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FOR IMMEDIATE RELEASE

**ODA Announces Open House and Public Meeting
on Topaz Real Estate, Inc. Farm 2 Draft Permits**

REYNOLDSBURG, Ohio (Nov. 23, 2009) – The Ohio Department of Agriculture (ODA) will hold an information session and a public meeting on the draft Permit to Install (PTI) and draft Permit to Operate (PTO) for Topaz Real Estate, Inc. Farm 2. The meetings will be held on Jan. 12, 2010, in the Raymond Elementary School gymnasium, 21511 Main St., in Raymond.

ODA Livestock Environmental Permitting Program staff will describe details of the farm's draft PTI and draft PTO during the information session beginning at 6:30 p.m., followed by a public meeting where interested persons can submit oral or written comments on-the-record concerning the draft permits. Written comments can also be delivered or mailed to ODA Livestock Environmental Permitting Program, 8995 East Main Street, Reynoldsburg, Ohio 43068. These comments must be received by ODA no later than 5:00 p.m. on Jan. 20, which is five business days after the public meeting. Comments received after Jan. 20 will not be considered by the director before making a determination on the Topaz Real Estate, Inc. Farm 2 final permits.

Copies of the Topaz Real Estate, Inc. Farm 2 draft Permit to Install and draft Permit to Operate may be reviewed and/or copies made at the ODA Livestock Environmental Permitting Program office. The permit can also be viewed at the Union Soil and Water Conversation District Office, 18000 State Route 4, Suite B, in Marysville. Those interested should call the SWCD office at (937) 642-5871 and make an appointment. Written comments cannot be submitted to the Union SWCD office.

Topaz Real Estate, Inc. Farm 2 is located in Union County, York Township, at 26560 Storms Road in West Mansfield, Ohio. The farm, which is in the Upper Scioto Watershed, is owned by Topaz Real Estate, Inc. and operated by Nature Pure, LLC.

Overview of Permit to Install

The Topaz Real Estate, Inc. Farm 2 draft Permit to Install is to expand the existing facility's design capacity and add a manure storage building and egg wash pond. The farm's original permit, a Review Compliance Certificate (RCC) issued by the department in 2006, allowed for 380,000 cage-free and organic laying hens. Expansion of a permitted facility to 10% or more of its design capacity for animals or manure storage requires the owner to obtain ODA permits. The farm currently has five buildings housing cage-free organic layers and proposes to add three more buildings to house additional cage-free organic layers, increasing the total allowed to 423,000 birds.



Topaz Real Estate, Inc. Farm 2 is proposing to build a manure storage building to store the solid chicken litter which would be available for removal during the manure application periods, reducing the need for stockpiling manure in fields. This building will have 228 days of storage, exceeding the 120 day minimum for solid manure.

Egg wash is contained in a tank and loaded into a tanker, and then hauled to a waste water treatment plant every week or two. Topaz Real Estate, Inc. Farm 2 proposes to construct an egg wash storage pond and irrigate the wash water over a wheat/corn/soy bean rotation thru a center pivot. The pond would have 260 days of storage, exceeding the 180 day minimum for liquid manure.

Overview of Permit to Operate

The Topaz Real Estate, Inc. Farm 2 draft Permit to Operate, which is for the entire farm, is drafted to regulate operations with plans for manure management, insect and rodent control, mortality management and emergency response. The PTO would be valid for five years, at which time the owner would be required to renew the operating permit.

The annual predicted manure production is approximately 1 million gallons of egg wash and 12,884 tons of solid chicken litter. All of the solid manure is sold to a broker who oversees the manure distribution. Chicken manure, at present, is collected on belts and conveyed directly into trucks, then removed from the site every Monday and Thursday.

The estimated manure nutrient analysis was based on manure samples from the facility. The solid manure nutrient analysis is as follows:

Available nitrogen (N) per ton manure = 27.77 lbs.

Phosphate (P₂O₅) per ton of manure = 12.6 lbs.

All the egg wash water will be irrigated on site with the following nutrient analysis:

Available N per 1,000 gallons = 2.5 lbs.

P₂O₅ per 1,000 gallons = 1.7 lbs.

An Insect and Rodent Control Plan is required as part of the draft PTO to minimize the presence and negative effects of insects and rodents. The Insect and Rodent Control Plan for this farm includes weekly monitoring of fly numbers as well as specific housekeeping measures to eliminate fly and rodent breeding and feeding opportunities. More detail on the Insect and Rodent Control Plan can be found in the draft Permit to Operate.

A Mortality Management Plan is also required for the disposal of dead animals. Approved methods for disposal are burying, burning, rendering, landfilling, or composting. Topaz Real Estate, Inc. Farm 2 has selected the Cherokee Run Landfill as their method of disposal.

An Emergency Response Plan is required to ensure accidents or emergencies are handled quickly and efficiently to maintain the safety of the environment, wildlife, and water supplies. Any manure spills would be halted and contained, the proper authorities would be notified, and the area would



be cleaned and restored to the original condition. Emergency equipment contacts, such as an irrigation pump, bulldozer, backhoe and vacuum slurry tank, are identified in the plan.

Finally, an Operating Record is contained in the draft PTO that includes all forms and information that must be maintained by the facility to show compliance with ODA's rules. These records include inspection of the manure storage structures, manure characterization, land applications, insect and rodent control, distribution and utilization of manure, and mortality management. These records would be inspected by the department at least twice annually.

Menke Consulting, Inc prepared the Topaz Real Estate, Inc. Farm 2 permit and Mote and Associates prepared the engineering plans. Both firms are located in Greenville.

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