



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
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December 29, 2021

C. Gordon Thornhill, Jr.
Thornhill's Feed Lot, LLC
48311 221st Street
Elkton, SD 57026

Steve Ollerich
Steve Ollerich Feedyards
904 Eagle Run
Dell Rapids, SD 57022

RE: Transfer 2003 General Permit, Permit # SDG-0100051
From Steve Ollerich / Steve Ollerich Feedyards to C. Gordon Thornhill, Jr. / Thornhill's
Feed Lot, LLC

Dear Mr. Thornhill, Jr. and Mr. Ollerich:

The purpose of this letter is to transfer coverage under the 2003 *General Water Pollution Control Permit for Concentrated Animal Feeding Operations* (general permit) from Steve Ollerich / Steve Ollerich Feedyards to C. Gordon Thornhill, Jr. / Thornhill's Feed Lot, LLC. The cattle feeding operation is currently permitted for a maximum of 2,500-head of beef cattle. The feedlot is located in the Northwest $\frac{1}{4}$ of Section 12, Township 108 North, Range 48 West in Moody County, South Dakota. Thank you for submitting the information to transfer permit coverage.

Permit coverage is hereby transferred from Steve Ollerich / Steve Ollerich Feedyards to C. Gordon Thornhill, Jr. / Thornhill's Feed Lot, LLC. I am granting coverage for the cattle feeding operation to C. Gordon Thornhill, Jr. / Thornhill's Feed Lot, LLC under the general permit and am issuing an updated Certificate of Compliance (permit # SDG-0100051). Please refer to this permit number in any future correspondence. **The updated Certificate of Compliance is for a maximum of 2,500-head of beef cattle and 19.68 acres of drainage area.** The certificate shall remain in place until such time Thornhill's Feed Lot, LLC changes or expands the operation.

Thornhill's Feed Lot, LLC is now responsible for operating and maintaining the cattle feeding operation in compliance with all the conditions and requirements in the general permit and the facility's approved general permit application submittal. You are responsible for transferring any other applicable permits for this facility, including other department permits and any local government permits as well as complying with any local ordinances or requirements.

The department previously received an application for state permit coverage under the 2017 general permit from Steve Ollerich Feedyards. **Thornhill's Feed Lot, LLC must submit an application for 2017 general permit coverage.** Information from the previously submitted permit application may be used as part of your submittal but it must be resubmitted as an

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application from Thornhill's Feed Lot, LLC. Please contact Jason Roggow, Livestock Services Program, at (605) 773-3351 for further information about using information from the previously submitted application as part of your 2017 general permit application.

Should the operation change or expand beyond the currently permitted animal population, approval of plans and specifications for any alterations or modifications to the manure management system must be obtained. The plans and specifications must be approved by this department prior to construction. Failure to do so will invalidate the Certificate of Compliance.

The following items were submitted to transfer permit coverage:

- A Certification of Applicant form signed by the new owner of the facility.
- A Change of Ownership Form to transfer coverage under the general permit.
- New Operation and Maintenance (O&M) Guidelines signed by the new owner.
- A copy of the producer training certificate for both the new owner and manager.
- A Notice of Intent form signed by the new owner.
- An updated nutrient management plan (NMP) containing several new fields and updated manure application agreements for transferring some, but not all, of the fields from the existing approved NMP.

Fields 1, 2, 3, 4, 5, 6, 7, 8, and 14 submitted as part of the updated NMP are approved for the land application of manure from your feedlot. **Fields 9, 10, 11, 12, and 13 (also submitted as part of the updated NMP) are NOT approved for the land application of manure from your feedlot.** Additional manure application agreement information for Fields 9, 10, 11, 12, and 13 needs to be submitted before these field can be included in your approved NMP, available for the application of manure from your feedlot.

A copy of the approved NMP including a table listing all the fields currently approved for manure application and a map showing the location of the fields can be found in Appendix D of the permit for Thornhill's Feed Lot, LLC. The permit can be found in the producer handbook enclosed with this letter. **Please review the field list and map and notify the department if any of the information is incorrect.**

To add fields to your approved NMP, you must submit the required information for each additional field to the department for our review and approval. Information on adding fields to your approved NMP may be obtained from your local NRCS office. You may also contact us for assistance at (605) 773-3351, or visit our website at <https://danr.sd.gov/Agriculture/Livestock/FeedlotPermit/NutrientManagement/FieldAddition.aspx> for instructions on adding fields. **You may not apply manure to any fields not included in your approved NMP.**

Buffer zones are required around any natural or manmade drainages or wetlands. Please review the buffer zone requirements on the land application maps included with the NMP in Appendix D of your permit prior to land applying manure.

