



# 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

April 25, 2023

Virgil Bremer, Manager  
Blue River Beef, LLC  
6947 N Blue River Rd  
Arlington, IN 46014

Re: Confined Feeding Operation  
Approval Transfer of Ownership  
Blue River Beef, LLC  
Wells County  
Farm ID # 6642  
Animal Waste Number AW-6709

Dear Virgil Bremer:

On April 17, 2023, the Confined Feeding Program received your approval transfer request (State Form 49832) submitted in compliance with the Confined Feeding Operations (CFO) Rule, 327 IAC 19-8-6. The public record identifies you as the permit holder. The CFO Approval is transferred from Kris Frauhiger to Blue River Beef, LLC.

You must follow the operating requirements and management practices as outlined in the CFO Rule. For your convenience, the CFO Rule 327 IAC 19, a CFO Guidance Manual, a CFO Operating Record Contents and a CFO Record Book have been enclosed with your transfer approval to outline those requirements. Please note if you wish to change animal classifications that may increase your manure production, or if your CFO undergoes construction/modifications that includes an increase in total animal capacity or total manure storage capacity, you must submit a new application for approval.

A CFO is required to renew their approval every five (5) years by submitting a new approval renewal/MMP application and the appropriate manure application area soils maps. New owners must have a complete revised MMP in the farm operating record when the new owner/operator assumes responsibility for the permit. The next renewal is due 30 days prior to September 21, 2017. Please place a copy of this letter in your operating record.

You can view public records for CFO Approvals on IDEM's Virtual File Cabinet (VFC) website. Go to <http://vfc.idem.in.gov/Default.aspx> and use the "**Document Search**" tab. In the "**Alternate Field**" tab select "**CFO/CAFO**" from the dropdown menu. Type the farm ID #, **6642**, in the box to the right of the "**Alternate Field**". Click the **Search** button. We post documents within approximately 5 days of when we send or receive them. Contact us if you cannot locate a particular document.



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

*We appreciate your input!*



Blue River Beef, LLC  
Wells County, Farm ID# 6642  
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A weekly posting of pending permits is located on our agency website at:  
<http://www.in.gov/idem/cfo/2329.htm>.

This decision becomes effective immediately upon issuance unless a person aggrieved or adversely affected by the decision files a request for an administrative review and stay of the decision. For more information on appealing this decision, please refer to the attached "*Notice of Right to Administrative Review*" document.

### **CONTACT INFORMATION**

Questions concerning issuance of this approval should be directed to the Confined Feeding Program at (317) 232-4473, or by FAX at (317) 232-3403.

Sincerely,



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

Enclosures: Notice of Right to Administrative Review  
CFO Approval  
CFO Operating Record Checklist  
CFO/CAFO Compliance Assistance  
Office of Indiana State Chemist Licensing Handout  
CFO Record Book  
CFO Rule 327 IAC 19  
CFO Guidance Manual

cc: Kari Simpkins – Ag Environmental Systems, LLC  
Wells County Health Department (without enclosures)  
Wells County Board of Commissioners (without enclosures)  
Liberty Center, Indiana Mayor/Town Council President (without enclosures)  
Wells County USDA-Natural Resources Conservation Service (without enclosures)

### **Notice of Right to Administrative Review**

If you wish to challenge this decision, you must file a Petition for Administrative Review with the Office of Environmental Adjudication (OEA), and serve a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director  
Office of Environmental Adjudication  
Indiana Government Center North  
Room N103  
100 North Senate Avenue  
Indianapolis, Indiana 46204

Commissioner  
Indiana Department of Environmental Management  
Indiana Government Center North  
Room 1301  
100 North Senate Avenue  
Indianapolis, Indiana 46204

The petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the approval.
3. A statement of facts demonstrating that each petitioner is:
  - a. a person to whom the order is directed;
  - b. aggrieved or adversely affected by the approval; or
  - c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the approval.
7. The approval terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the approval that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the approval. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have the approval stayed during the administrative review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.

Pursuant to IC 4-21.5-3-17, OEA will provide all parties with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above.

More information on the review process is available at the website for the Office of Environmental Adjudication at <http://www.in.gov/oea>.



### CONFINED FEEDING OPERATION (CFO) APPROVAL

Applicant: (Permittee) Blue River Beef, LLC Farm ID : 6642 AW#: 6709

Operation Name: Blue River Beef, LLC County: Wells

Property Owner: Kris Frauhiger Contact Person: Virgil Bremer

Operation Location: 450 W. Liberty Center, IN 46766

Approval Type									
<input type="checkbox"/>	Construction	<input type="checkbox"/>	Approval w/o Construction	<input type="checkbox"/>	Renewal	<input type="checkbox"/>	Amendment	<input type="checkbox"/>	Facility Change
<input checked="" type="checkbox"/>	Transfer	<input type="checkbox"/>	Other	Notes:					

Effective Date: April 25, 2023

Expiration Date: September 21, 2027

Renewal Submission Deadline: August 21, 2027

Permit renewal applications must be submitted no less than 30 days prior to the permit expiration date. If the renewal submission deadline falls on a Sunday or holiday, the renewal must be submitted prior to that date.


The purpose of the CFO approval program is to protect water quality in Indiana through standards for constructing and operating CFOs and associated manure management structures.

As the owner/operator, you must:

- meet all terms and conditions of this approval, the Confined Feeding Control Law IC 13-18-10, the Confined Feeding Operation regulations 327 IAC 19, and the Spill Rule 327 IAC 2-6.1;
- allow representatives of IDEM to enter your CFO and review your records, inspect the operation, and sample or monitor the operation when needed; and
- keep a copy of this approval as part of your operating record.

In order to receive approval to operate your CFO beyond the expiration date listed above, you must submit a complete application for an approval renewal to the IDEM by the renewal submission deadline.

This CFO Approval is authorized under IC 13-18-10 and becomes effective on the date listed above.

