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Preface: Growing Demand for Pasture Raised Poultry in Georgia

Written by Jennifer Owens, Georgia Organics

Pasture raised poultry is a growing niche in the local and sustainable food movement, both from a producer perspective as well as consumer. Pastured poultry production provides farmers with the benefit of on-farm fertility and it generally has low costs of entry, making it attractive to small and limited resource farmers. It also allows farmers to take advantage of a high-value product to add to the farm’s bottom line.

Consumer demand is also on the rise. In February 2012, Whole Foods Market announced a commitment to purchase 22,000 pasture-raised birds for their southeastern stores alone this year. Demand for locally-raised meats and produce has reinvigorated farmers markets and direct sales to levels not seen in decades. In fact, the USDA found a 17% increase in farmers markets in just one year between 2010 and 2011.

In light of the market opportunity, no legal processing options exist in the state of Georgia for independent poultry farmers. This represents a critical area to strengthen Georgia’s local food system infrastructure. To better quantify the producer demand, Georgia Organics conducted an analysis in 2010 which looked at who was producing, where the birds were being processed, and any cost data farmers were willing to share. The analysis found the following:

- 35% of the 89 farms that participated in the survey stated that they do raise chickens – 37,642 per year combined.
- Nearly half of the birds quantified above are raised by six farms which drive to South Carolina or Kentucky to process at the nearest USDA-inspected processing facility.
  - This costly journey out of state indicated farmers spending a combined total of $61,975 on the processing trips alone on gas and hotel. These farmers also made a combined 83 trips out-of-state per year driving anywhere between 200-500 miles roundtrip.
- 25% of the farms process 16,142 birds per year on-farm despite the prohibitive regulatory environment.

Georgia needs an economically-viable and safe processing option for independent poultry farmers. This report is one of many tools now available as Georgia moves toward a solution.
Chapter 1 - Introduction and Executive Summary

As of April 2012, the state of Georgia does not have a single federally- or state-inspected facility willing and able to process poultry as a service to independent growers. White Oak Pastures in Bluffton, Georgia does operate a USDA-inspected poultry processing facility but currently it only processes birds raised at White Oak Pastures. In recognition of this fact, and with a measured demand for such services, Georgia Organics (GO) has begun investigating ways to develop infrastructure that will allow independent small-scale poultry growers to produce and sell pastured poultry in a safe, legal, and profitable manner.

In August 2011, GO contracted with Smithson Mills, Inc. (SMI) to research the viability of establishing small scale poultry slaughter facilities in Georgia. Our work builds upon previous research conducted by GO staff, including an April 2011 report, “Chicken Little The Pastured Bird & the Processing Quandary, a project funded by Farm Aid.” That report provides an analysis of current small-scale production levels in the state and documents demand for better options for processing from existing farm producers. In addition to that report, GO staff and board members conducted a detailed analysis of the regulatory environment in the state for processing on-farm under a federal exemption recognized by many states to provide small producers a pathway into the market.

Building from GO’s existing data and analysis, SMI agreed to provide the following specific deliverables for this research:

1. Research development options for a fixed-site poultry processing facility located in or near Oconee County, Georgia. Research will include a site review, selection of local partners for a potential facility, analysis of regulatory options for operation, and a minimum of one site visit to Oconee County, GA.
2. Feasibility analysis of a mobile processing unit to be housed at the Macon State Farmers Market. Activities shall include a minimum of one site visit to the Macon State Farmers Market and a minimum of one in-person meeting with state agricultural officials. Research shall include analysis of the current regulatory environment in the state of Georgia and recommendations for operating a mobile processing unit that will meet existing regulatory requirements.
3. Provide developmental and operational budget estimates for both a fixed-site processing facility and a mobile processing unit, including funding strategy identification at the local, state and federal levels.

In addition to contracted deliverables, this report discusses options for supporting private for-profit efforts and public-private partnerships to develop processing facilities. Several existing efforts in different regions of the state are identified.
Mobile processing units (MPUs) are an attractive processing option for many small scale growers, and Georgia’s base of producers is no exception. Growers like the MPU concept because the processing can occur on a farm and no transportation of live birds to a fixed-site location is necessary. This report identifies challenges and barriers that prevent MPUs, both in the state of Georgia and nationally, from operating efficiently under an inspected regulatory environment. Budgets for MPU development and operation are discussed based upon other recent experiences in the U.S.

Finally, the researchers were contracted for this work primarily due to recent experience developing Foothills Pilot Plant, a nonprofit small scale USDA-inspected poultry processing facility located in Marion, North Carolina. That facility opened for USDA-inspected processing services in January 2012. The recent experience of developing that project allows GO to learn best practices and develop accurate costs and timeframes for developing a similar facility in Georgia. Floor plans, development budgets, operational budgets, HACCP plans, and other important information derived from the Foothills Pilot Plant experience are included in this report.

Key Findings and Recommendations

Based on objective facts regarding small-scale poultry processing in Georgia, the researchers have investigated three options for addressing the need for processing services: 1) Support for private business ventures or public-private partnerships interested in providing inspected processing services; 2) Developing mobile processing units able to meet USDA and other regulatory requirements, and; 3) Developing a fixed-site small scale processing facility meeting USDA inspection requirements.

Probably the least expensive way to serve growers is to develop poultry processing lines in conjunction with existing or planned commercial red-meat processors. An add-on poultry line can share existing cold storage space as well as general management, accounting, and line staff trained in both poultry and red-meat processing, thus substantially reducing development and operational costs. Before any efforts are made to build a new facility in the state, GO is encouraged to contact red meat processors, especially those located near a concentration of pastured poultry growers, to assess viability of adding on a processing line to an existing facility.

It is the researchers' conclusion that an MPU will encounter more regulatory difficulties than a fixed site location. While an MPU may be cheaper to build, unique challenges are inherent in operating an MPU either profitably or in adherence to inspection requirements. Chief among these are capacity, operational costs, and wastewater disposal.

While few in number, existing USDA-inspected small scale poultry slaughter facilities are in operation in the United States. Any effort to establish a similar facility in Georgia should review and study existing floor plans and design features. Project managers should consider engaging
consultants during the design phase with prior poultry facility construction and design experience.

Whether a facility is constructed as a private investment, a nonprofit service, or a public-private partnership with some other legal organization, certain key components must be included to establish a facility able to adequately serve the base of growers:

- A clear mission with goals and objectives;
- An experienced lead developer with a track record of success;
- A facility design based on an existing USDA-inspected facility;
- The ability to forge strong multi-agency collaboration with multiple fiscal agents;
- An active and vocal association of growers needing facility services;
- Patient investors able to work together on funding and expenditures;
- Flexibility in development specifics to reflect available funding and unfolding events;
- A comprehensive development strategy with a plan for long term sustainability.

The movement for pastured poultry in the state of Georgia is gaining momentum, and as it does, more independent pastured poultry producers than ever before need an entity to address their needs. GO is encouraged to support the development of a grower-led organization that can advocate for support from state and local entities for development of a fixed-site processing facility able to serve their needs.

Researchers conducted visits to potential fixed site locations in three Northeast Georgia counties, an area centrally located to the densest concentration of independent poultry growers in the state. Ideal locations will be located far from residential areas, close to major transportation routes, level and graded, and have utility access on site. It is the researchers’ opinion that the best option for fixed site development is an open lot with utility access on site. Necessary utilities include water, sewer and three phase power.

Considering all costs associated with getting a new facility to an opening day, not including general manager salary, line staff training, or utility costs incurred before opening, a reasonable total development budget is estimated at $857,444.

A fixed site poultry processing operation will require effective management to help it succeed. The facility should secure a general manager with previous poultry processing experience, a qualified individual with either a college degree in poultry science or significant experience in poultry slaughterhouse and flock management roles. The manager will oversee a part-time staff and should report to a management oversight board or other committee representing the interests of the project owners and stakeholders.
Funding for the launch of a pastured poultry processing facility may be provided by grants from state, federal and private foundation sources. Obtained funds will support facility operations for at least the first 18 months of operation, which will allow the facility to develop a client base and increase cash flow from fees for services.

The implementation strategy for the facility anticipates a steady increase in the volumes of birds and rabbits that will be processed over a three- to five-year period. Market demand is expected to grow as consumers and retailers are made aware of the availability of USDA-inspected birds.

First year operational costs for a new, stand-alone small scale facility are estimated at just over $112,000. Analysis of FPP operations indicates that in order to achieve current-account break-even, where revenues generated from processing fees equal or exceed costs expended in a calendar year, the facility should process a minimum of 50,000 head per year in broiler equivalents. The researchers believe this can be achieved within four years of opening for processing services. In the meantime, operational costs will have to be covered through a combination of fees from services and outside investments in the form of grants or other capital infusions.
Chapter 2 - Background: Georgia’s Regulatory Environment

Georgia’s regulatory environment for on-farm slaughter of poultry for commercial purposes has been highly opaque and subject to multiple areas of dispute. This confusion and lack of clarity has been exacerbated by the State’s decades-old decision to opt-out of enforcement of a federal statute allowing exemption from USDA inspection requirements for producers processing and selling fewer than 20,000 chickens per year. A legal analysis of the regulatory and statutory environment for small-scale poultry processing was conducted by Georgia Organics board member and attorney, Kurt Ebersbach. This analysis concluded that current Georgia statute requires the State to provide for inspection when federal law is not applicable, either because a federal exemption applies or because only intrastate commerce is involved, or both.

In November 2011 the Georgia Department of Agriculture (GDA) released its “Small Poultry/Pasture Poultry Guidelines.” This document explains GDA’s interpretation of requirements for on-farm slaughter and sale of 1,000 or fewer poultry of the grower’s own raising in a calendar year. It does not address requirement for slaughter and sale of more than 1,000 and fewer than 20,000 poultry in a calendar year, a range that is explicitly exempted by federal law from USDA inspection for on-farm processing.

The guidelines (included as Appendix A of this report) are difficult for any small scale producer selling fewer than 1,000 birds per year to meet. Some of these requirements include:

- An annual registration fee of $100;
- Poultry can only be sold directly to the ultimate consumer at the farm or farmer’s market (no sales to restaurants, retailers, or wholesalers allowed);
- 48 hours advance notice to GDA before slaughter;
- Construction of overhead covers, screens and/or walls, a bathroom, and drainable floors;
- Sewage disposal through an approved public or individual disposal system;
- County-level inspection of sewer system for a grease trap, or otherwise an official waiver of such.

A simple cost/benefit analysis of processing 1,000 or fewer birds on farm and under these guidelines quickly shows that any profit that could be derived from selling this number of birds would be more than exceeded by the costs of meeting the regulations.

