

General information

Public comment period begins: February 12, 2018

Public comment period ends: 4:30 p.m. on March 14, 2018

The Minnesota Pollution Control Agency (MPCA) Commissioner has made a preliminary determination to issue this permit for a term of approximately three years.

Name and Address of Permittee:

Darin Henning
2527 State Highway 62
Fulda, MN 56131

Facility Name and Location:

Darin Henning Feedlot
2549 State Highway 62
Fulda, MN 56131
Murray County
T105N, R39W, Section 32

MPCA Contact Person:

Klayton VanOverbeke
Watershed Division
Minnesota Pollution Control Agency
504 Fairgrounds Road, Suite 200
Marshall, MN 56258
Phone: 507-476-4276
Email: klayton.vanoverbeke@state.mn.us

File Manager Phone: 651-757-2728 or
1-844-828-0942

Watershed: Des Moines River - Headwaters

Description of Darin Henning Feedlot

This is a public notice of Intent to Issue coverage under the State of Minnesota General Animal Feedlot National Pollutant Discharge Elimination System (NPDES) Permit. A copy of this General permit is available for review on the MPCA webpage <https://www.pca.state.mn.us/quick-links/feedlot-program> or at the MPCA office address listed under the MPCA contact person. A copy of the permit application is also available for review at the same MPCA office. The MPCA will mail or email a copy of the permit and permit application upon request. Comments, petitions, and other requests must be received at the MPCA in writing on or before the public comment period end date and time identified above.

The facility is currently registered for 2,400 head of swine between 55 and 300 pounds for a total of 720 animal units (AU) housed in one existing total confinement barn. The facility has proposed to expand by constructing an additional total confinement barn, with below barn poured concrete pit, capable of holding 2,400 head of swine between 55 and 300 pounds.

Following the proposed construction and expansion, the facility will be permitted for 4,800 head of swine between 55 and 300 pounds for a total of 1,440 AU to be housed in one existing and one proposed total confinement barns. Manure generated at the facility will be stored in poured concrete pits located beneath the total confinement barns. This will result in an issuance of the current NPDES General Permit that includes the proposed construction and expansion.

The facility has proposed to increase the permitted capacity by 720 AU.

The preliminary determination to issue is tentative.

Procedure for public participation

As stated in Minn. R. chs. 7000 and 7001, there are three formal procedures for public participation in the MPCA's consideration of this matter. Interested persons may:

- (1) Submit written comments on the preliminary determination to issue coverage under a general permit, the application materials, or draft permit.
- (2) Petition the MPCA to hold a public informational meeting.
- (3) Petition the MPCA to hold a contested case hearing.

Submitting written comments

To submit comments or petitions to the MPCA through the mail or email, you must state:

- (1) Your interest in the preliminary determination to issue coverage under a general permit, the application materials, or the draft permit.
- (2) The action you wish the MPCA to take, including specific references to the application materials or section of the draft permit you believe should be changed.
- (3) The reasons supporting your position, stated with sufficient specificity as to allow the MPCA to investigate the merits of the position.

Public informational meeting

A public informational meeting is an informal meeting during which interested persons can ask questions concerning the proposed facility. MPCA staff will be present to provide information. If an interested person would like the MPCA to hold a public informational meeting, the person should include all information identified above and in addition include a statement of the reasons the person desires the MPCA to hold a public informational meeting and the issues that the person would like the agency to address at the public informational meeting.

Contested Case Hearing

A contested case hearing is a formal proceeding before an administrative law judge empowered to advise the MPCA regarding issues of fact. As described in Minn. R. 7000.1800, persons who submit petitions for a contested case hearing must also state the issues they propose to address in a contested case hearing, the specific relief requested or resolution of the matter, and the reasons (which may be in the form of proposed findings) supporting an MPCA decision to hold a contested case hearing. Failure to comply with these rules exactly may result in a denial of the request. To the extent known, the petitioner may also submit a list of prospective witnesses to be called at a hearing, a proposed list of publications, references, or studies to be introduced at a hearing and the approximate time required for the petitioner to present the matter at a hearing. The decision whether to hold a contested case hearing will be made under Minn. R. 7000.1900.