  
 \_\_\_\_\_  
 Joseph D Goetz, Section Chief  
 Confined Feeding Permits Section

## FACILITY DESCRIPTION

The existing CFO and associated manure control facilities were previously renewed September 21, 2022, Animal Waste Number AW-6709. The following **existing** and or previously approved structures are reapproved:

- One previously approved (June 5, 2009; AW#5964) compacted clay-floored cattle confinement structure, identified as E1, with a bedded pack system for the storage of solid manure from 70 dry cows and dairy heifers. The animals have access to an adjacent outdoor concrete lot.
- One previously approved (June 5, 2009; AW#5964) concrete-floored manure storage lean-to identified as E2, which is attached to E1 and provides added solid manure storage for E1.
- One previously approved (June 5, 2009; AW#5964) compacted clay-floored cattle confinement structure, identified as E3, with a bedded pack system for the storage of solid manure from 325 dry cows and dairy heifers. The building also contains a thirteen-foot-wide concrete feeding alley which is scraped to attached manure storage (E4) at the east end of the building.
- One previously approved (June 5, 2009; AW#5964) concrete-floored and side-walled manure storage area, identified as 4E, which provides storage for building E3. The concrete alley in E3 is scraped into this manure storage structure. This manure storage is not shared with any other buildings.
- One previously approved (June 5, 2009; AW#5964) compacted clay-floored cattle confinement structure, identified as E5, with a bedded pack system for the storage of solid manure from 325 dry cows and dairy heifers. The building also contains a thirteen-foot-wide concrete feeding alley which is scraped to attached manure storage (E6) at the east end of the building.
- One previously approved (June 5, 2009; AW#5964) concrete-floored and side-walled manure storage area, identified as E6, which provides storage for building E5. The concrete alley in E5 is scraped into this manure storage structure. This manure storage is not shared with any other buildings.
- One previously approved (June 5, 2009; AW#5964) compacted clay-floored cattle working and treatment barn with concrete alleys, identified as E7. This building is used for cattle sorting, handling, treating and shipment. Animals are not permanently housed in this building.
- One previously approved (June 5, 2009; AW#5964) concrete silage pad, identified as E8, encased by a concrete curb. This silage pad directs runoff to a prefabricated leachate collection tank with 1,000-gallon liquid manure capacity located at its northwest corner.
- One previously approved (June 5, 2009; AW#5964) commodity storage building, identified as E9, with a concrete floor and curb, adjacent to silage pad E8. This building directs its runoff to E8 and its leachate collection tank.
- One previously approved (September 7, 2017; AW#6709) covered manure storage building with concrete floors and eight-foot sidewalls, identified as E10, which provides supplemental solid manure storage for the cattle confinement structures E1, E3, and E5.

*Mortalities are rendered offsite.*

Your CFO is approved for total capacity of 620 dairy heifers and 100 dairy cattle as detailed on the attached facility detail sheet and farmstead plan. The manure control facilities, including the availability of acreage for manure application, meet or exceed the requirements of the Confined Feeding Operation regulations 327 IAC 19.

## **SPECIAL APPROVAL CONDITIONS**

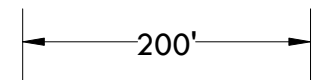
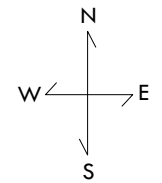
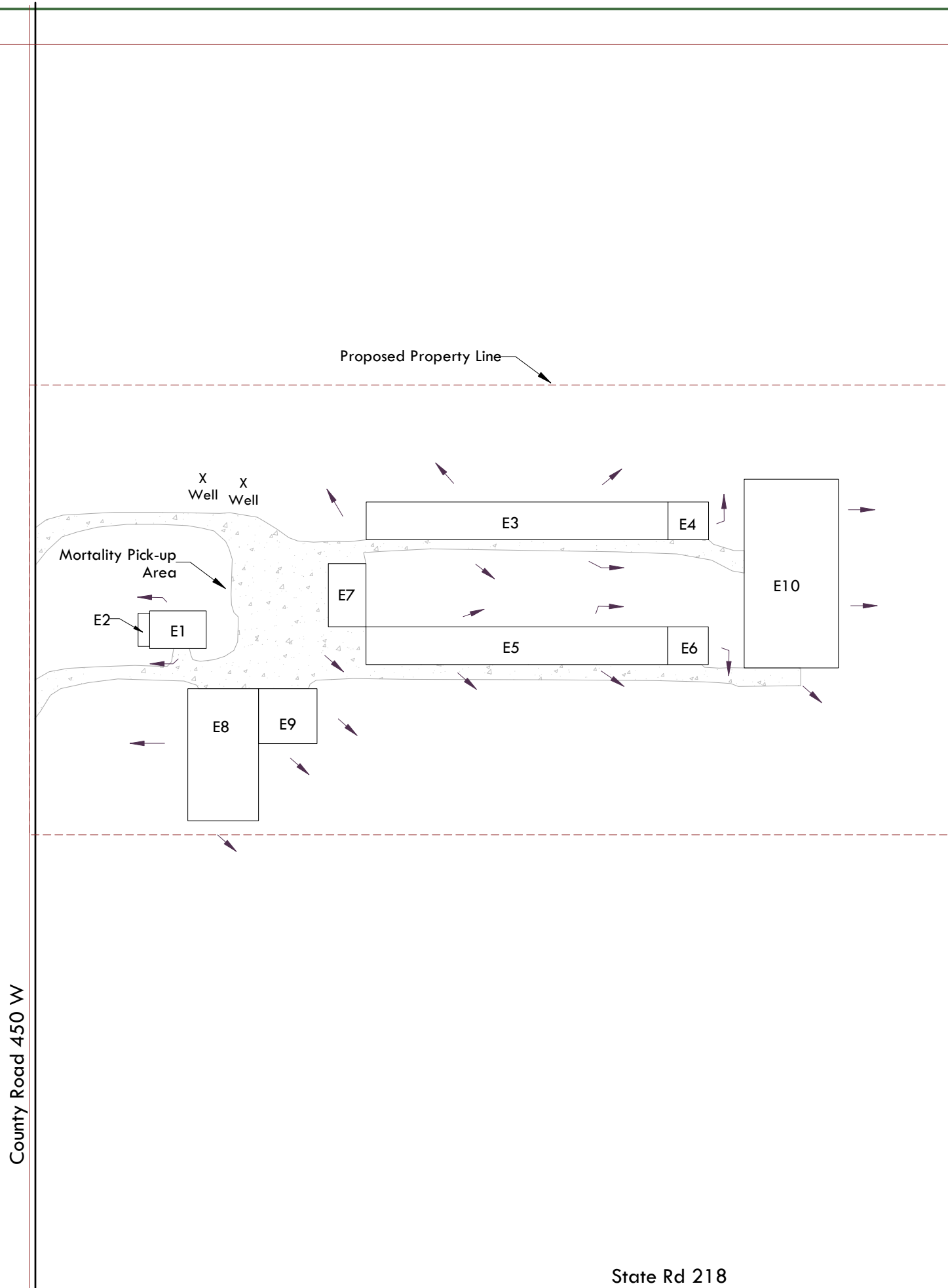
### **Marketing and Distribution of Manure (327 IAC 19-14-7):**

Records for marketing and distributing for all the solid manure/ process wastewater at the cattle operation has been provided, therefore this approval allows for a waiver of all the cattle operation's land application acreage requirements. Land application of manure by the CFO is still allowed regardless of the waiver.