The practical effect of implementing and enforcing these regulations is to make on-farm slaughter and sale of poultry economically unfeasible. In practice, no clearly legal processing in the state other than federal USDA inspection (or state inspection under federal regulatory authority, a.k.a. Talmadge-Aiken (TA) inspection) is economically viable. This has created a “gray market” for pasture-raised poultry slaughtered on the farm, with most growers being reluctant to publicly identify themselves as poultry producers.
Certainly, many Georgia farms continue to grow, process and sell hundreds or even thousands of birds each year in this legal limbo. Most likely, others have concluded that the risk involved does not justify going into production even when an attractive and profitable market for pasture-raised birds exists. Still other growers have opted to haul their birds out of state to USDA-inspected facilities in North and South Carolina. The last option, while clearly legal at the federal level, is the most costly choice, consuming more fuel and time, increasing the stress experienced by birds before processing, and taking those processing fees out of state. This can reduce the profit available to a poultry farmer and raise the price of the final product for the consumer.

In addition to regulations directly concerning on-farm slaughter, state law also regulates discharge of liquid and solid wastes from farming activities. The greater challenge is concerning wastewater discharge. Impediments to establishing inspected mobile processing units in relation to guidelines from the state’s Environmental Protection Division (EPD) are discussed in sections concerning MPUs.

Some changes or modifications to regulations concerning wastewater discharge for small farms may be under review. As of April 2012, GDA was actively engaged with EPD and the state's Department of Natural Resources in an effort to identify possible alternatives for wastewater disposal on small farms related to poultry slaughter.

**Regulatory Conclusion**
The primary conclusion from regulatory analysis is that existing state guidelines do not allow for on-farm processing of poultry in a manner that is economically viable for small-scale independent producers.

GO is playing a vital role in advocating for clarity of regulations and development of a framework that will allow independent pastured poultry producers to operate in a safe, legal, and profitable manner. A logical next step is to advocate that GDA amend the “Small Poultry/Pasture Poultry Guidelines” as applicable for on-farm slaughter of up to 20,000 poultry per year. If this were to occur, then small farms intent on making a profit in pastured poultry meat sales could conceivably invest in the necessary infrastructure as outlined in the Guidelines and still be profitable as niche premium poultry vendors.

Based on objective facts regarding the status of small-scale poultry processing in Georgia, the researchers have investigated three options for addressing the need for a legal, safe, and profitable way for independent pastured poultry producers to be adequately served: 1) Support for private business ventures or public-private partnerships interested in providing USDA or TA inspected processing services; 2) Developing mobile processing units able to meet USDA and other regulatory requirements, and; 3) Developing a fixed-site small scale processing facility under USDA or TA inspection.
Chapter 3 - Prospects for Private Business Development of Processing Services

Probably the least expensive pathway to providing inspected processing services for independent growers is to develop poultry processing lines in conjunction with existing or planned commercial red-meat processors. An add-on poultry line can share existing cold storage space as well as general management, accounting, and line staff trained in both poultry and red-meat processing, thus substantially reducing development and operational costs.

The researchers have identified two for-profit efforts to establish processing services for pastured poultry: Chattacreek Meats in Bowdon, and West Georgia Processing near Carrollton. Chattacreek is under development and West Georgia Processors is an existing red-meat and deer processing facility. Both of these are located in Carroll County in west Georgia near the Alabama state line. Both are planned as multi-species facilities with plans to include both red meat and poultry processing services. One other effort to establish processing services, near Roberta, is at its earliest stages of development but holds some promise due to the possibility of a strong public-private partnership among independent producers, commercial processors, university researchers, and a local community college.

The only known existing facility that processes pastured birds is White Oak Pastures in Bluffton, about 175 miles south of Atlanta. However, this facility processes only pastured birds raised by the owner.

No red-meat processors in north or northeast Georgia have been identified as having an interest in adding on poultry lines. Due to the scope of contracted research and the labor involved with surveying all red meat processors, this was not done in conjunction with this report. GO staff is encouraged to contact these facilities to survey their interest in serving the pastured poultry growers in their region. Contact information is presented later in this chapter.

Opportunities for private and public/private processing services are presented below:

West Georgia Processing

Tim Dyer, owner of West Georgia Processing, currently processes veal, pork, lamb, beef and deer, and he has intentions to open up additional space for chicken processing. His facility meets USDA inspection requirements for red meat and he has taken an active interest in poultry processing for independent growers. In order to expand efficiently, Dyer has requested an extension of sewer services on Highway 27 North to connect to his plant. Dyer attended the GO conference in February 2012 and presented his plant as a viable future option for pastured poultry growers. In a 2010 article in the local Carroll County newspaper, Dyer was quoted as saying that he would consider entering into a cooperative agreement with area growers that would effectively share ownership of the plant with them.
Contact: Tim Dyer  
West Georgia Processing  
3947 Hwy. 27 North  
Carrollton, GA  
678-699-2648

Chattacreek Meats  
Chattacreek Meats is a planned multi-species processing plant under development in Bowden. According to local news reports, the facility is looking at a Spring 2012 groundbreaking to begin construction. Principals have been working on this project for several years and are basing development on a feasibility study constructed with support of local economic developers. They are reported to be working with leading animal behavioral scientists on developing the most humane processes in the industry. Owner Bill Hodge reports a target opening of January 2014.

Contact: Bill Hodge  
Chattacreek Meats  
770-605-6385  
chattacreekmeats@gmail.com

Roberta, Georgia  
Kerry Dunaway is a retired sheriff and small scale farmer just south of Roberta in Peach County. Dunaway is aware of the lack of inspected slaughter facilities in the state for small growers and he is investigating a community-based approach to providing training, education, and poultry processing services for small farms. He has begun discussions with area farmers, elected officials, agricultural researchers, and other farm-based organizations.

While it is early in the project development process, the researchers are encouraged by Dunaway’s experience, solid relationships with agricultural officials, and willingness in taking a collaborative approach to development.

Contact: Kerry Dunaway  
Greenway Farms  
Roberta, GA  
478-957-5374  
greenwayfarmsofga@yahoo.com
White Oak Pastures
Located in Early County in the extreme southwest section of the state, White Oak Pastures processes birds under Talmadge-Aiken inspection. All birds processed at the facility are raised on White Oak Pastures Farm. Owner Will Harris has developed strong supply relationships with Whole Foods Markets. His facility was established solely for his own use and no processing services for other growers are offered. Regardless, this facility is the first of its kind in Georgia to process pastured poultry under inspection and can serve as a viable model for entrepreneurs in other parts of the state.

Contact: Will Harris
White Oak Pastures
22775 Highway 27
Bluffton, Georgia 39824

Other for-profit possibilities
Before any efforts are made to build a new facility in the state, GO staff are encouraged to contact red meat processors, especially those located near a concentration of pastured poultry growers, to assess viability of adding on a processing line to an existing facility.

<table>
<thead>
<tr>
<th>Red Meat Processors in Northeast Georgia</th>
<th>Contact</th>
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<tbody>
<tr>
<td>Brothers Meat Processors, LLC</td>
<td>6768 Best Friend Road Norcross, GA 30071 Phone: (678) 500-7055</td>
</tr>
<tr>
<td>Blairsville Slaughter House</td>
<td>4002 Murphy Highway Blairsville, GA 30512 Phone: (704) 2345754</td>
</tr>
<tr>
<td>Cash’s Meat Processing</td>
<td>3833 Hunters Creek Road Carnesville, GA 30521 Phone: (706) 886-7586</td>
</tr>
<tr>
<td>Greg’s Meat Processing</td>
<td>Comer Road Danielsville, GA 30633 Phone: (706) 795-3210</td>
</tr>
<tr>
<td>Georgia Mountain Processing</td>
<td>321 Francis Hefner Road Mount Airy, GA 30563 Phone: (706) 778-9446</td>
</tr>
<tr>
<td>Firetower Meat Processing</td>
<td>47 Sam Woods Road Stephens, GA 30667 Phone: (706) 743-3766</td>
</tr>
<tr>
<td>Cobb-Vantress, Inc.</td>
<td>1239 Thomas Farm Road Blairsville, GA 30512 Phone: (706) 781-3321</td>
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<tr>
<td>Company</td>
<td>Address</td>
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<tr>
<td>Koch Meat Co., Inc.</td>
<td>340 Jesse Jewell Parkway SE</td>
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<tr>
<td></td>
<td>Gainesville, GA 30501</td>
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<tr>
<td>Pat’s Meat Processing</td>
<td>3585 Rousseau Creek Road</td>
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<tr>
<td></td>
<td>Thomson, GA 30824</td>
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<tr>
<td>Oak Valley Meat Processing</td>
<td>4630 Oak Valley Road</td>
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<td></td>
<td>Toccoa, GA 30577</td>
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Chapter 4 - Mobile Processing Unit (MPU) Development

This section discusses the prospects for constructing and operating an MPU to meet processing demand for independent growers. As discussed, MPUs are attractive to growers because they can process on-farm and do not have to incur time and labor costs of transporting birds to a fixed-site inspected facility. By not having live transport, birds are exposed to less stress, and mortality during shipment is avoided. With MPU’s, farm labor is presumably available and can theoretically reduce costs of processing.

In practice, however, MPUs are problematic in meeting state or federal regulatory guidelines both for processing and wastewater disposal. Additionally, mobile processing operational costs must factor in the cost of transporting the unit when it is leased out. A mobile unit will also be limited in its ability to chill and store carcasses below 40°F within four hours of point of death.

Unit Construction

Researchers have looked at the two main types of MPU construction, an open-air processing trailer and a more substantial enclosed unit. Many individuals are capable of constructing open-air Mobile Processing Units. In fact, some farmers have created their own from scratch, with kill cones, scaler and plucker on board. The development costs for an open-air processing unit are substantially lower than for an enclosed unit. However, while very effective for on-farm small-scale processing, an open-air processing trailer will not receive USDA certification, nor will it meet state guidelines for on-farm slaughter as currently written. This means that for inspected poultry processing, an enclosed unit will be necessary. Enclosed units are by nature more expensive to build than open-air units, but it is also easier to maintain sanitation in a unit not constantly exposed to the elements. To help maintain the unit, consideration should be given to constructing a shelter to house the unit when not in use. Ideally, the home site of the unit will be paved and have proper drainage to minimize cross contamination of the unit before and after processing runs.

