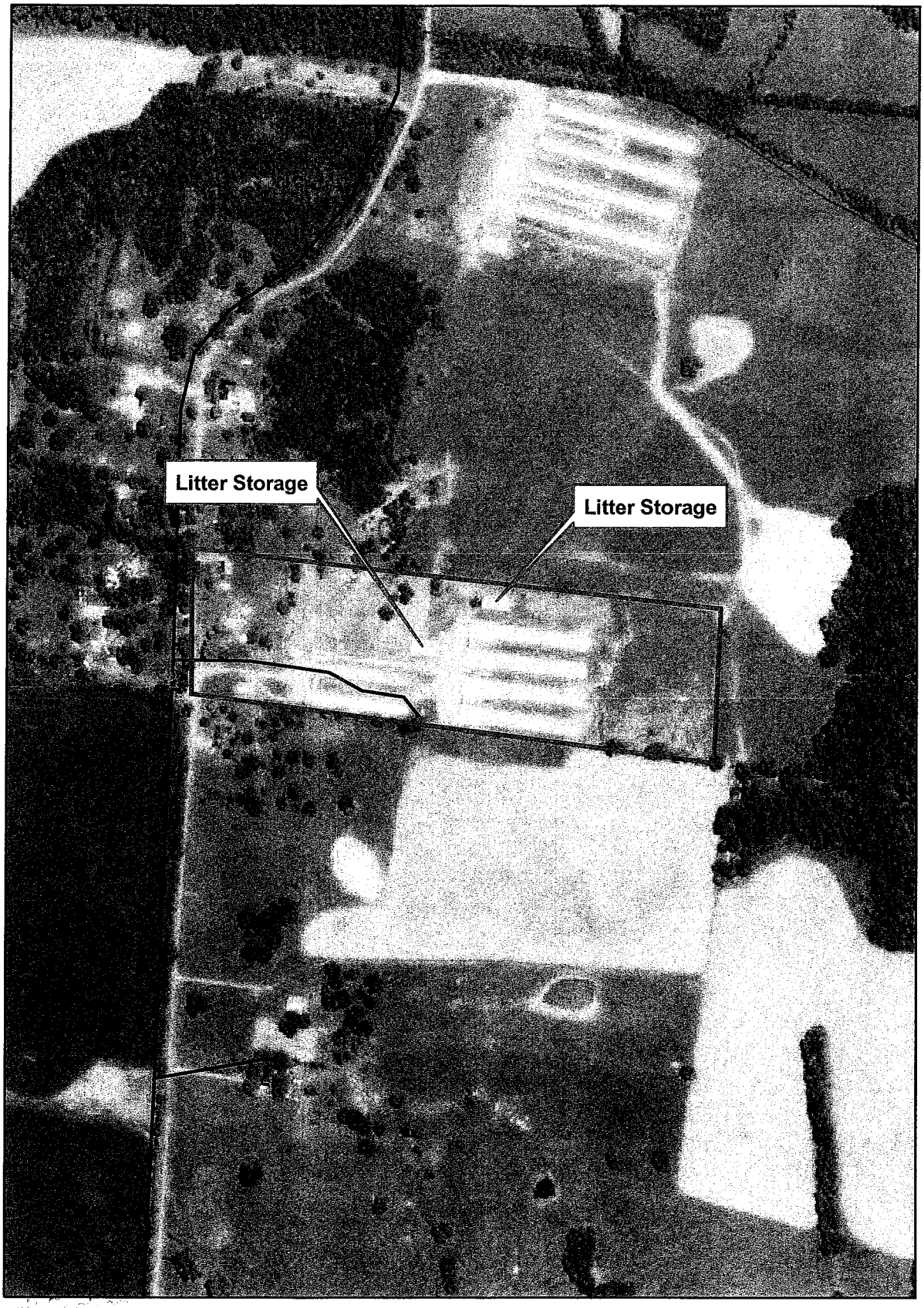
Noukham and Somphone Chanthaphone.....Bedford County