*(Remainder of page intentionally left blank)*

**Blue River Beef, LLC  
Farm ID 6642  
Farmstead Map**

- E1 - 70 Dry Cows/Heifers
- E2 - Manure Storage
- E3 - 325 Dry Cows/Heifers
- E4 - Manure Storage
- E5 - 325 Dry Cows/Heifers
- E6 - Manure Storage
- E7 - Cattle Sorting Building
- E8 - Silage Pad & Lechate Collection
- E9 - Commodity Storage & Lechate Collection
- E10 - Manure Storage



Property Line ———

Surface Water Direction —→

This farmstead map depicts, at a minimum, all residences, surface waters of the state, roads, water wells, karst features, drainage patterns, property lines, drainage inlets and outlets and mortality management sites within 500' of the waste management system. All mortality from the site are rendered. This line depicts the 500' boundary.

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**CONFINED FEEDING OPERATIONS**  
 April 17, 2023  
 Dept. of Environmental Mgmt.  
 Office of Land Quality

State Rd 218

## X. FACILITY DETAIL INFORMATION

Label on Farmstead Plan	Type of Animal	Number of Animals	Solid or Liquid	Date Constructed <i>(for existing buildings)</i>	Water Uses <i>(gallons/unit of time)</i>	Brief Description
E1	Dairy cattle Dry Cows and Dairy Heifers	70	Solid	1900's	--	Compacted clay floor with manure/bedded pack manure storage. Approximate storage capacity is 4,800 ft <sup>3</sup> . Includes access to 45' x 60' concrete lot. Originally approved 6/5/2009; AW-5964
E2	Manures Storage Building	--	Solid	1900's	--	Concrete floor manure storage lean-to attached to E1. Originally approved 6/5/2009; AW-5964
E3	Dairy cattle Dry Cows and Dairy Heifers	325	Solid	2009	--	Compacted clay floor 13' wide concrete feeding alley. In building manure/bedding pack manure storage. Concrete alley scraped to E4. Originally approved 6/5/2009; Aw-5964
E4	Manures Storage Building	--	Solid	2009	--	Manure storage for E3. Concrete floor with 5' sidewall. Originally approved 6/5/2009; AW-5964
E5	Dairy cattle Dry Cows and Dairy Heifers	325	Solid	209	--	Compacted clay floor 13' wide concrete feeding alley. In building manure/bedding pack manure storage. Concrete alley scraped to E6. Originally approved 6/5/2009; Aw-5964
E6	Manures Storage Building	--	Solid	2009	--	Manure storage for E5. Concrete floor with 5' sidewall. Originally approved 6/5/2009; AW-5964

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 Office of Land Quality

**X. FACILITY DETAIL INFORMATION**

Label on Farmstead Plan	Type of Animal	Number of Animals	Solid or Liquid	Date Constructed <i>(for existing buildings)</i>	Water Uses <i>(gallons/unit of time)</i>	Brief Description
E7	Cattle Working/Treatment Barn	--	--	2009	--	Cattle working barn with compacted clay floor and concrete alleyway to facility sorting, handling, treatment, and shipment. Originally approved 6/5/2009; AW-5964
E8	Silage Pad with leachate collection tank	--	Liquid	2009	--	Concrete silage storage pad with 4" concrete curb around outside. Runoff directed to the NW corner of pad and collected in a leachate collection tank. Originally approved 6/5/2009; AW-5964
E9	Commodity Storage Building	--	--	2009	--	Commodity storage building with concrete floor and curb adjacent to silage pad. Runoff directed to silage pad and leachate collection tank. Originally approved 6/5/2009; AW-5964
E10	Manures Storage Building	--	Solid	2018	--	Covered solid manure storage building. Provides supplemental manure storage for E1, E3, E5. Originally approved 9/7/2017, AW-6709

\*All mortality are rendered

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## GENERAL APPROVAL CONDITIONS

1. An Approval Renewal application must be submitted to IDEM no less than 30 days prior to the approval expiration date to maintain a valid approval for your operation. The application must include a Manure Management Plan (MMP) which details any changes made at the operation, outline procedures for soil testing and manure testing, and include a current farmstead plan and Natural Resource Conservation Service (NRCS) soil survey maps of application ground. The soil survey maps must detail the boundaries of the field(s) and include the property owner name and available spreadable acres after setbacks are subtracted. The MMP must also contain a request for land application acreage requirement waiver if a manure distribution program is used, or contain a description of alternate methods proposed for managing the manure.
2. This approval does not authorize any injury to any person or private property; the invasion of other private rights; the infringement of federal, state, or local laws or regulations; nor does it preempt any duty to comply with other federal, state or local requirements, permits or approvals.
3. Your request for an approval modification, revocation and reissuance, or termination does not suspend any approval term or condition. The approval may be modified, revoked and reissued, or terminated, for causing or threatening to cause harm to the environment.
4. The conditions of this approval are separable and if any condition of the approval is determined to be invalid the application of the condition to other circumstances and the remainder of this approval will not be affected.
5. You may not start construction of a CFO, or expansion of a CFO that increases animal capacity and/or manure containment capacity, without obtaining prior approval from IDEM as required by 327 IAC 19-1-2(b).
6. Prior to any construction/land-disturbing activities of one acre or more, contact IDEM's Stormwater Program and the local county Soil and Water Conservation District (SWCD) office for permitting information. Visit IDEM's Stormwater Program website at <http://www.in.gov/idem/stormwater/construction-land-disturbance-permitting> or <http://www.in.gov/idem/stormwater/2331.htm> or call 317-233-8488. Technical resources are also available through the local Soil and Water Conservation District (SWCD) and in the Indiana Storm Water Quality Manual (<http://www.in.gov/idem/stormwater/2363.htm>). Please Note: Applicable permits are required prior to any land disturbing activities including site preparation.

*(Remainder of page intentionally left blank)*



April 17, 2023

Indiana Department of Environmental Management  
Office of Land Quality  
Confined Feeding Program  
MC 65-45, IGCN 1101  
100 N Senate Ave  
Indianapolis, IN 46204

Please see attached Request for Approval Transfer, and all associated documents. Transferring Farm ID#6642 to Blue River Beef, LLC.

Thank you in advance for your time and feel free to contact me at 765-825-0495 with any questions you may have.