A site visit to the Macon Farmers Market in late 2011 identified an existing structure on the market grounds that could be used to house an MPU. State agricultural officials indicated a willingness to negotiate leases and maintenance agreements in the event that an MPU could be built to meet regulatory guidelines.

Unit Staffing

Staffing considerations will need to be worked out for the unit as well. There will need to be a person tasked with driving or hauling the unit to its scheduled processing locations and with assisting in processing and sanitation. Additional staff will be necessary to assist with processing. These staff members will require training in proper processing and sanitation methods. If the unit is loaned out to users for a fee, additional issues will have to be addressed,
such as the rate charged for use, how to ensure the unit is properly sanitized by each independent user, and to what extent each user will require training in MPU use.

**Maintenance and Upkeep**
Maintenance and upkeep of the Mobile Processing Unit will be required to keep the unit in proper working order. Care should be given to the unit's overall sanitation as well as the condition of its working parts, both interior and exterior. The vehicle that is hauling the unit will require regular maintenance and upkeep as well to keep the unit in operation. The greater care given to the unit regularly, the less one can expect repair costs in the future.

**Biosecurity**
In order to limit the vectors of possible disease or contaminant transmission between processing locations, stringent sanitation procedures will need to be developed and adhered to. The unit's interior processing areas will need to be completely sanitized between uses to ensure that the unit itself is not responsible for cross-contaminating final products. This includes the floors, walls, processing equipment, and the workers involved in processing. Not only can contaminants be spread through processing of birds, but also via the movement of the unit from one processing location to the next. Therefore, the exterior of the unit, especially the wheels, will have to undergo stringent sanitation as well. Failure to properly sanitize the unit's interior and exterior can have disastrous consequences for the MPU as well as impacted farming operations. Spread of disease from one farm operation to another can decimate flocks, damage farmers' reputations and cause substantial financial hardships for farmers. Disease transmission will also bring increased regulatory scrutiny to the operation, possibly shutting it down permanently. Increased regulatory scrutiny can also play into one fear expressed by a pastured poultry grower: once a certified facility is operational and inspection is available in the state, the Georgia Department of Agriculture may require all birds be processed under inspection, effectively eliminating any federal exemption policies remaining at the state level.

In order to ensure sanitation and limit the spread of contaminants, researchers recommend establishing strict guidelines for controlling product flow, such as a Hazard Analysis of Critical Control Points (HACCP) plan. A sample HACCP plan can be found in Appendix B – HACCP Plan - Turkeys and Chickens.

**Wastewater Concerns**
On November 28, 2011, researchers met in consultation with Georgia Department of Agriculture representatives in Macon, GA regarding the possibility of developing a mobile processing unit (MPU) for USDA-inspected processing. Representatives included Commissioner Gary Black, Chief Operating Officer Billy Skaggs, Consumer Protection Division Director Oscar Garrison, Matthew Kulinski from the Marketing Division, Meat Inspection Program Manager Glen S. Echols, and Taylor Williams from the Office of the Commissioner. The conversation mainly concerned water resource issues for on-farm and mobile processing facilities.
One of the first considerations for mobile poultry processing is the availability of water for the unit to use during processing, and a way to dispose of wastewater once processing is concluded. Regardless of which disposal option is pursued, there must be a source of clean water available for processing. This source should be able to supply a minimum of 1,000 gallons of fresh water per day for processing. Water use during processing averages 5 - 8 gallons per bird. With small volume processing of 200 birds, this equals between 1,000 and 1,600 gallons of water needed per visit that would also need to be disposed of. Wastewater storage tanks of this capacity range between 6' - 9' wide and 6' - 7' tall, increase the development costs of the processing unit by several hundred dollars, and can be difficult and dangerous to haul.

Options for wastewater disposal fall into two general categories, on-site or off-site. On-site disposal will be difficult for an MPU to achieve because it can be difficult and expensive to treat water to discharge quality.

Off-site disposal will require that the MPU haul the water to a second location. At 8.34 pounds per gallon, this extra water would weigh between 8,340 - 13,344 pounds when processing 200 birds. The extra weight of the water will significantly impact fuel costs and increase the carbon footprint of the processing unit, thereby cutting into profits from processing fees. This impact will be compounded as flock sizes increase.

Identified options for use and disposal of wastewater used in an MPU are as follows:

(1) Discharge directly into an on-site Publicly Owned Treatment Works (POTW) - discharging water used in poultry processing directly into a nearby sewer is fraught with difficulties. It is unlikely that the unit would be allowed to discharge untreated water directly into a sewer system because of the biosolids and fluids produced during processing. Pretreatment of wastewater is probably going to be required by whatever municipality the MPU is processing within. Processors will likely encounter varying treatment requirements in each different municipality that the MPU visits. To compound matters, it can be very difficult and expensive for an MPU to treat wastewater to discharge quality. Pretreatment requirements increase as an MPU approaches the 25,000 gallon per day (GPD) use limit that qualifies one as a Significant Industrial User. While the project's processing levels will not likely qualify the unit as a Significant Industrial User as defined by the Georgia Environmental Protection Division, it may need a letter showing permission to operate without a permit if discharge levels approach 25,000 GPD. This will also require the agreement of whichever POTW manages the sewer system the unit is using. There will be a fee associated with disposal in a POTW, which will increase the costs of operations for the MPU.

(2) Discharge into an off-site Publicly Owned Treatment Works - transporting wastewater from the processing location to an off-site POTW will encounter many of the same difficulties as on-
site disposal. Individual municipalities will have varying pretreatment requirements. While not difficult to obtain, permits for wastewater disposal are subject to municipal authorization. The main problem with off-site wastewater disposal is the need to transport the wastewater, which can significantly impact fuel costs, the safety of transportation and the carbon footprint of the MPU. Cost of operation will also be increased by whatever fee is charged by the POTW for disposal.

(3) Discharge into an MPU-owned Disposal Facility - while developing a project-specific disposal site may be the most expensive option in the short-term, it could result in significant long-term savings for an MPU with a significant user base. Increased fuel costs would still have to be considered, but a location centralized within the user base could help to minimize this cost. Savings would be realized by eliminating fees associated with disposal in a POTW.

(4) Discharge through Land Application (on-site or off-site) - it may be very difficult to treat the wastewater to a point that is economically feasible and allows for water of POTW discharge quality. This leaves disposal through land application as a viable option. It may be possible to have one larger farm apply as the Land Application Site for all production. This can also get very expensive if each farm in each different municipality is required to apply for land application permits on non-edible crops. Another land application option is to contract with a company that applies wastewater to land already and who may be able to assist the project with its disposal needs, at least in the short-term. One such company in Georgia is called Terra Renewal, which can pickup wastewater from the MPU and haul it in tanker trailers to authorized farm sites, transfer it to specialized agricultural equipment, and apply it to the land by subsoil injection for use as fertilizer and soil amendment. On pastureland where residuals are well-digested and there is little potential for odor problems, the liquid can be top spread. Terra Renewal is also capable of helping dispose of offal and other biosolids if necessary. Otherwise, offal should be bagged and returned to the farmers for their own use. Terra Renewal can also site a disposal tank in a convenient central location that the MPU could use and have Terra Renewal service regularly. A regularly serviced disposal tank could be sited at the home location of the Mobile Processing Unit. This location is where the MPU would return to after making its scheduled processing visits. Consideration should be given to locating the MPU home at a site as central as possible to the largest concentration of pastured poultry growers in the state. This will help save transportation time as well as limit fuel costs. The site should have water and sewer access to allow the unit to be cleaned and sanitized between processing days. A covered shelter for the unit will help maintain it in good working order when not in use. It is likely that this location would have to undergo inspection along with the MPU for achieving USDA certification.

Comprehensive information regarding the Georgia Environmental Protection Division's wastewater treatment, disposal and permitting requirements can be found in appendices of this report. Please see the following EPD guidelines and contacts in the appendices:
Mobile Processing Unit Development Examples
The following mobile processing unit examples were identified through participation in the Niche Meat Processor Assistance Network webinar entitled “Mobile Poultry Processing Units: Reports from the Field” on Thursday, April 05, 2012. Speakers in the presentation included the following:

Jennifer Hashley, New Entry Sustainable Farming Project, MA
Jan Tusick, Lake County Community Development Corporation, MT
Jefferson Monroe, The Good Farm, Island Grown Initiative, MA
Angela Caporelli, Kentucky Department of Agriculture, KY
Chelsea Lewis, Vermont Agency of Agriculture, VT

Four separate units were discussed during the presentation and a synopsis of the development, challenges and lessons learned are presented here.

Massachusetts
When development of mobile poultry processing units began in 1999, there was no USDA-inspected processing available for small producers in Massachusetts. Since there were many active CSAs and farmers markets in the state, however, there was increasing demand for legal processing options for small poultry producers. In its first four years of operation, New Entry Sustainable Farming Project’s initial open air unit trained 7 farmers to become licensed users and has offered training to over 180 additional farm producers. This led to the opening of a new USDA plant in the state in 2010, which opened new opportunities for the state’s poultry producers to receive inspection of their products. In 2011, the Massachusetts Department of Health gave its ongoing approval of the unit and approved the development of an enclosed unit, which research and experience showed to be a more sanitary option for processing.

1. Open Air – this unit consists of a 24’ slat-floor trailer with initial development costs between $25,000 and $30,000. It contains 6 kill cones, a stun knife, scaler and plucker, propane heated hot water hand sinks and a fabric tented cover. They charge $100/year to be a member to be trained on unit usage and then charge an additional $2.25 per bird for processing. Transportation and management costs are paid by the user. In 2011, the unit processed 2,021 birds and realized a net profit of $203.25. Major challenges experienced by this open air unit include ensuring its durability over long hauls, in particular during periods of very cold weather, which caused the water and equipment to freeze up. Open air exposure of the equipment also reduces its life.
Multiple points of waste collection also made processing more burdensome than project developers initially anticipated. Benefits to an open air system include ease of cleaning, ease of transport compared to a larger enclosed unit, and lower development expenses.

2. Enclosed – this unit is 26’ long and 12’ tall and weighs approximately 9,000 lbs. This weight is due in part to the addition of a 10 Kilowatt diesel generator to accommodate the enclosed unit’s greater power demands. This also results in greater flexibility for location of the unit in places without adequate power supply. This unit processed 2,580 birds in 2011 on a sliding rental fee scale:

   <150 birds = $150
   151-200 = $200
   201-250 = $250
   251-300 = $300
   301-350 = $350
   351-400 = $400

Major challenges for the enclosed unit include more expensive transportation costs, greater difficulty in cleaning, finding level ground for the unit to operate on, and more expensive repair costs relative to the open unit. Shared use management policies were also problematic for a number of reasons: inventory was often not returned to the unit before it left each location, different processors returned the unit in varying states of sanitation and users who denied all responsibility for breakage. Benefits include increased throughput, a decreased dependence on the weather, and the opportunity to achieve USDA inspection.