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Also, the application site(s) must be located at least 150 feet from a private well owned by you, 250 feet from a private well not owned by you, and 1,000 feet from any public supply well or other public drinking water source. These buffer areas must not be included as part of the acreage available for land application of manure.

If manure application will involve placing hoses or other equipment in a state highway right of way (for example, in a road ditch or through a culvert), you must first obtain a Permit to Occupy Right of Way. Application for this permit may be made through the local South Dakota Department of Transportation area office. Contact your local SD DOT area office for more information on this permit. In addition, please contact your county highway superintendent to determine if your county has similar requirements.

The permit and Certificate of Compliance are inside the Thornhill's Feed Lot, LLC producer handbook enclosed with this letter. The producer handbook was developed to assist producers in meeting the requirements of the general permit. Using this book will help manage the documents and paperwork that must be completed and retained while operating the animal feeding operation. The book contains forms to use to comply with the permit's requirements and is organized to give you a place to put other required information like soil and manure testing lab report forms. You are required to keep all records for a minimum of five years. It is not mandatory that you use this handbook, however, it will assist you in organizing and maintaining the records that are required by the general permit.

We would like to thank you, the current owners, and the new owners for your cooperation in ensuring protection of our natural resources. The department encourages the new owners to remain in compliance by properly operating and maintaining their manure management system. If you have any questions, please feel free to contact me or Jason Roggow at (605) 773-3351.

Sincerely,



Dan W. Gerhardt, PE, Engineering Manager
Livestock Services Program
Phone: (605) 773-3351

cc: Moody County Commissioners
Brookings County Commissioners
Ian Olson, CENTROL Crop Consulting (email)
Kevin Banken, CENTROL Crop Consulting (email)

Enclosures: Producer Handbook

Thornhill's Feed Lot, LLC Approved Field List

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All fields require a zero to two-foot soil test prior to manure application. Please refer to section 1.4.4.4., beginning on page 29 of the 2003 general permit for the annual nutrient management requirements.

Based on the initial field information submitted for the fields listed in Table 1, manure application may be based on nitrogen need as determined from the table on page 29 of the general permit. **Before manure or wastewater can be applied to these fields, you must have a current soil test and use the table on page 29 of the 2003 general permit to determine whether field fits into a nitrogen need, phosphorus crop removal, or no application category based on the current phosphorus level of the field.**

Table 1 – Thornhill's Feed Lot, LLC Nitrogen-Based Nutrient Management Plan Fields						
Line #	County	Legal Description	Acres		Soil Sampling	
			Total	Available	0-2'	Additional
1	Moody	SW ¼ of Section 2, T 108 N, R 48 W	111.1	110.1	Yes	No
2	Moody	SE ¼ of Section 2, T 108 N, R 48 W	114.3	113.3	Yes	No
3	Brookings	SE ¼ of Section 34, T 109 N, R 48 W	143.4	143.4	Yes	No
4	Brookings	S ½ of the NW ¼ and SW ¼ of the NE ¼ of Section 35, T 109 N, R 48 W	106.8	105.8	Yes	No
5	Brookings	N ½ of the NE ¼ and SE ¼ of the NE ¼ of Section 35, T 109 N, R 48 W	122.1	121.1	Yes	No
6	Brookings	S ½ of Section 35, T 109 N, R 48 W	278	277.5	Yes	No
7	Brookings	NW ¼ of Section 36, T 109 N, R 48 W	139.1	138.6	Yes	No
8	Brookings	SW ¼ of Section 36, T 109 N, R 48 W	74.8	73.8	Yes	No
14	Brookings	SE ¼ of Section 34, T 109 N, R 49 W	103.6	102.6	Yes	No
Total Acres:			1,193.2	1,186.2		

Please note in your phosphorus-based NMP the estimated time it will take to build the listed fields up to 50 parts per million (ppm) (Olsen test) or 75 ppm (Bray-1 test) of phosphorus. You may need additional land in order to apply manure to your fields based on phosphorus crop removal at that time.

As indicated in your NMP, none of the listed fields currently require manure application based on crop removal of phosphorus. If future soil tests identify fields with elevated phosphorus levels, the manure application rate must be based on phosphorus removal in the harvested portion of the crop. Manure application to these fields can be based on multi-year phosphorus crop removal, however application cannot exceed the one-year nitrogen crop need and no more manure may be applied to that field again until the applied phosphorus has been removed from the field via harvest and crop removal. Please refer to the table on page 29 of the general permit for the proper manure application determination.

Thornhill's Feed Lot, LLC

NW 1/4 of Section 12, T 108 N, R 48 W; Moody County

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