Best regards,

Kari Simpkins  
CEO  
Ag Environmental Systems, LLC

Enclosures

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CONFINED FEEDING OPERATIONS  
April 17, 2023  
Dept. of Environmental Mgmt.  
Office of Land Quality



**CONFINED FEEDING OPERATION  
REQUEST FOR APPROVAL TRANSFER**

State Form 49832 (R4 / 1-16)

**INDIANA DEPARTMENT OF  
ENVIRONMENTAL  
MANAGEMENT**

Confined Feeding Section  
Office of Land Quality  
100 North Senate Avenue  
MC 65-45, IGCN 1101  
Indianapolis, Indiana 46204

*INSTRUCTIONS: For Approval Transfer Requests, complete all required sections, sign, date, and return this form to the address above within ninety (90) days of the date of transfer of owner/operator. Please include an updated Farmstead Plan and Facility Detail Sheet (see section VII & VIII. The Approval Transfer Form needs to be submitted by the transferee (New Owner/Operator).*

<b>I. GENERAL INFORMATION FOR CURRENT APPROVAL</b>			
Farm ID Number <i>(Log Number):</i>	6642	Approval Number:	AW- 6709
Date of Last Approval <i>(month, day, year):</i>	9/21/22	County of Operation:	Wells
Name of Operation:	Frauhiger Livestock Farm 3		
Name of Owner/Operator (Applicant) <i>(Name to which the current approval was issued):</i>	Kris Fraughiger		
Mailing Address of Owner/Operator:	11569 S 700 W-90, Montpelier, IN 47359		
Telephone Number <i>(with area code):</i>	260-820-2258	E-mail Address:	
Location of Operation <i>(nearest crossroads or mailing address):</i>	450 W, Liberty Center, IN 46766		
<b>If any of the above information is unknown, contact IDEM at 317/232-4473.</b>			
<b>II. APPROVAL TRANSFER</b>			
<b>A. GENERAL INFORMATION OF TRANSFEREE (New Owner/Operator)</b>			
Date of Transfer of Owner/Operator:	3/23/23		
Name of Operation:	Blue River Beef, LLC		
Address of Operation:	Co Rd 450 E & St Rd 218		
City of Operation:	Liberty Center	ZIP Code of Operation:	46766
Telephone of Operation:	618-201-2740		
County of Operation:	Wells		
<b>B. APPLICANT (Person or entity the CFO Approval is being transferred to)</b>			
<b>The Applicant is the Owner/Operator that applies for or has received a CFO Approval under 327 IAC 19, including renewals and amendments. An Applicant may be an individual, a partnership, a co-partnership, a firm, a company or any other entity listed under IC 13-11-2-158(b). There may be more than one entity that constitutes an Owner/Operator. Each entity that meets the definition of Owner/Operator for the CFO must submit the requested information below.</b>			
Name:*	Blue River Beef, LLC		
Mailing Address:	6947 N Blue River Rd		
City:	Arlington		
State:	IN	ZIP Code:	46014
Telephone (Home):	618-201-2740		
Telephone (Business):			
Telephone (Cell):			
Facsimile:		E-mail Address:	
<b>*A limited liability company (LLC) or corporation (Inc. or Corp.) or other entity required to be registered must have a current registration with the Indiana Secretary of State.</b>			

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CONFINED FEEDING OPERATIONS

April 20, 2023

Dept. of Environmental Mgmt.  
Office of Land Quality

**C. PROPERTY OWNER (At the Time of Approval Transfer Submittal)** Same as Applicant

Name: Kris Frahiger

Mailing Address: 11569 S 700 W-90

City: Montpelier

State: IN ZIP Code: 47359

Telephone (Home):

Telephone (Business):

Telephone (Cell):

Facsimile:

E-mail Address:

**D. OPERATION MANAGER, OPERATOR, AND/OR LESSEE***(If Different than Applicant or Manager and/or Authorized Agent for Entity)* Same as Applicant OR Person listed below is:  Manager  Operator  Lessee

Name: Virgil Bremer

Mailing Address: 6947 N Blue River Rd

City: Arlington

State: IN ZIP Code: 46014

Telephone (Home):

Telephone (Business):

Telephone (Cell):

Facsimile:

E-mail Address:

**E. EXISTING VIOLATIONS**

List below all existing, outstanding violations that apply to this farm, including violations documented in any letter from IDEM's CFO Compliance Section or the Office of Land Quality, Enforcement Section for which a "Notice of Violation" has been issued, a "Commissioner's Order" has been issued, or an "Agreed Order" has been entered into. List the case number (if applicable) for each violation and provide a brief explanation of who will be responsible for correction of each violation upon transfer of the facility.

Violation	Case Number	Responsibility For Correction
N/A	N/A	N/A

**F. CERTIFICATION**

I affirm that the information on this form is, to the best of my knowledge and belief, true, complete and accurate. I am aware of the penalties for knowingly submitting false information under IC 13-30-10-1.5. I request the Confined Feeding Approval Number (provided in the General Information section above) and all conditions listed therein, be transferred to the party names above as the new owner/operator and responsible party. Additionally, in order to maintain a valid Approval, I know that the new owner must submit an updated manure management plan, a current farmstead plan, and a minimum number of acres for manure application once every five (5) years.

Signature of Transferor

Date (month, day, year)

Signature of Transferee

Date (month, day, year)

### III. LIST OF RESPONSIBLE PARTIES

List each new responsible party associated with the CFO from Section II.

A disclosure statement is required for each Responsible Party, as defined under IC 13-11-2-191(a). The Responsible Parties includes each owner/operator defined under 327 IAC 19-2-32 for individuals, or an entity and its respective officers, corporate directors, or senior management officials.