The units were funded by a combination of funders: USDA Rural Development, the Massachusetts Society for Promoting Agriculture, the Northeast SARE program and a variety of individual donors.

One unique outcome of this project was the Poultry Production and Processing Calculator, which compares on-farm MPPU processing to off-farm production:
http://www.nesfp.nutrition.tufts.edu/training/MPPU_Calculator.html

Contact: Jennifer Hashley, Project Director
New Entry Sustainable Farming Project
617-636-3793
jennifer.hashley@tufts.edu

Martha’s Vineyard
Island Grown Initiative (IGI) began as a local non-profit in 2007 with an interest in helping farmers who needed a processing option on the island. A fixed location was too large and too
expensive, so they decided upon development of a mobile processing unit. Adding to the need on the island was the fact that farmers could not simply drive further to access an existing slaughter option. To get to the mainland one had to take a time consuming and expensive ferry ride, with an average roundtrip fee of $100-150.

This small open-air unit cost only $15,000 to build and equip with about $500-1,000 in yearly maintenance. A monthly coordinator/lead unit operator is required for the operation at a cost of $300 per month for eight months of the year. Each individual farmer rents the unit and hires his or her own crew for processing. This helps to lower liability for IGI. Liability insurance is paid for by each individual farmer and the unit’s insurance covers only the travel of the equipment to and from the farm.

In 2011, the unit processed 7,500 birds and has processed 17,000 birds for 4 commercial and 30 individual processors since operations began. Market price for whole birds runs around $7 per pound, which results in a market price between $28-35 per bird for a 4-5 pound bird. Jefferson calculates that 50 processing runs per year can cover their yearly expenses, with 75 processing runs per year covering the costs of depreciation and equipment replacement.

Contact: Jefferson Munroe
Island Grown Poultry
www.islandgrown.org

Kentucky
The Kentucky unit’s development was begun in 1998 because there was limited market access for small farmers in Kentucky due to limited availability of USDA-inspected processing. Farmers were limited to selling whole, live animals. The Kentucky Department of Agriculture brought together poultry processing experts at Kentucky State University and developed an exception to on-farm exemptions that allowed a USDA-inspected enclosed mobile unit to dock at predetermined locations in the state. Farmers bring their animals to these locations for processing. Inspectors initially came to each site during every processing run, but since their confidence was reinforced, they only spot check the operation. A half-time Kentucky State University employee manages the unit and travels with it to oversee HACCP adherence and proper cleaning and sanitation of the unit after use. This unit must connect to a 220-volt outlet because mobile units in Kentucky are not allowed to use propane. Unit development costs ran to $100,000 for this enclosed unit with a refurbished gooseneck trailer.

In 2011, the unit had 13 users with an additional 75 receiving training in its use. They processed 1,500 birds and 240 rabbits in 2011. All offal is composted. Processing fees start with a base level of $75 per day with a potential throughput of 200-250 birds with an experienced crew. One aspect of this unit that makes it unique is its approval for use as an aquaculture processing facility. It is helping to grow the burgeoning paddlefish caviar industry in Kentucky.
Vermont
Planning for an enclosed poultry processing unit in Vermont began in 2006 and the unit was completed in 2008. It serves 42 processors with over 7,000 animals per year. The Vermont Agency of Agriculture designed the $93,000 unit with the assistance of the Vermont Department of Health, farm producers and restaurant managers. Funds were provided by the state legislature and the Castanea Foundation.

Spring Hill Farm was the first operator to receive a lease on this USDA-inspected unit, which contains a bathroom and an office for the inspector. In the first three years of operation, the unit processed 34,800 chickens. Increasing transportation costs lead to this unit requiring a $1.05 per mile charge with a minimum of 100 birds per processing run. This was necessary to make the unit financially worthwhile without completely alienating small producers in the state. Spring Hill Farm did not renew its lease for 2012 and the unit was sold to Tangletown Farm in Middleton, VT. They are currently developing a new financial viability model for the unit.

Producers have been able to scale up production of poultry because of this unit. For example, Sunshine Acres went from producing 50 birds per year to 800 per year, and is now selling to grocery stores, restaurants and farmers markets.

Major lessons learned include the need for securing potable water sources, having a backup plan for disposal of inedibles if composting is not available and the need for strong feasibility and business planning in the early stages of project development.

Montana
One of the biggest challenges facing poultry producers in Montana is that it is a big state with a sparse population, making distance a problem for transportation costs of a mobile processing unit. This collaborative processing project developed out of this need, with input from the Poultry Grower’s Cooperative, Farms for Families, and the Mission Mountain Food Enterprise Center. Funding was received from USDA Rural Development, the Toledo Foundation, USDA Risk Management, and the Montana Department of Agriculture’s Growth Through Agriculture program.
(GTA) Program. About 80-90% of this unit’s use is for shared use of small scale equipment for on farm processing for farmers not under regular inspection. 10-20% of its use goes towards the increase of poultry production for cooperative members, with production on one exemplary farm increasing from 50 birds to 1,500 birds.

The unit is comprised of two separate enclosed units, a design that the project developers would not recommend due to its difficulty during transportation. The back trailer contains the kill station, while the covered portion of the tow vehicle contains the evisceration room. This does help to control DHHS concerns about the presence of flies during processing. Fixed development costs for the unit are as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Truck</td>
<td>$18,000</td>
</tr>
<tr>
<td>Trailer</td>
<td>$7,000</td>
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<tr>
<td>Equipment</td>
<td>$20,000</td>
</tr>
<tr>
<td>Fabrication</td>
<td>$1,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$46,000</strong></td>
</tr>
</tbody>
</table>

Variable costs total $4,625 for insurance to cover the unit while on the road, licensing, supplies and repairs. Each individual farmer is responsible for securing on farm liability insurance.

In 2011, the unit processed 3,000 birds serving 4 trained producers at a cost of $1.75 per bird for use. The unit travels an average of 500 miles per farm, resulting in a minimum processing requirement of 250 birds per run. Other challenges encountered by this project include high feed costs and regulatory barriers with the Montana Department of Livestock and the Department of Health and Human Services.

In the future, the project intends to explore cooperative feed and chick purchases as well as increased educational training in the state to address the lack of understanding regarding existing poultry processing exemptions.

Contact: Jan Tusick  
Montana Poultry Grower’s Cooperative  
jan@chicken.coop  
(406) 676-5901

**Lessons Learned**

- While costs of development for an open-air unit can be low, enclosed units that can be operated under USDA inspection can be expensive;
- Equipment maintenance costs can run high, especially as equipment in open-air units is constantly exposed to the elements, particularly during road travel;
Wastewater and biosolid disposal can be problematic for a unit that must travel between producers;
Mobile units are not always returned in a properly sanitized condition;
Liability insurance will need to be purchased by farmers wishing to use a mobile unit;
Processing levels are lower in mobile units;
Mobile units can spur increased production among farmers and result in the independent development of fixed site USDA-inspected processing locations.

Conclusion
It is the researchers' conclusion that an MPU will encounter more regulatory difficulties than a fixed site location. While an MPU may be cheaper to build than a fixed site location, there arise some unique challenges with an MPU. For instance, each location it serves will need to be able to provide the water necessary for production, which averages around 5-8 gallons per bird. This water will then have to be disposed of, either through an agreement with a publically owned treatment works (POTW) or through land application, which requires permits. This will increase the production costs of a mobile unit. Ensuring consistently proper sanitation between uses is also more difficult in an MPU.
Chapter 5 - Building a Small Scale Poultry Processing Facility: Lessons From a Pioneer Effort

Efforts in Georgia to provide pastured poultry farmers with access to processing services can be facilitated by learning from the experience of developing Foothills Pilot Plant (FPP), a small-scale USDA-inspected facility in Marion, North Carolina. From 2007 to 2012, SMI served as the lead project developer for this facility in partnership with a growers’ association, local county government, and the county economic development association. This report section discusses some of the key contributing factors that led to this project’s successful development. Chief among these are:

- A clear mission with goals and objectives;
- An experienced lead developer with a track record of success;
- A facility design based on an existing USDA-inspected facility;
- The ability to forge strong multi-agency collaboration with multiple fiscal agents;
- An active and vocal association of growers needing facility services;
- Patient investors able to work together on funding and expenditures;
- Flexibility in development specifics to reflect available funding and unfolding events;
- A comprehensive development strategy with a plan for long term sustainability.

Mission, Goals and Objectives

FPP’s mission, goals and objectives were developed from a comprehensive feasibility study conducted in 2006 and 2007. Funding for this study was secured by the North Carolina Department of Agriculture and Consumer Services (NCDA&CS) with a grant from the North Carolina Long-Term Economic Advancement Foundation, most commonly known as NC Golden LEAF. NCDA&CS contracted with SMI to perform the feasibility study. The full feasibility study is available for download from SMI’s website at: http://www.smithsonmills.com/research.htm

Based upon surveys and interviews with small scale pastured poultry producers, a project mission was developed to: Establish a poultry and rabbit processing facility serving unmet demand among existing growers in Western North Carolina for access to a state or federally inspected processing facility. An analysis of barriers to entry for small growers led to the development of the following project goals:

- A facility is established that allows producers to have small volumes of a variety of poultry and rabbit products of their own raising processed and inspected.

- Producers receive formal training for safe and wholesome commercial growing, processing and marketing of meat products that are state or federally inspected.
- Producers are able to understand and meet all regulatory issues affecting their businesses.
- Producers have a variety of options for marketing inspected meat, including direct marketing, wholesale distribution and participation in associations or other business entities for marketing and sales.
- Small-volume producers are able to expand production and professionalize their businesses.

Throughout the four-year development period, the project mission, goals and objectives did not change.

Lesson learned: The constancy of purpose, along with clear milestones in achieving objectives, gave funders a greater sense of confidence in the project, despite significant delays and unanticipated challenges encountered throughout planning and construction of the facility.

**Lead Project Developer**
SMI president Smithson Mills (an author of this report) worked for NCDA&CS for more than 9 years, with the last four of those years serving as the Agribusiness Developer for Western North Carolina. During his time with the state, Mills served as lead project developer for Blue Ridge Food Ventures, a shared-use food processing center in Asheville serving farmers and food entrepreneurs primarily in the western part of the state. Mills secured approximately $1.2 million in grant funding for this project from more than seven different funders, oversaw construction and equipment installation, and assisted in recruiting and hiring an experienced and highly competent facility director. Mills’ experience in managing a similar capital project was a decisive factor in his ability to see the development of FPP through to completion.

