

**BEFORE THE CLEAN WATER COMMISSION
STATE OF MISSOURI**

IN RE: CALLAWAY FARROWING,)
LLC,) Case No. 14-1978 CWC
PERMIT NO. GS10485)

FINAL DECISION ON APPEAL OF CASE NO. 14-1978 CWC

At its regular meeting on October 5, 2016, this Commission, upon motion duly approved, accepted and adopted the Recommended Decision of the Administrative Hearing Commission in Case No. 14-1978, dated April 17, 2015. Section 621.250.3 RSMo provides that this Commission may change a finding of fact or conclusion of law made by the administrative hearing commission, or may vacate or modify the recommended decision issued by the administrative hearing commission, only if this Commission states in writing the specific reason for a change made under this subsection. This Commission adopts the Findings of Fact and Conclusions of Law set forth in the Recommended Decision, with exception of the requirement that Callaway Farrowing provide depth and volume tables for the manure storage bins, as more fully described on Page 33 of the Recommended Decision.

At the request of the Department of Natural Resources, the Commission vacated this portion of the Recommended Decision requiring Callaway Farrowing to provide depth and volume tables for its manure

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storage bins, as required by 10 CSR 20-8.300(3)(A)4.E. In reviewing the rule, this Commission finds that these tables are required for asymmetrical earthen lagoons and pits, which are not contemplated for use at the Callaway Farrowing site. Because Callaway Farrowing intends to utilize symmetrical concrete rectangle/square manure storage bins for which volume is easily calculated, the rule is inapplicable.

A copy of the Recommended Decision is attached hereto as Exhibit A.

ORDER

The undersigned Commissioners approve and adopt the Recommended Decision, with the exception of the recommendation that the Department require Callaway Farrowing to provide depth and volume tables for its manure storage bins. The effective date of this Order is the date it is mailed by the Department to the parties or their counsel.

NOTE: The Commissioners who approved this decision on October 5, 2016, have agreed that they may sign separate pages and return them to the Department's Water Protection Program for attachment to the decision before copies are made and mailed to the parties. The collective signature pages shall be treated as though the Commissioners circulated and signed a single page.

Sam Leake

On this 28th day of October 2016, a true copy of the foregoing decision was mailed to each party at their addresses indicated below:

Stephen G. Jeffery
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John Madras

John Madras
Missouri Department of Natural Resources
Water Protection Program



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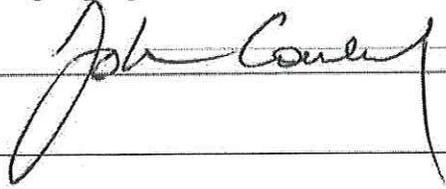
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Missouri Department of Natural Resources
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