The CFO may have multiple responsible parties. *Attach additional sheets as necessary.*

Responsible Party 1				
Name:	Blue River Beef			
Business Address:	6947 N Blue River Rd	Telephone:	618-201-2740	
City:	Arlington	State:	IN	ZIP Code: 46014
Relationship to Applicant:	Owner			
Responsible Party 2				
Name:	Virgil Bremer			
Business Address:	6947 N Blue River Rd	Telephone:	618-201-2740	
City:	Arlington	State:	IN	ZIP Code: 46014
Relationship to Applicant:	Member			
Responsible Party 3				
Name:				
Business Address:		Telephone:		
City:		State:		ZIP Code:
Relationship to Applicant:				
Responsible Party 4				
Name:				
Business Address:		Telephone:	( )	
City:		State:		ZIP Code:
Relationship to Applicant:				
Responsible Party 5				
Name:				
Business Address:		Telephone:	( )	
City:		State:		ZIP Code:
Relationship to Applicant:				
Responsible Party 6				
Name:				
Business Address:		Telephone:	( )	
City:		State:		ZIP Code:
Relationship to Applicant:				
Responsible Party 7				
Name:				
Business Address:		Telephone:	( )	
City:		State:		ZIP Code:
Relationship to Applicant:				

CONFINED FEEDING OPERATIONS  
April 17, 2023

Dept. of Environmental Mgmt.  
Office of Land Quality

### III. LIST OF RESPONSIBLE PARTIES (Continued)

#### Responsible Party 8

Name:				
Business Address:			Telephone:	(    )
City:		State:		ZIP Code:
Relationship to Applicant:				

#### Responsible Party 9

Name:				
Business Address:			Telephone:	(    )
City:		State:		ZIP Code:
Relationship to Applicant:				

#### Responsible Party 10

Name:				
Business Address:			Telephone:	(    )
City:		State:		ZIP Code:
Relationship to Applicant:				

#### Responsible Party 11

Name:				
Business Address:			Telephone:	(    )
City:		State:		ZIP Code:
Relationship to Applicant:				

#### Responsible Party 12

Name:				
Business Address:			Telephone:	(    )
City:		State:		ZIP Code:
Relationship to Applicant:				

#### Responsible Party 13

Name:				
Business Address:			Telephone:	(    )
City:		State:		ZIP Code:
Relationship to Applicant:				

#### Responsible Party 14

Name:				
Business Address:			Telephone:	(    )
City:		State:		ZIP Code:
Relationship to Applicant:				

#### Responsible Party 15

Name:				
Business Address:			Telephone:	(    )
City:		State:		ZIP Code:
Relationship to Applicant:				

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 April 17, 2023

Dept. of Environmental Mgmt.  
 Office of Land Quality

#### IV. DETERMINING RESPONSIBLE PARTIES WHO MUST PROVIDE A DISCLOSURE STATEMENT

Indiana's Confined Feeding Control Law requires a disclosure statement for alleged violations of environmental law that meet the criteria noted in IC 13-18-10-1.4. This section helps applicants determine whether the responsible parties have violations that meet these criteria.

You may group responsible parties who have identical responses to the questions in this section by listing multiple names or responsible party numbers in the space provided. Provide additional copies of this page as needed to complete this section for all responsible parties listed in Section III.

Responsible Party Name(s) or Number(s) from Section III (type or print) Blue River Beef; Virgil Bremer

Note: This section applies to material violations alleged in any state of the United States and in any other country.

**A.** Answer both questions 1 and 2 below:

1. Have any state or federal officials at any time alleged that the responsible party or parties committed acts or omissions that constitute a material violation of state or federal environmental law?  
 Yes  No
  
2. Have foreign officials at any time alleged that the responsible party or parties committed acts or omissions that constituted a material violation of foreign environmental law, and that would have constituted a material violation of state or federal environmental law if the act or omission had occurred in the United States?  
 Yes  No

If the answer to both questions is "No," a disclosure statement is not required. Skip to item D below.

**B.** Indiana's Confined Feeding Control Law requires the responsible party or parties to submit the disclosure statement required by IC 13-18-10-1.4(c) only if the alleged acts or omissions acknowledged by a "Yes" answer to questions A1 or A2 above presented a substantial endangerment to human health or the environment.

If the alleged acts or omissions presented a substantial endangerment to human health or the environment, skip to Section V & VI to prepare and submit the disclosure statement.

Otherwise, proceed to item C on this page.

**C.** If the alleged acts or omissions acknowledged by a "Yes" answer to questions A1 or A2 above **did not** present a substantial endangerment to human health or the environment, the responsible party or parties do not have to submit a disclosure statement in Section V & VI. However, consistent with IDEM's authority to conduct an inquiry or investigation under IC 13-18-10-2.1(a)(2), the responsible party or parties **must** attach the following information:

1. The name and address of the government entity that alleged the acts or omissions.
2. A description of the information relied upon in determining that the alleged acts or omissions did not present a substantial endangerment to human health or the environment. Provide the name and qualifications of the person(s) who made the determination.

Proceed to item D on this page.

**D.** If directed here by items A or C, the responsible party or parties listed on this page are not required to complete Section V & VI, the disclosure statement required by IC 13-18-10-1.4(c). The applicant or responsible party must attach the information required in item C if applicable, and sign and date below. Their disclosure submittal is complete.

**Per IC 13-18-10-2.1(e)(1)(A), the commissioner may deny an application if a responsible party intentionally misrepresents or conceals any material fact in an application for approval under IC 13-18-10.**

I affirm that all information submitted in this form and any attachments is, to the best of my knowledge and belief, true, accurate, and complete. I am aware of the penalties for submitting false information under IC 13-18-10-1.4, and IC 13-30-10-1.5.

Signature of Applicant or Responsible Party: \_\_\_\_\_

Date

3/23/23  
(month, day, year)

Printed Name: Virgil R. Bremer

**IV. DETERMINING RESPONSIBLE PARTIES WHO MUST PROVIDE A DISCLOSURE STATEMENT**  
**(Continued)**

Have any of the responsible parties from Section III owned or operated a CFO/CAFO outside of Indiana within the last five (5) years?

Yes

No

If Yes, Responsible Party Name(s) or Number(s) from Section III (*type or print*) \_\_\_\_\_

List all states and/or any other country wherein the responsible party owned or operated a CFO/CAFO. Include the Operation Name(s):

**V. DISCLOSURE STATEMENT – INSTRUCTIONS**

Responsible parties directed here from Section IV must complete and submit the disclosure statement on the next page to meet the requirements of Indiana’s Confined Feeding Control Law. (See IC 13-18-10-1.4(c))

Attach additional copies of the disclosure statement page as necessary. Label each attachment with the name of the responsible party.

The Confined Feeding Control Law directs IDEM to consider the following factors when reviewing disclosure statements and deciding whether to approve or deny the application (See IC 13-18-10-2.1(f)):

1. The nature and details of the acts attributed to the responsible party
2. The degree of culpability of the responsible party
3. The responsible party's cooperation with the state, federal, or foreign agencies
4. The responsible party's dissociation from any other persons or entities convicted in a criminal enforcement action
5. Prior or subsequent self-policing or internal education programs established by the responsible party to prevent acts, omissions, or violations

For items D through G on the next page, the responsible party must include information in the description of the enforcement action that is relevant to these factors for IDEM to consider in reviewing the disclosure.