Lesson learned: Capital development projects require professional and dedicated lead project managers, preferably with prior experience in grant writing and capital project management. If GO is to pursue developing a new facility, it is recommended to secure the services of an experienced lead project developer.

**Facility Design**
The design for FPP was inspired by the development of another poultry processing line located at Chaudhry Halal Meats in Siler City, North Carolina. The chief design innovation was to build interior walls and ceilings entirely out of cooler panels mounted on concrete curbs. This design, along with sloped concrete floors and trench floor drains, allows all processing areas to be thoroughly washed, and allows built-in cool rooms for blast chilling, cut-up and packaging, and storage of finished product. As part of base construction costs, project managers hired a mechanical engineer with experience in poultry design as a consultant to the architect. The base bid of $389,000 did not include interior finishing or equipment installation. This decision was based on the fact that no general contractors bidding on the project had ever built a slaughterhouse, and recognition that significant interior modifications would be needed after
base construction was complete. A line drawing of the final floor plan is included as Appendix H – FPP Floor Plan Line Drawing.

Lesson learned: While few in number, existing USDA-inspected small scale poultry slaughter facilities are in operation in the United States. Any effort to establish a similar facility in Georgia should review and study existing floor plans and design features. Project managers should consider engaging consultants during the design phase with prior poultry facility construction and design experience.

### Multi-Agency Collaboration

FPP could not have been built without active support from multiple agencies including state and local government, nonprofit economic developers, the state’s leading agricultural university, and an association of growers. NCDA&CS, North Carolina State University, McDowell County Government, and the Independent Small Animal Meat Processors Association (ISAMPA) all played critical roles during the development process.

NCDA&CS secured the initial funds to commission the feasibility study upon which the project was founded, and engineers with the department’s facility operations office assisted with initial floor plan designs. NCDA&CS officials have continued to serve as advisors to the project.

During site selection, McDowell County’s Cooperative Extension director advocated for McDowell County government to allocate land for project development. NC Cooperative Extension, a service of NC State University, also advocated for the university to serve as a fiscal agent for early grant funding. The first grant funding, $200,000 from NC Golden LEAF, was awarded to the North Carolina Agricultural Foundation, Inc., which serves as the 501(c)(3) for the university. While fiscal agency responsibilities shifted to McDowell County, and later to McDowell Economic Development Association (MEDA), funders were more confident in proper fiscal controls from the university at the earliest stages of development. The project subsequently received support for HACCP development from a professor with NCSU’s poultry science program.

The chosen ownership structure of FPP has resulted in MEDA, a 501(c)(3) nonprofit closely affiliated with county government, being the owner of the facility. MEDA has a mission that is in synch with the overall economic development goal of FPP, and as such is eligible to have ownership of the project as an eligible nonprofit activity.

Lessons learned: The ability to have multiple agencies support development of the facility helped to overcome numerous obstacles and challenges. The collaborative nature of the project was a decisive factor in securing necessary funding from grant-making agencies. Perhaps most importantly, the combination of support from the university, the state department of agriculture, a local office of the state cooperative extension service, and a local county government served to quell any potential opposition to the project’s development.
Advocacy from Growers
Support from leading agricultural organizations and local government was driven primarily by documentation that a base of existing growers was in need of access to an inspected facility to meet measured market demand. It is interesting to note that during the feasibility study phase, several poultry specialists and state agricultural officials appeared skeptical that there was an existing base of growers needing such a facility. The conventional wisdom in early 2007 was that all poultry production in the state was vertically integrated and managed by a handful of large corporations such as Tyson, Perdue, Pilgrim’s Pride, and House of Raeford.

In late 2007, a working group of farmers was awarded a $20,000 planning grant from the USDA Value-Added Producer Grant program, to assist with organizational development of a processing facility. The Independent Small Animal Meat Processors Association (ISAMPA) was then legally incorporated with the following mission:

- Dissemination of best practices for raising, processing and marketing small meat animals;
- Support for the development of a small-scale small animal processing facility meeting state or federal inspection requirements;
- Creating a fellowship of like-minded independent producers;
- Raising public awareness of small animal meat products humanely raised and processed in a manner that contributes to the social, economic, and environmental well being of western North Carolina’s people and natural resources.

Since 2007, ISAMPA has held numerous workshops and training sessions on best practices for small scale poultry and rabbit production. These workshops, attended by state agricultural economic developers, averaged more than 60 attendees, and over 45 individual farms have joined ISAMPA since 2007. Board members have traveled to Raleigh to meet with regulatory officials, and participating growers have spoken about the project at agricultural summits around the state. ISAMPA also serves as a fiscal agent for project implementation and is currently managing a $99,700 working capital grant from USDA to the plant during its first two years of operation.

A copy of ISAMPA’s bylaws may be found in Appendix I - ISAMPA Nonprofit Bylaws Example. A copy of ISAMPA’s articles of incorporation may be found in Appendix J – ISAMPA Articles of Incorporation.

Lesson learned: The creation of a formal association of farmers in need of access to an inspected facility legitimized the effort in the eyes of many agricultural leaders in the state.

Patient and Understanding Investors
FPP’s development was funded by numerous grant-making agencies and private foundations including the following:
### Foothills Pilot Plant, Funding Sources

<table>
<thead>
<tr>
<th>Grant Funder</th>
<th>Amount</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>NC Golden LEAF</td>
<td>$318,000.00</td>
<td>Project development and operating support</td>
</tr>
<tr>
<td>NC Rural Economic Development Center</td>
<td>$200,000.00</td>
<td>Project development</td>
</tr>
<tr>
<td>Appalachian Regional Commission</td>
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</tr>
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<td>USDA Rural Development VAPG</td>
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<td>USDA Rural Development RBEG</td>
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<td>Z. Smith Reynolds Foundation</td>
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<td>Training and Project Management</td>
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<td>NCSU’s Market Ready Equipment Cost-Share Program</td>
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<td>WNC AgOptions Program</td>
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</tr>
<tr>
<td>Animal Welfare Institute</td>
<td>$7,000.00</td>
<td>Equipment and facilities improvement</td>
</tr>
<tr>
<td>Carolina Farm Credit</td>
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</tr>
<tr>
<td>Buncombe County Farm Bureau</td>
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</tr>
<tr>
<td>Caldwell County Cooperative Extension</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$997,393.00</strong></td>
<td></td>
</tr>
</tbody>
</table>

Staff members from many of these organizations were in regular communication with each other and the project developer throughout the build-out process. Most funders were willing to extend grant expenditure deadlines and coordinate on budget revisions necessary to reach completion. Perhaps most importantly, early funders understood that the development process would take a matter of years, and that construction should only begin once all funds needed to get to an opening day were secured. As such, the first grant was awarded in Fall 2007, but most expenditures did not begin until late 2010 when construction began. The NC Golden LEAF, as a first mover for funding development, lent an air of legitimacy to the project that probably enticed other funders to “get on board” for full project funding.

Lessons learned: The project benefitted from a “snowball effect” of attracting more grant funds based on the reputations of earlier funders. The project developer pursued a strategy of matching grant funds with funds already secured from early funders, and did not begin spending significant amounts of funds until all essential grant funds were committed. An open and transparent line of communication with all funders facilitated proper execution of grant funds.

**Flexibility**
The four-year development period was substantially longer than initially envisioned. In 2007, a target date for opening a facility was optimistically set for 2010. Numerous unforeseen developments led to a delay of about 2 years from original plans. Fortunately, funding agencies and project developers worked through each hurdle in a spirit of cooperation and understanding.
that the original project goals and objectives could only be achieved through revisions and adjustments to events as they unfolded on the ground.

The first major problem encountered was that the original architect withdrew from the project due to a professed lack of experience in developing slaughter facilities and a concern that design flaws could result in litigation. A second architect was hired who, though lacking any real experience in developing such facilities, was amenable to hiring a mechanical engineering consultant with more than 20 years in the poultry industry to help with facility design. This was determined to be the best option possible, as no architects with slaughterhouse experience were willing to take on the job for the amount of funds available.

The second biggest hurdle was that the facility was built on a former shooting range, and the cost of site remediation for lead in the soil was more than twice that of original estimates. This was addressed when the NC Rural Center allowed for a major budget revision, raising the line item for site remediation from $30,000 to $78,000.

An initial assessment of sewer needs by an engineering firm recommended installation of a gravity-fed sewer that could tie into an existing manhole operated by the City of Marion’s sewer system. This proved to be wildly off-target, as the facility required a force-main pipe to be installed costing almost $90,000 rather than the $30,000 as per original estimates. The American Recovery and Reinvestment Act, aka “The Stimulus Program,” ultimately rescued the project when USDA Rural Development awarded a $65,000 Rural Business Enterprise Grant for sewer installation to McDowell County in 2009. In addition, an easement for installing the sewer across property owned by the state took approximately one year and involved multiple design revisions to meet requirements of officials with both the NC Department of Administration and the NC Department of Corrections.

Finally, the project was substantially delayed by accepting a $236,000 construction grant from the Appalachian Regional Commission. These funds were administered by USDA Rural Development officials. The length of time for USDA officials to review design plans, vet and select construction bids, reimburse the county for expenses incurred, and approve even the most minor design modifications contributed to the long delay.

Lessons learned: Project developers, in consultation with key funders, were able to overcome all major construction obstacles through creative adjustments to original plans and constant efforts to secure additional funds. Accepting federal grant dollars, while often necessary, can contribute to substantial delays in project implementation. Building on a site requiring significant improvements, including remediation and water and sewer installation, will substantially increase overall costs of development and is not recommended.
A Plan for Sustainability
From the outset, FPP’s development strategy included a plan to achieve self-sufficiency from reasonable processing fees paid by growers for services rendered. The lead developer believes that most grant funds would not have been awarded without reasonably accurate estimates of the number of animals needed to be processed in order to break-even, along with measured demand from growers that approximated that amount and a reasonable timeline to achieve the volume of business needed to break even on current operating expenses. As of April 2012, FPP has a target to process over 50,000 head of poultry per year (broiler equivalents) by the end of 2014. This target is explained in more detail further in Chapter 9 - Post-Opening Operational Management.

Lesson learned: Economic development projects must have a plan to achieving some level of sustainability from revenues or other non-grant funding sources. While FPP intends to be completely self-sufficient from fees to growers, other sustainability plans may include having partner agricultural support organizations or units of local government cover operational expenses such as salary for a general manager.