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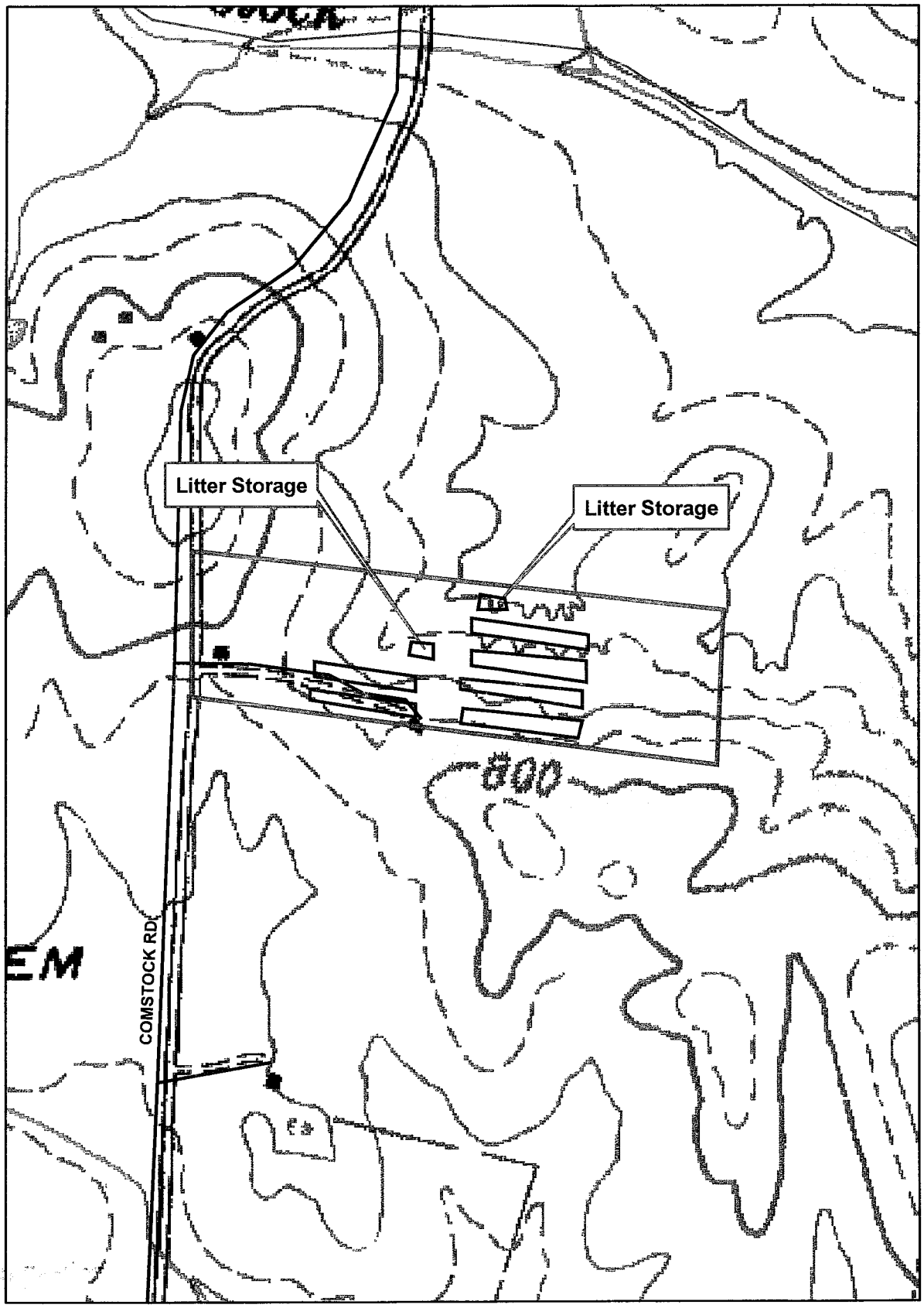

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