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**INSTRUCTIONS FOR PREPARING A FARMSTEAD PLAN:**

April 17, 2023  
Dept. of Environmental Mgmt.  
Office of Land Quality



**CFO/CAFO APPLICATION PACKET**  
**CFO/CAFO Disclosure Statement Review IC 13-18-10-1.4**

Review disclosure statements for CFOs/CAFOs which propose construction or expansion of a CFO that increases animal capacity, manure storage capacity, or both. (use after 7/1/2012)

REVIEW INFORMATION	
Farm #:	6642
Applicant:	Blue River Beef, LLC <span style="float: right;">If LLC or Inc., is it registered with SoS?  <input checked="" type="checkbox"/> YES    <input type="checkbox"/> N/A    <input type="checkbox"/> NO</span>
Farm Name:	Blue River Beef, LLC
County:	Wells
Date Application Received:	4/17/2023
Date Disclosure Info Received:	4/19/2023
New/Existing Farm:	Existing – Expansion
# of Responsible Parties:	2
Section I Completed by all Parties:	Yes
Section II Completed by all Parties:	Yes
Section III Completed by all Parties: (if applicable)	N/A
Violations Noted:	None
All Applicable Violations Over 5 Years Listed:	N/A
State Chemist Search:	None
Mets Search:	Search Strings: Blue River Beef, LLC – None
	Virgil Bremer – None
	ECHO: All RP's – None
Facility VFC Search:	Farm ID #s: 6642 – None
CFOs in Other States:	None
Date Disclosure NOD given to Permit Writer: (if applicable)	N/A
Date Disclosure Information Completed:	4/24/2023



**CFO/CAFO APPLICATION PACKET**  
**CFO/CAFO Disclosure Statement Review IC 13-18-10-1.4**

Review disclosure statements for CFOs/CAFOs which propose construction or expansion of a CFO that increases animal capacity, manure storage capacity, or both. (use after 7/1/2012)

<b>REVIEW OF DISCLOSURE STATEMENT</b>	
Farm #:	6642
Applicant:	Blue River Beef, LLC
Date Disclosure Review Completed:	4/24/2023

Prepare a Farmstead Plan that meets the requirements noted in the Section VII Farmstead Plan Checklist. Attach the Farmstead Plan to this form. Complete the Facility Detail Information in Section X using the Section VIII checklist and the examples in Section IX. Check the boxes next to each item in Sections VII and VIII as you verify that the Farmstead Plan and Facility Detail Information sheets are complete. If current approval contains structures that have not been constructed, please label these structures P (proposed) on the farmstead plan and facility detail sheet. Construction approval will be transferred for previously approved unconstructed structures.

## VII. FARMSTEAD PLAN CHECKLIST

<input checked="" type="checkbox"/>	A.	The farmstead plan must be on a sheet no less than 8 <sup>1</sup> / <sub>2</sub> inches by 11 inches in size.
<input checked="" type="checkbox"/>	B.	The farmstead plan must show all existing and proposed waste management systems, and all of the following features within 500 feet of the waste management systems (label each feature): <ol style="list-style-type: none"> <li>1. Residences</li> <li>2. Surface waters of the state</li> <li>3. Public and private roads</li> <li>4. Water well locations</li> <li>5. Characteristics of karst terrain as identified in 327 IAC 19-2-24</li> <li>6. Drainage patterns</li> <li>7. Property boundary line</li> <li>8. All outlets of known tile drains or any other type of subsurface or surface drainage outlet</li> <li>9. Drainage inlets, including water and sediment control basins showing their outlets, and ponds with outlets</li> <li>10. Mortality management sites</li> </ol>
<input checked="" type="checkbox"/>	C.	The farmstead plan must be legible and either: <ol style="list-style-type: none"> <li>1. Drawn to approximate scale; or</li> <li>2. Show specific distances between the waste management systems and the features listed immediately above in section B that are within 500 feet of the existing or proposed waste management system.</li> </ol>

## VIII. FACILITY DETAIL INFORMATION CHECKLIST

Using the instructions below, complete Section X, Facility Detail Information sheet for all confinement and waste structures present or proposed at the site. If the rows of the provided Section X, Facility Detail Information sheet are not properly sized for your needs, you may create your own table with the same column headers and required information listed below.

<input checked="" type="checkbox"/>	A.	Label the Farmstead Plan – The waste management systems (confinement and waste structures) must be uniquely identified on the farmstead plan. Existing structures should be labeled with an “E”. Proposed structure should be labeled with a “P”. After labeling each building with a “P” or “E”, number the structures. Your structures should be labeled as “E1”, “E2”, “E3”, etc; or “P1”, “P2”, “P3”, etc; or a combination of the two. Other unique labeling systems will be accepted.
<input checked="" type="checkbox"/>	B.	Animal Type – Animal type(s) listed on Animal Information Attachment.
<input checked="" type="checkbox"/>	C.	Number of Animals – The MAXIMUM APPROVED CAPACITY of the unit at any one time.
<input checked="" type="checkbox"/>	D.	Solid or Liquid – Denote if the manure in the unit is handled as a solid or liquid.
<input checked="" type="checkbox"/>	E.	Date Constructed – List the approximate date of construction for existing waste storage structures.
<input checked="" type="checkbox"/>	F.	Water Uses (gallons/unit of time) – If the inside of the building is washed, indicate how much water is used and how often the building is cleaned. Also include any excess non-contact cooling water or drinking water directed to the waste management system.
<input checked="" type="checkbox"/>	G.	Brief Description – Provide a brief description of the facility and waste management system. Indicate if the unit shares manure storage with another unit (i.e. common lagoon system, slurry store, etc.). <b>Previously approved structures must have the approval number and date approved listed.</b>

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**IX. FACILITY DETAIL SHEET EXAMPLES**

**Example 1**

**Existing Previously Approved Swine Facility Proposing a Transfer of Ownership**

You are transferring an existing 1,000 head finishing building, a nursery/farrowing building with 1500 nursery pigs and 100 farrowing sows with litters , and 300 head gestating sows building all with a flush gutter system to an existing lagoon. The lagoon and all existing buildings were approved on 12/17/1994, AW #1234

**FACILITY DETAIL INFORMATION**

Label on Farmstead Map	Animal Type	Number of Animals	Solid or Liquid	Date Constructed <i>(for existing buildings)</i>	Water Uses <i>(gallons/unit of time)</i>	Brief Description:
E1	Finishing Hogs	1,000	Liquid	N/A	5,000 gallons/3 times a year	A finishing building with flush gutter system to lagoon. Previously approved 12/17/1994, AW# 1234
E1	Nursery Pigs Farrowing Sows	1,500 100	Liquid	3/95	N/A	Shallow pits, previously approved on 12/17/1994, AW# 1234. Pit is connected to the lagoon.
E2	Gestating Sows	300	Liquid	3/95	N/A	Six (6) foot concrete pit, previously approved on 12/17/1994, AW# 1234. Pit is connected to the lagoon.
P2	N/A	N/A	Liquid	N/A	N/A	A clay lined lagoon services all of the buildings previously approved on 12/17/1994, AW#1234

**Example 2**

**Existing broiler Facility Proposing Transfer of Ownership**

You are transferring a 40,000 bird broiler operation with 2 production barns with an additional building for manure storage.