Lessons Learned Conclusion
Ground up construction of a small scale poultry processing facility serving independent pastured poultry producers is a long and expensive task. Its success or failure will be dependent on many factors, some of which will be beyond the control of any single developing organization. Multiple agencies must be involved and they must have “bought in” to seeing the project through to completion. Unforeseen challenges will invariably arise, and project developers must be flexible and creative throughout the entire development process. Proper selection of a site, preferably one that is clean, graded, and with water and sewer tie-in, will greatly reduce overall development costs.
Chapter 6 - Georgia Pastured Poultry Association

The movement for pastured poultry in the state of Georgia is gaining momentum, and as it does, more independent pastured poultry producers than ever before need an entity to address their needs. In fact, pastured poultry is the number one interest that Georgia Organics has heard about from thousands of farmers in the state. This is especially relevant since the Georgia Department of Agriculture has superseded federal exemptions limits for on-farm processing but does not follow through with state-level inspection provisions.

The first organizational meeting of the Georgia Pastured Poultry Association was held at the Georgia Organics Conference in Columbus, Georgia on Saturday, February 25, 2012. Leading the group’s formation is poultry farmer Daniel Dover of Darby Farm in Good Hope, Georgia. He discussed the group’s founding principles of unifying the pastured poultry producers in the state, raising the voices of the farm producers and enacting positive change for pastured poultry in Georgia. A Q&A session followed Daniel’s introduction. Topics of discussion included measuring the depth of demand for pastured poultry in Georgia, what standards would be instituted by the association, such as breed stock and feeds, development of a recognizable label and brand identity, regulatory certifications such as HACCP, GAP and AWA, and the structure and use of a mobile poultry processing unit.

Some goals that the association has so far discussed include:

- Establish a working group for beginning and veteran pastured poultry farmers to garner relationships between farmers and foster the advancement of the pastured poultry model in GA;
- Make available educational resources such as instructional videos and classes, feed mill sources, processing options, farm tours and other info pertaining to proven and experimental methods of pastured poultry production;
- Work with the USDA, Georgia Department of Agriculture, local officials and representatives to facilitate changes needed to and clarification of regulations on poultry slaughter in GA;
- Develop plans for implementation of mobile and fixed poultry processing facilities for fairer and more cost effective market access to producers.

The first meeting for present and future pastured poultry growers was held Wednesday, April 4, 2012.

Contact: Daniel Dover
Darby Farms
2795 Nunnally Shoals Rd
Good Hope, GA 30641
Chapter 7 - Fixed Site Location Review

Researchers conducted visits to potential fixed site locations in three Northeast Georgia Counties, including Clarke, Barrow, and Jackson. This area is centrally located to the densest concentration of independent poultry growers in the state and is considered ideal for the development of small scale poultry processing. Ideal locations will be located far from residential areas, close to major transportation routes, level and graded, and have utility access on site. Potential site locations reviewed include existing industrial park buildings ranging from 6,000 to 100,000 square feet, wooded and ungraded lots near utility access, and cleared graded lots that are ready for development. Many of these lots are also located on parcels within industrial parks. Few existing buildings are suitable for small scale production, mainly due to their excessive size and the inability to subdivide interior spaces. Wooded and unprepared lots may require extensive remediation that would increase projects costs. Therefore, it is the researchers’ opinion that the best option for fixed site development is an open lot with utility access on site. Necessary utilities include water, sewer and three phase power. A fixed location avoids some of the logistical problems associated with mobile processing, especially disposal of waste water. A plant of this scope at full operation would use, on average, about 8-10,000 gallons of water per day, well below the 25,000 GP threshold for increased regulation.

Researchers were assisted in site reviews by a variety of helpful economic development representatives, including David Dunagan from the Georgia Department of Economic Development; Mac Brown from the Athens-Clarke County Economic Development Foundation Inc.; Teri Evans from Athens-Clarke County Unified Government; Brittany Holtzclaw from the Georgia Electric Membership Corporation; Gerry Whitworth from Whitworth Land Corporation; Harris Lowery from Reinicke Athens Inc.; and Courtney Bernardi from the Jackson County Chamber of Commerce.

Athens-Clarke County operates under a unified government. Sixty percent of the property in Georgia’s smallest county is government owned. Gerry Whitworth believes that since the governmental leadership is very open-minded, they may be willing to step in and help development of a project such as this. Helping out a non-profit that deals with local food and organics would be appealing to the county, which may have a property that they can provide for the project. Jackson County has very active FFA and 4-H in their schools and is open to poultry operations. The county is bisected by I-85 and is therefore very convenient for transportation of animals for processing.

Other sites were visited in addition to the ones listed below. These were eliminated from consideration for a number of factors. One site in Barrow County was too proximal to a residential neighborhood, and three others reviewed in the Athena Industrial Park on Olympic Drive in Athens were heavily wooded and ungraded, which would drastically increase the costs of site preparation. Researchers also reviewed two existing buildings available for project
development. The Whitson Warehouse located on US 29 contains almost 47,000 square feet and sits on a 6.5 acre parcel in Clarke County. Water, gas, three phase power and sewer are all available. The second warehouse on Clover Street in Madison County contains 24,000 square feet and sits on a 10.8 acre parcel, with water, sewer and electricity available. Researchers do not consider these to be viable, mainly because they greatly exceed square footage requirements and are too expensive. Other available warehouse spaces in Jackson County’s industrial parks were initially considered for review, but were dismissed because of the same criteria. In addition, many were only available for lease or were not amenable to subdivision of interior space.

1. **Barrow County Lot/Maynard Property** – This sub-dividable 10 acre lot sits about 30 minutes west of downtown Athens on Hwy 29 on the eastbound side of the highway in Barrow County. The lot is level and clear, with electrical and water/sewer utilities available. The nearest neighbors are an adjacent storage unit complex and a concrete manufacturing facility. The area is zoned for light to heavy industrial uses and is certified shovel-ready for industrial development. It is a designated Georgia Ready for Advanced Development (GRAD) site, which means that the site has been pre-reviewed and pre-qualified by an experienced professional site selection consultant. The only requirement for building is the application for and receipt of a building permit.

![Figure 1 - Maynard Property, Hwy 29](image)

2. **Bouchard Site (Commerce, GA)** – This approximately ½ acre Jackson County site is owned by Atlanta podiatrist Dr. Jim Bouchard. According to Courtney Bernardi of the Jackson County Chamber of Commerce, Dr. Bouchard is a very philanthropic member of the community and is
amenable to using his land for necessary economic development projects. He employs between 8-10 people on the farm and distributes his farm products to Whole Foods and Earth Fare.

EMS Site - This land sits at the entrance to the farm, at the corner of Maysville Road and Nunn Road, about one mile from I-85. The land is currently a farm field, but the front half has been donated by Dr. Bouchard to the county for development of an EMS facility. There is currently no water or sewer at the site, but the EMS project breaks ground in January 2012 and will run utilities to the site. Dr. Bouchard is extending this infrastructure along the farm entrance road at his own cost. Development for this project is in the 1-2 year timeframe. With this EMS facility on the front half of the parcel facing the highway, there will be a visual buffer for the poultry plant. The road is also newly paved. Two additional roads are being designed on the property, allowing for better access to the farm’s interior. This site is located on 5 acres of a 16 acre parcel that has been deeded to the city. There is the possibility of situating a plant on another section of this site, but the city will need to be consulted first.

Researchers viewed two additional sites along these proposed roads during a subsequent farm tour on January 18, 2012. Two sites will have access to the proposed water and sewer connection, while the third site sits at the end of the property closest to I-85. This location has natural gas stubs, but no water and sewer. This site was determined to be unsuitable for this reason.

Lords Mill Site Right – this site sits in the middle of a rolling field on Dr. Bouchard’s property. It is within ¼ mile of water, sewer and natural gas and is zoned light industrial. The dirt road leading to the property is planned for paving. Anywhere from 1-60 acres would be available for development at this site.

Lords Mills Site Left – situated along Lords Mill Road near where the county road ends, this site contains between 1 and 48 developable acres with the same utility situation as Lords Mill Site Right.
3. **Maxey Boulevard Site** – This Clarke County site sits immediately adjacent to an exit for GA10, the main loop highway around Athens, on the corner of Maxey Boulevard and Barber Street. There are three level one acre lots on this property that are shovel-ready, requiring only a building permit to begin building. Utility stubs are on or adjacent to the properties. Maxey Boulevard is home to three other warehouses on the same side of the dead end street. The land across the street is all currently vacant. These industrial sites are three of few available sites in a generally well-developed area along Newton Bridge Road in north-central Athens.
4. **North Jefferson Industrial Park Site** – This highly visible one acre front corner lot in Jackson County is owned by Industrial Properties Group. It sits at the front of the industrial park, facing US 129. Electricity and water and sewer are available on site. There are some developed office buildings behind the available property, but many if not most of them are vacant. It is likely that planned industrial and commercial development along the 129 corridor in Jackson County will eventually surround this property.
5. **Patillo Site** – While this Jackson County site has recently been sold by Pattillo Industrial Real Estate, it is still available for sale. This approximately 3 acre front corner lot is on a newly widened road with electricity and water and sewer available. It is unclear if this property is subdividable. The property has expedited permitting that can be further investigated with a conversation with Jefferson City Manager John Ward. The industrial park immediately behind the site is rail served. It is likely that planned industrial and commercial development along the 129 corridor in Jackson County will eventually surround this property.

![Figure 6 - Patillo Site](image)

6. **Peterson Site** – This Clarke County site is in the industrial eye of Athens, very close to the Maxey Boulevard property in north-central Athens. This flat corner lot is 1.4 acres with easements on either side of the pentagonal property. It lies at the intersection of N. Chase Street and Newton Bridge Road. At the moment, only water and sewer are available at this site, with a water treatment plant just over the hill capable of providing up to 1,000,000 GPD.
7. **Tillman Property** – This Clarke County property is an ungraded and wooded lot that was until recently under contract with a gas powered electric company. It is located at the dead end of North Industrial Drive near the intersection with Newton Bridge Road and is a sub-dividable 84 acres. Substantial site preparation would be required to develop this property. Water here is gravity flow with pipes very close to a small stream. There is another small business nearby that has electricity and sewer utilities.
8. **Valentine Farms Industrial Park Site** – This Jackson County site is on Wade Poultry Road very close to I-85. It is a level lot of nearly 7 acres that is entirely sub-dividable. Utilities available include electricity, natural gas and water. Sewer proximity is ½ mile. As with most other industrial park sites reviewed, this property is a front corner lot with open visibility to the main road. The industrial park is all developer owned.

