



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204  
(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

Eric J. Holcomb  
*Governor*

Brian C. Rockensuess  
*Commissioner*

July 2, 2024

Johan De Groot, Manager  
Sunshine Dairy, LLC – Hill  
8627 W Co Rd 200 S  
Andrews, IN 46702

Re: Confined Feeding Operation  
Approval Notice of Deficiency 1.2  
Huntington County  
Farm ID# 6190

Dear Johan De Groot:

On May 16, 2024, the Confined Feeding Program received your application for the above referenced site. On June 13, 2024, IDEM sent out NOD 1 with no response received to date. Based on the review of the plans and information submitted to IDEM and all available information contained in our files, additional information and/or changes are required before further review may start. The information requested is identified in the enclosures.

Please submit two copies of all items to:

**Emma Lager**  
**Indiana Department of Environmental Management**  
**Office of Land Quality**  
**Confined Feeding Program**  
**100 North Senate Avenue, IGCN Rm 1101**  
**Indianapolis, Indiana 46204-2251**

In order to provide for a reasonable progression of the permitting process, IDEM requests that the required information be submitted within fifteen (15) days from the date this letter is received. If you believe that the information requested cannot be submitted within that time frame, please contact Emma Lager to arrange a schedule for submitting the information.

IDEM may deny any application if you do not submit the required information.



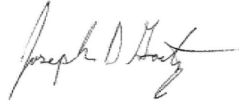
Visit [on.IN.gov/survey](http://on.IN.gov/survey) or scan the QR code to  
provide feedback.

*We appreciate your input!*



If you have any questions or comments about this letter, please contact Emma Lager at (317) 233-7274 of the Confined Feeding Program.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph D. Goetz".

Joseph D Goetz, Section Chief  
Confined Feeding Permits Section  
Office of Land Quality

cc: Kari Simpkins – Ag Environmental Systems, LLC  
Andrew Pursifull – Maurer-Stutz, Inc.

## **NOTICE OF DEFICIENCY 1.2**

Sunshine Dairy, LLC - Hill  
Farm ID# 6190  
Huntington County

For questions, contact: Emma Lager  
Telephone: (317) 233-7274  
Email: elager@idem.in.gov

### **BACKGROUND**

This CFO-sized dairy operation with two existing barns housing 545 dairy cattle, a settling basin, and earthen lagoon is proposing one silage pad and one silage leachate collection pit. The farm is also required to complete repairs of their existing structures in accordance with their current approval and is working on those as well. They are currently working with IDEM to create a groundwater monitoring plan. The facility was reauthorized for construction last November, but it some of those structures will not be built.

### **COMMENTS**

#### **327 IAC 19-7-2 – Plot Maps**

1. The topographic map provided by the facility includes structures from the previous approval rather than those currently planned for the site. Please update the topographic map with correctly placed structures.

#### **327 IAC 19-7-3 – Farmstead Plan**

2. The farmstead map from the previous approval included an intermittent stream flowing from a wetland to the northeast of the site across P6 and plans for rerouting it around the edge of P6. This stream is not present on the current map and no plans for rerouting it are described. Please add this stream to the farmstead map and detail how the facility plans to adjust its path.

#### **327 IAC 19-7-4 Waste Management System Drawings/Information**

3. Plan Sheet C102 shows the E3 perimeter tile monitoring port in a different location than the other pages. Please clarify the correct monitoring port location.
4. The P9 Top View drawing must be revised as the location of the perimeter drain monitoring port has changed. Please update the drawing.
5. The P9 Top View states that P6 will be poured to all edges of P9 and shows P6 on both sides of the cross section. However, P9 has been moved to the western side of P6 and does not appear to be surrounded by P6. Please clarify and update as necessary.

6. Please submit design plans for the silage pad area (northern part of P6) showing applicable design specifications such as control joint spacing, concrete slab thickness, curb, etc.

#### **327 IAC 19-12-4 – Storage Capacity and Design Requirements**

7. The application does not include soil borings for the P9 leachate collection and transfer pit. Please provide a soil boring or an alternative compliance approach explaining why existing site-specific soil information is sufficient to forgo completion of the soil boring specified by 327 IAC 19-7-1(c)(6) at the proposed location of the leachate collection & transfer pit (P9).
8. Adapted Concrete Construction Specifications must be labeled as such. Add the word “ADAPTED” to the top of the specifications list.
9. The manure storage capacity calculations should include silage leachate production. IDEM recommends a silage leachate factor of 5 gallons per ton be used. Please update your calculations.

#### **327 IAC 19-14-7 – Marketing and Distribution of Manure**

10. The facility indicated that it plans to market 100% of its manure, but did not include a marketing contract. The previous approval (December 20, 2023; VFC#83574018) contained a marketing contract between the previous owner, Hill Dairy, LLC, and Mike Prible. Please update this marketing contract for Sunshine Dairy, LLC or provide a new marketing contract if Mike Prible is no longer taking the manure. The contract should cover the next 5 years.