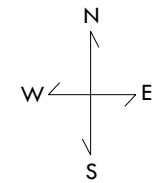
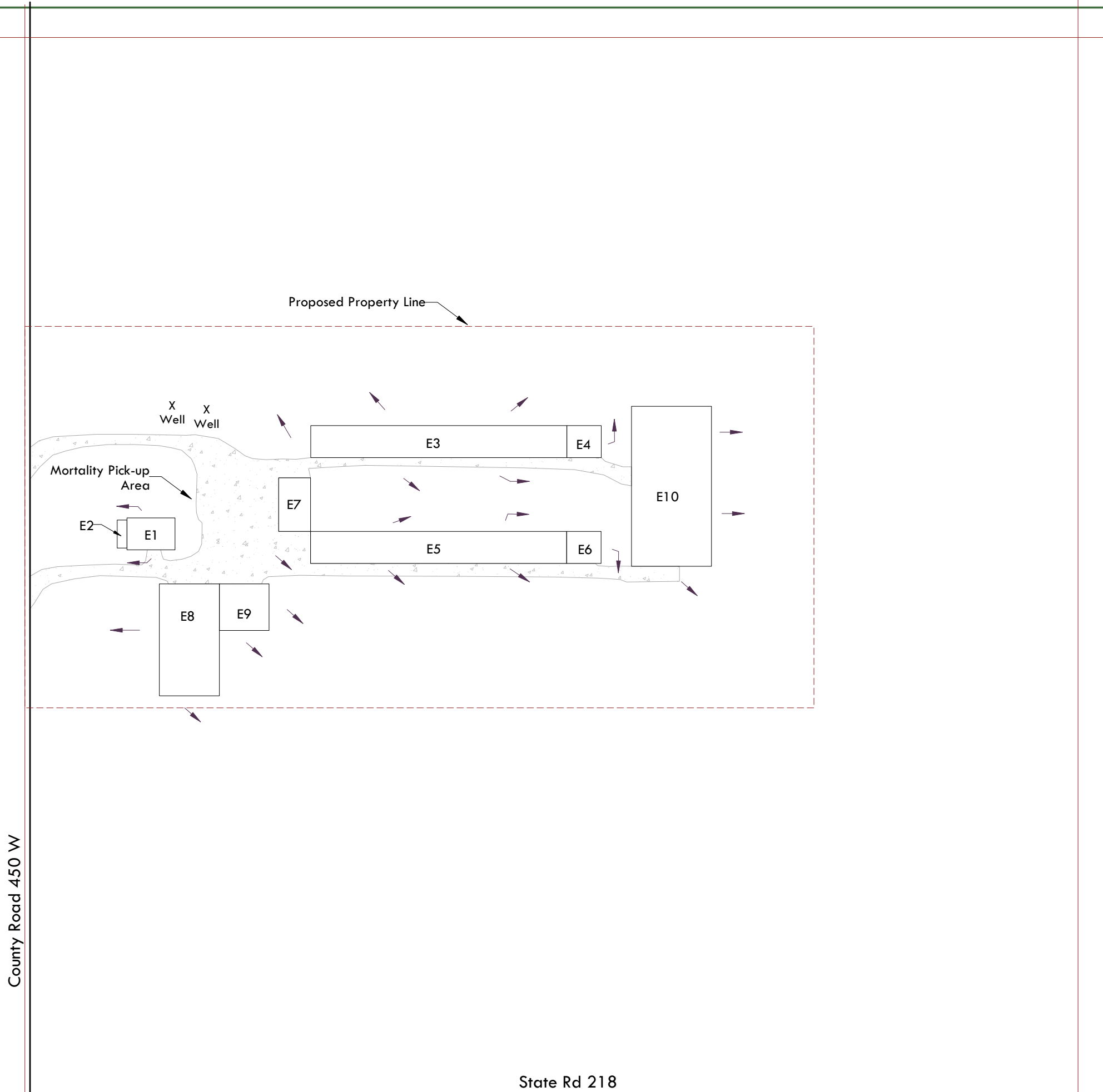
**FACILITY DETAIL INFORMATION**

Label on Farmstead Map	Animal Type	Number of Animals	Solid or Liquid	Date Constructed <i>(for existing buildings)</i>	Water Uses <i>(gallons/unit of time)</i>	Brief Description:
E1	Broiler	20,000	Solid	~ 1995	N/A	A broiler barn with earthen floors
E2	Broiler	20,000	Solid	~ 1995	N/A	A broiler barn with earthen floors
E3	N/A	N/A	Solid	~ 1995	N/A	Concrete floored, additional manure storage

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**Blue River Beef, LLC  
Farm ID 6642  
Farmstead Map**

- E1 - 70 Dry Cows/Heifers
- E2 - Manure Storage
- E3 - 325 Dry Cows/Heifers
- E4 - Manure Storage
- E5 - 325 Dry Cows/Heifers
- E6 - Manure Storage
- E7 - Cattle Sorting Building
- E8 - Silage Pad & Lechate Collection
- E9 - Commodity Storage & Lechate Collection
- E10 - Manure Storage



200'

Property Line ———

Surface Water Direction —→

This farmstead map depicts, at a minimum, all residences, surface waters of the state, roads, water wells, karst features, drainage patterns, property lines, drainage inlets and outlets and mortality management sites within 500' of the waste management system. All mortality from the site are rendered. This line depicts the 500' boundary.