![Figure 9 - Valentine Farms Site](image-url)
Chapter 8 - Building a Processing Facility: Development Process, Operations and Budgets

Based on the experiences of similar projects, this chapter discusses best practices and pro-forma budgets for successful development and operations of a fixed-site poultry processing facility under state or federal inspection. Whether a facility is constructed as a private investment, a nonprofit service, or a public-private partnership with some other legal organization, certain key components must be included to establish a facility able to adequately serve the base of growers.

Some key components to successfully constructing a small-scale plant are as follows:

**Project Management**
Successful development of a processing facility requires professional project management. While GO staff and others involved in sustainable economic development undoubtedly have the skills and experience to manage the project, the duties involved will be too burdensome to be taken on in an uncompensated role. Assuming that staff from an existing economic development agency would be unavailable for the role, the researchers recommend budgeting for a 3-year contractual position of at least $25,000 per year.

Key competencies that should be expected from a project developer include the following:

- Budget development and tracking
- Grants management and reporting
- Troubleshooting
- Organization
- Public speaking

If a salaried member of Georgia Organics’ staff were to be assigned project development duties, these three year costs may be substantially reduced.

**Site Acquisition and Preparation**
A suitable site for development must be acquired, whether through a gift, a lease, or an outright purchase. Several potential sites, along with discussions of strengths and weaknesses, are discussed in this report. Regardless of how a site is acquired, there is a strong likelihood that certain improvements must be made to accommodate poultry processing. These may include leveling the grade, paving, improving road access, or installing water or sewer extensions. In general, lower-cost land will require higher costs of site improvements, and vice-versa. While an exact cost of acquiring and preparing a site cannot be known until a specific location is chosen, the researchers recommend budgeting $100,000 for this cost.

**Architectural Plan Development**
The project will need to obtain the services of a qualified commercial architect for development of blueprints for the facility, and to oversee and approve build-out by a qualified general contractor. Ideally, the architectural firm chosen will have some experience in designing food
processing facilities or, in best circumstances, small-scale slaughter facilities. It is important to note that firms specializing in large-scale vertically-integrated facilities will not likely be attracted to a project of this scale. Architect fees should not exceed 10% of the total cost of construction.

**Construction Design and Size**

The design of a facility should take into consideration the existing and potential demand for processing services from existing producers. Additionally, a realistic assumption of available funds for such a project must be taken into consideration. If not, estimated costs of development will greatly exceed potential funders’ abilities to provide needed funds. The researchers believe that a facility measuring approximately 3,000 square feet, with a maximum through-put capacity of 1,000 head of chickens per day should be adequate to serve the needs of most growers raising chickens on pasture.

As an example, a line drawing schematic of Foothills Pilot Plant, completed by Franchesci Architects of Charlotte, NC, is presented in Appendix H of this report. The facility is designed for birds to proceed linearly from the front of the facility to the back, where finished product can be stored for removal through a rear exit. At no point should birds or offal back-track on the pathway from “dirty” rooms (kill and evisceration) to relatively “clean” rooms (chill cooler, cutup and packaging, and finished product storage).

An operational processing facility will include the following rooms and components:

Kill Room: This room is where chickens will be stunned, slaughtered, scalded, and plucked. It includes an automated kill shackle line to carry live birds into the facility from an outside staging area, a blood trough, a batch scalder, and a batch picker. Adequate space will be required to accommodate a minimum of three workers: one killing; one overseeing scalding and plucking, and one removing heads, feet and remaining feathers post-plucking.

Evisceration Room: This room is where birds will be eviscerated, cleaned, and inspected by USDA or other regulatory personnel. It will accommodate an evisceration shackle line leading from the kill room, an evisceration table under the length of the shackle line, a chilling tank, an inspector’s station, and carts for transporting cleaned carcasses to a chilling room. The room should be large enough to accommodate at least three workers at the evisceration table, one inspector, and one worker to chill carcasses in a chill tank and then transport them into an adjacent chill room.

Offal Room: This small room situated to the side of the kill room is to store inedible offal in a chilled room until transport out through a disposal service. Given the small volume of solid offal, it is possible to dispose of solid offal through composting at an off-site location, or otherwise to allow removal by pet food operators, rendering services, or others identifying economic uses for inedible organic materials. This room will be large enough to accommodate several 50 gallon offal bins. To save costs, researchers recommend using a modified window air conditioning unit
to take ambient room temperature down to ca 50 degrees for holding offal on a single-day basis. Longer storage of offal may require full refrigeration systems.

Blast Chilling Room: This room will have forced air refrigeration powerful enough to cool carcasses overnight or until cutup and processing can occur. USDA HACCP plans require that carcass internal temperatures be lowered to 40°F within four hours of death. In addition, carcasses must be held in a cool room while completing the rigor mortis stage, otherwise meat will end up being tough. Pre-chilling using an ice bath in the evisceration room will facilitate the speed of carcass cooling. The chilling room should be large enough to accommodate approximately 10 rolling racks measuring 60” long by 18” deep by 72” high. Each rack should be able to hold approximately 100 birds.

Cutup and Packaging Room: The refrigerated cutup and packaging room will be located on the opposite side of the blast chill room from the evisceration room and will have a separate door to the chill room, allowing for a “first-in, first-out” rotation from the chill room. This room will include an ice machine, three-basin sink, power meat saw, cutting tables, and a vacuum sealer. It will optimally have a dip tank for shrink wrapping whole carcasses in a professional manner. This room should be large enough to accommodate at least four workers and an inspector.

Finished Product Cooler: This refrigerated room is where packaged and boxed poultry can be stored until the grower or his customers arrive to pick up product. This room should be lined with food-grade stationary racks and have food-grade plastic bins for storage of packaged meats.

Utility Room: The utility room will house the electrical panel, hot water heater, a mop sink, and cleaning supplies. Stationary racks should be installed to hold miscellaneous non-edible supplies.

Storage Room: An additional storage room is needed to store boxes, gloves, aprons, packaging supplies, and other miscellany necessary to properly run the plant. Materials here should mostly be food-grade supplies associated with processing and packaging birds.

Offices: Two offices are essential: a general manager’s office and a state or federal inspector’s office. These rooms will be equipped with standard office equipment and furniture. These rooms should be separated from processing areas by a hallway or other intermediary room to allow staff and clients to come and go without interrupting processing.

For a facility of this scale, base construction costs are estimated at $476,675. This figure was arrived at by adding the base construction costs for Foothills Pilot Plant ($389,000), plus acquisition of cooler panels bought separately ($25,500), plus an estimated 15% increase in costs since 2010. It is important to recognize that the facility in North Carolina was competitively bid on by nine different general contractors in the midst of the Great Recession, and bids at that time were substantially lower than can be expected in the present era of slow economic growth. In addition, material costs for steel, concrete, and petroleum-based materials have continued to increase due to rising global demand.
Development Costs
Based on key costs explained above, an estimated budget for constructing a 3,000 square foot small scale poultry plant, not including equipment, supplies, and post-opening operational management, is presented as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Acquisition &amp; Preparation</td>
<td>$100,000</td>
</tr>
<tr>
<td>Facility Construction</td>
<td>$476,675</td>
</tr>
<tr>
<td>Architect (10% of Bid)</td>
<td>$47,667</td>
</tr>
<tr>
<td>Project Management (3 yrs)</td>
<td>$75,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$744,932</strong></td>
</tr>
</tbody>
</table>

Equipment Needs
A poultry processing facility will need a substantial amount of specialized equipment to operate efficiently. The following table lists equipment needs and costs based upon operational experience at Foothill Pilot Plant. This list should not be considered exhaustive, as varying conditions, regulatory approvals, and certifications may require variations in purchases. In addition, specialized packaging and processing equipment, such as a dip tank for shrink wrapping, or a waxer for removal of duck feathers, should be considered to meet maximum grower expectations.

While most equipment will need to be purchased and installed before opening, project developers are encouraged to maintain an equipment contingency fund for acquisition of items after opening for services.