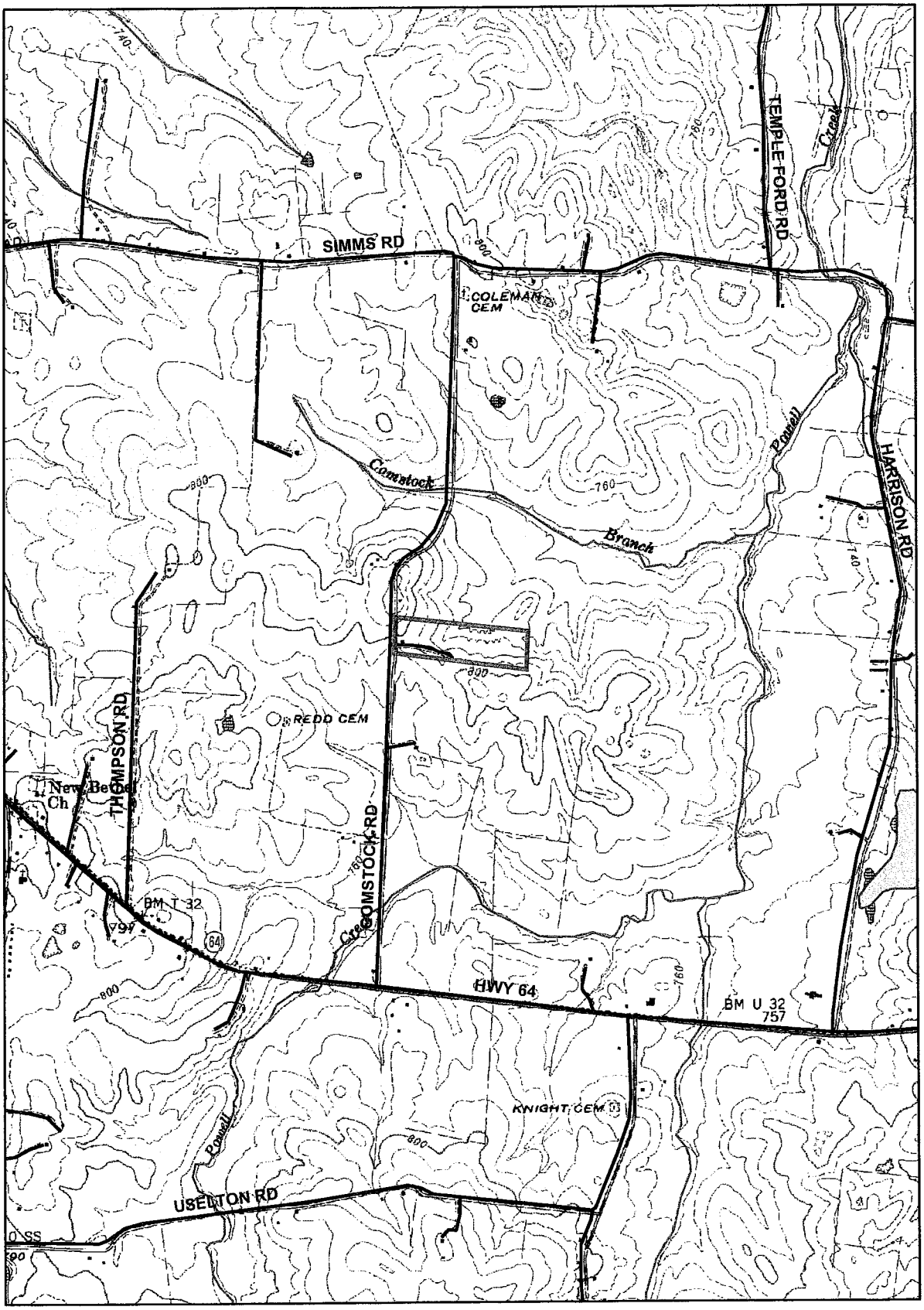

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