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State Rd 218

## X. FACILITY DETAIL INFORMATION

Label on Farmstead Plan	Type of Animal	Number of Animals	Solid or Liquid	Date Constructed (for existing buildings)	Water Uses (gallons/unit of time)	Brief Description
E1	Dairy cattle Dry Cows and Dairy Heifers	70	Solid	1900's	--	Compacted clay floor with manure/bedded pack manure storage. Approximate storage capacity is 4,800 ft <sup>3</sup> . Includes access to 45' x 60' concrete lot. Originally approved 6/5/2009; AW-5964
E2	Manures Storage Building	--	Solid	1900's	--	Concrete floor manure storage lean-to attached to E1. Originally approved 6/5/2009; AW-5964
E3	Dairy cattle Dry Cows and Dairy Heifers	325	Solid	2009	--	Compacted clay floor 13' wide concrete feeding alley. In building manure/bedding pack manure storage. Concrete alley scraped to E4. Originally approved 6/5/2009; Aw-5964
E4	Manures Storage Building	--	Solid	2009	--	Manure storage for E3. Concrete floor with 5' sidewall. Originally approved 6/5/2009; AW-5964
E5	Dairy cattle Dry Cows and Dairy Heifers	325	Solid	209	--	Compacted clay floor 13' wide concrete feeding alley. In building manure/bedding pack manure storage. Concrete alley scraped to E6. Originally approved 6/5/2009; Aw-5964
E6	Manures Storage Building	--	Solid	2009	--	Manure storage for E5. Concrete floor with 5' sidewall. Originally approved 6/5/2009; AW-5964

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**X. FACILITY DETAIL INFORMATION**

Label on Farmstead Plan	Type of Animal	Number of Animals	Solid or Liquid	Date Constructed <i>(for existing buildings)</i>	Water Uses <i>(gallons/unit of time)</i>	Brief Description
E7	Cattle Working/Treatment Barn	--	--	2009	--	Cattle working barn with compacted clay floor and concrete alleyway to facility sorting, handling, treatment, and shipment. Originally approved 6/5/2009; AW-5964
E8	Silage Pad with leachate collection tank	--	Liquid	2009	--	Concrete silage storage pad with 4" concrete curb around outside. Runoff directed to the NW corner of pad and collected in a leachate collection tank. Originally approved 6/5/2009; AW-5964
E9	Commodity Storage Building	--	--	2009	--	Commodity storage building with concrete floor and curb adjacent to silage pad. Runoff directed to silage pad and leachate collection tank. Originally approved 6/5/2009; AW-5964
E10	Manures Storage Building	--	Solid	2018	--	Covered solid manure storage building. Provides supplemental manure storage for E1, E3, E5. Originally approved 9/7/2017, AW-6709

\*All mortality are rendered

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The following  
pages have been  
replaced with  
corrected pages.



**CONFINED FEEDING OPERATION  
REQUEST FOR APPROVAL TRANSFER**

State Form 49832 (R4 / 1-16)

**INDIANA DEPARTMENT OF  
ENVIRONMENTAL  
MANAGEMENT**

Confined Feeding Section  
Office of Land Quality  
100 North Senate Avenue  
MC 65-45, IGCN 1101  
Indianapolis, Indiana 46204

*INSTRUCTIONS: For Approval Transfer Requests, complete all required sections, sign, date, and return this form to the address above within ninety (90) days of the date of transfer of owner/operator. Please include an updated Farmstead Plan and Facility Detail Sheet (see section VII & VIII. The Approval Transfer Form needs to be submitted by the transferee (New Owner/Operator).*

<b>I. GENERAL INFORMATION FOR CURRENT APPROVAL</b>			
Farm ID Number <i>(Log Number):</i>	6642	Approval Number:	AW- 6709
Date of Last Approval <i>(month, day, year):</i>	9/21/22	County of Operation:	Wells
Name of Operation:	Frauhiger Livestock Farm 3		
Name of Owner/Operator (Applicant) <i>(Name to which the current approval was issued):</i>	Kris Fraughiger		
Mailing Address of Owner/Operator:	11569 S 700 W-90, Montpelier, IN 47359		
Telephone Number <i>(with area code):</i>	260-820-2258	E-mail Address:	
Location of Operation <i>(nearest crossroads or mailing address):</i>	450 W, Liberty Center, IN 46766		
<b>If any of the above information is unknown, contact IDEM at 317/232-4473.</b>			
<b>II. APPROVAL TRANSFER</b>			
<b>A. GENERAL INFORMATION OF TRANSFEREE (New Owner/Operator)</b>			
Date of Transfer of Owner/Operator:	3/23/23		
Name of Operation:	Blue River Beef, LLC		
Address of Operation:	6947 N Blue River Rd		
City of Operation:	Arlington	ZIP Code of Operation:	46014
Telephone of Operation:	618-201-2740		
County of Operation:	Wells		
<b>B. APPLICANT (Person or entity the CFO Approval is being transferred to)</b>			
<b>The Applicant is the Owner/Operator that applies for or has received a CFO Approval under 327 IAC 19, including renewals and amendments. An Applicant may be an individual, a partnership, a co-partnership, a firm, a company or any other entity listed under IC 13-11-2-158(b). There may be more than one entity that constitutes an Owner/Operator. Each entity that meets the definition of Owner/Operator for the CFO must submit the requested information below.</b>			
Name:*	Blue River Beef, LLC		
Mailing Address:	6947 N Blue River Rd		
City:	Arlington		
State:	IN	ZIP Code:	46014
Telephone (Home):	618-201-2740		
Telephone (Business):			
Telephone (Cell):			
Facsimile:		E-mail Address:	
*A limited liability company (LLC) or corporation (Inc. or Corp.) or other entity required to be registered must have a current registration with the Indiana Secretary of State.			

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**X. FACILITY DETAIL INFORMATION**

Label on Farmstead Plan	Type of Animal	Number of Animals	Solid or Liquid	Date Constructed <i>(for existing buildings)</i>	Water Uses <i>(gallons/unit of time)</i>	Brief Description
E7	Cattle Working/Treatment Barn	--	--	2009	--	Cattle working barn with compacted clay floor and concrete alleyway to facility sorting, handling, treatment, and shipment. Originally approved 6/5/2009; AW-5964
E8	Silage Pad with leachate collection tank	--	Liquid	2009	--	Concrete silage storage pad with 4" concrete curb around outside. Runoff directed to the NW corner of pad and collected in a leachate collection tank. Originally approved 6/5/2009; AW-5964
E9	Commodity Storage Building	--	--	2009	--	Commodity storage building with concrete floor and curb adjacent to silage pad. Runoff directed to silage pad and leachate collection tank. Originally approved 6/5/2009; Aw-5964
E10	Manures Storage Building	--	Solid	2018	--	Covered solid manure storage building. Provides supplemental manure storage for E1, E3, E5

\*All mortality are rendered

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