<table>
<thead>
<tr>
<th>Equipment Item</th>
<th>Price</th>
<th>Quantity</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Shackle Line (Dispatch and Bleed-out)</td>
<td>$11,000</td>
<td>1</td>
<td>$11,000</td>
</tr>
<tr>
<td>2. Shackle Line (Evisceration)</td>
<td>$11,000</td>
<td>1</td>
<td>$11,000</td>
</tr>
<tr>
<td>3. Shackles</td>
<td>$40</td>
<td>20</td>
<td>$800</td>
</tr>
<tr>
<td>4. Knase Stun Knife</td>
<td>$1,950</td>
<td>1</td>
<td>$1,950</td>
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<tr>
<td>5. Insulated Stun Knife Glove (pair)</td>
<td>$60</td>
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<td>$60</td>
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<tr>
<td>6. Blood Trough</td>
<td>$1,500</td>
<td>1</td>
<td>$1,500</td>
</tr>
<tr>
<td>7. Evisceration Table</td>
<td>$3,000</td>
<td>1</td>
<td>$3,000</td>
</tr>
<tr>
<td>8. Scalding Unit</td>
<td>$13,000</td>
<td>1</td>
<td>$13,000</td>
</tr>
<tr>
<td>9. Plucker</td>
<td>$12,000</td>
<td>1</td>
<td>$12,000</td>
</tr>
<tr>
<td>10. Waxer</td>
<td>$800</td>
<td>1</td>
<td>$800</td>
</tr>
<tr>
<td>11. A/C Unit (18,000BTU)</td>
<td>$450</td>
<td>1</td>
<td>$450</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>Price</td>
<td>Quantity</td>
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<tr>
<td>---</td>
<td>--------------------------------------------------</td>
<td>-------</td>
<td>----------</td>
</tr>
<tr>
<td>12.</td>
<td>Cold Bot</td>
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<tr>
<td>13.</td>
<td>Cut-up Cones</td>
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<tr>
<td>14.</td>
<td>Offal Bins – 50 gallon plastic</td>
<td>$60</td>
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<tr>
<td>15.</td>
<td>Bin Rollers</td>
<td>$25</td>
<td>2</td>
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<tr>
<td>16.</td>
<td>USDA Inspection Rack</td>
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<tr>
<td>17.</td>
<td>Stainless Steel Rolling Racks – 72”L X 24”D X 72”H</td>
<td>$2,000</td>
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<tr>
<td>18.</td>
<td>Food Storage Racks – 60”L X 18”D X 72”H</td>
<td>$160</td>
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<tr>
<td>19.</td>
<td>Non Food Storage Racks - 36”x18”x72”</td>
<td>$125</td>
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<td>20.</td>
<td>Ice Machine</td>
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<tr>
<td>21.</td>
<td>Weigh and Label Machine</td>
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</tr>
<tr>
<td>22.</td>
<td>Stainless Steel Work Table – 48”L X 24”D</td>
<td>$200</td>
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</tr>
<tr>
<td>23.</td>
<td>Poly-top Cutting Tables – 60”H X 36”D</td>
<td>$1,200</td>
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<tr>
<td>24.</td>
<td>Hot Water Shrink Tank</td>
<td>$7,600</td>
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<tr>
<td>25.</td>
<td>Chest Freezer – 25 cubic feet</td>
<td>$675</td>
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</tr>
<tr>
<td>26.</td>
<td>Pressure Washer</td>
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</tr>
<tr>
<td>27.</td>
<td>Wheelbarrow</td>
<td>$50</td>
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</tr>
<tr>
<td>28.</td>
<td>Vacuum Sealer</td>
<td>$6,500</td>
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</tr>
<tr>
<td>29.</td>
<td>Truck (Used)</td>
<td>$2,000</td>
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</tr>
<tr>
<td>30.</td>
<td>Meat Saw</td>
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</tr>
<tr>
<td>31.</td>
<td>Hoses (Food Grade) – 50 linear feet</td>
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<tr>
<td>32.</td>
<td>Shovel</td>
<td>$10</td>
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</tr>
<tr>
<td>33.</td>
<td>Tool Box (Equipped)</td>
<td>$250</td>
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</tr>
<tr>
<td>34.</td>
<td>Knife Cabinet (Locking)</td>
<td>$650</td>
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</tr>
<tr>
<td>35.</td>
<td>Knives – Cleaver</td>
<td>$30</td>
<td>1</td>
</tr>
<tr>
<td>36.</td>
<td>Knives – 3” Sticking Knife</td>
<td>$12.65</td>
<td>6</td>
</tr>
<tr>
<td>37.</td>
<td>Knives – 3” Killing Knife</td>
<td>$9.38</td>
<td>6</td>
</tr>
<tr>
<td>38.</td>
<td>Knives – Orange Handle Knife</td>
<td>$10.47</td>
<td>6</td>
</tr>
<tr>
<td>39.</td>
<td>Knives – 3.5” Evisceration Knife</td>
<td>$10.29</td>
<td>6</td>
</tr>
<tr>
<td>40.</td>
<td>Knives – 3.75” Vent Knife</td>
<td>$14</td>
<td>4</td>
</tr>
<tr>
<td>41.</td>
<td>Knives – 5” Boning Knife</td>
<td>$15.66</td>
<td>6</td>
</tr>
<tr>
<td>42.</td>
<td>Knives – 5” Narrow Flexible Boning Knife</td>
<td>$20.91</td>
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<tr>
<td>43.</td>
<td>Knives – Rabbit Knife</td>
<td>$16.19</td>
<td>8</td>
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<tr>
<td>44.</td>
<td>Knives – 2.25” Pinning Knife</td>
<td>$11.34</td>
<td>6</td>
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<tr>
<td>45.</td>
<td>Knife Sharpening Steel</td>
<td>$25</td>
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<tr>
<td>46.</td>
<td>Poultry Shears</td>
<td>$20.74</td>
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<tr>
<td>47.</td>
<td>Wing and Feet Clipper</td>
<td>$24.50</td>
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<tr>
<td>48.</td>
<td>Chicken Lung Remover</td>
<td>$19.50</td>
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</tr>
<tr>
<td>49.</td>
<td>Turkey Lung Remover</td>
<td>$20.95</td>
<td>3</td>
</tr>
</tbody>
</table>
50. Digital Thermometer $14.93 3 $45
51. Large Victorinox Cut Glove $17.63 12 $212
52. Locking Mailbox $70 1 $70
53. Security System $850 1 $850
54. Commercial Insect Zapper $330 2 $660
55. Equipment Delivery and Installation (10%) $8,990 1 $8,990

TOTAL $110,061

In addition to processing equipment, basic office equipment will be needed as follows:

<table>
<thead>
<tr>
<th>Office Equipment</th>
<th>Price</th>
<th>Quantity</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Office Chair</td>
<td>$100</td>
<td>2</td>
<td>$200</td>
</tr>
<tr>
<td>2. Office Desk</td>
<td>$150</td>
<td>2</td>
<td>$300</td>
</tr>
<tr>
<td>3. 4 to 5 Drawer File Cabinet</td>
<td>$200</td>
<td>2</td>
<td>$400</td>
</tr>
<tr>
<td>4. Refrigerator</td>
<td>$400</td>
<td>1</td>
<td>$400</td>
</tr>
<tr>
<td>5. Coffee Maker</td>
<td>$30</td>
<td>1</td>
<td>$30</td>
</tr>
<tr>
<td>6. Break Room Table – White plastic folding</td>
<td>$75</td>
<td>1</td>
<td>$75</td>
</tr>
<tr>
<td>7. Break Room Chairs</td>
<td>$12</td>
<td>8</td>
<td>$96</td>
</tr>
<tr>
<td>8. Office Trash Can (13 gallon)</td>
<td>$15</td>
<td>3</td>
<td>$45</td>
</tr>
<tr>
<td>9. Bathroom Trash Can</td>
<td>$5</td>
<td>1</td>
<td>$5</td>
</tr>
<tr>
<td>10. Printer</td>
<td>$100</td>
<td>1</td>
<td>$100</td>
</tr>
<tr>
<td>11. Computer</td>
<td>$800</td>
<td>1</td>
<td>$800</td>
</tr>
</tbody>
</table>

TOTAL $2,451

**Legal Establishment**

A fixed site pastured poultry processing facility will need to ensure that it has a strong legal entity in order to operate as a non-profit organization. Foothills Pilot Plant (FPP) in Marion, NC, is a prime example of, and a precedent for, a USDA-inspected processing plant operating as an LLC with a 501(c)(3) non-profit, McDowell Economic Development Association (MEDA), as the sole member.

The association that advocates for FPP is the Independent Small Animal Meat Processors Association of Western North Carolina (ISAMPA-WNC). ISAMPA is an association of independent small farms that advocates for farmers engaged in independent poultry and meat rabbit production. Their mission is to disseminate best practices for raising, processing and marketing small meat animals; support the development of a small-scale small animal processing facility meeting state or federal inspection requirements; create a fellowship of like-minded independent producers; raise public awareness of small animal meat products humanely raised...
and processed in a manner that contributes to the social, economic, and environmental well being of western North Carolina’s people and natural resources.

The partnership between these entities allows MEDA and ISAMPA to act as fiscal agents for applications to grant programs. This funding is critical to helping get the project off the ground and to sustain it during its first few years of operations. This support will allow the facility to achieve financial self sufficiency.

**Total Development Cost**
Considering all costs associated with getting a facility to an opening day, not including general manager salary, line staff training, or utility costs incurred before opening, a reasonable total development budget is estimated at $857,444 as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Development</td>
<td>$744,932</td>
</tr>
<tr>
<td>Processing Equipment</td>
<td>$110,061</td>
</tr>
<tr>
<td>Office Equipment</td>
<td>$2,451</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$857,444</strong></td>
</tr>
</tbody>
</table>
Chapter 9 - Post-Opening Operational Management

General Management
A fixed site poultry processing operation will require effective management to help it succeed. The facility should secure a general manager with previous poultry processing experience, a qualified individual with either a college degree in poultry science or significant experience in poultry slaughterhouse and flock management roles. The manager will oversee a part-time staff and should report to a management oversight board or other committee representing the interests of the project owners and stakeholders.

A qualified manager, ideally with some formal training in poultry science or food science, will be able to fully manage day to day operations of the plant and complete pathogen testing requirements where lab facilities are available. The project can anticipate a general manager’s starting salary in the neighborhood of $40,000 per year. He or she will perform the following key duties:

- Oversee facility operations and adhere to all regulatory requirements for processing under USDA inspection;
- Schedule processing and packaging services in coordination with growers, USDA inspectors, and line staff;
- Oversee management of six to eight part-time line processing staff, provide training on processing to staff, document hours worked and execute payroll, recruit and train new hires as vacancies come open, coordinate work schedules;
- Provide outreach, education, and training on production practices to independent growers using the facility’s services, working in collaboration with Cooperative Extension Agents, board members, and other agricultural professionals;
- Oversee billing for processing services to growers.

General duties to be expected include the following:

- Accomplishes marketing and sales human resource objectives by recruiting, training, assigning, scheduling, counseling, and disciplining employees; communicating job expectations;
- Meets marketing and sales financial objectives by forecasting requirements; preparing an annual budget; scheduling expenditures; analyzing variances; initiating corrective actions; implementing production, productivity, quality, and customer-service standards; resolving problems; completing audits; identifying trends; determining system improvements; implementing change.
• Improves product marketability and profitability by researching, identifying, and capitalizing on market opportunities; improving product packaging; coordinating new product development.

• Sustains communication with key farm accounts by making periodic visits; exploring specific needs; anticipating new opportunities.

• Provides information by collecting, analyzing, and summarizing data and trends.

• Updates job knowledge by participating in educational opportunities; reading professional publications; maintaining personal networks; participating in professional organizations.

The position requires good interpersonal skills for a variety of different daily interactions with people associated with the project. Examples of individuals that the general manager may communicate with on a daily basis include the following: office staff, line staff, state and federal regulatory officials, farm producers, suppliers, grant funding agencies, chambers of commerce, cooperative extension services, economic development organizations, and the legal entity’s board of directors.

The general manager position will require good money management, worker management skills and organizational skills as well. This is important so that the project staff fully understands their responsibilities, supply stocks are well maintained, and poultry delivery and pickup are properly arranged to ensure smooth and consistent movement of products through the facility. This is also necessary so that sufficient processing levels are maintained to ensure project income and self sufficiency.

**Regulatory Adherence**
A fixed site facility will be fully inspected by the USDA’s Food Safety Inspection Service. As such, the facility will have to file a plan for Hazard Analysis and Critical Control Points (HACCP) for each species of animal processed and for each variance in processing procedures. The general manager will be responsible for updating HACCP plans and communicating with USDA inspectors on stringent adherence to such plans.

An example of a HACCP plan from FPP is included in Appendix B of this report.

**Line Staff**
Probably the most vexing issue surrounding a start-up and stand-alone processing facility is how to handle hiring and paying line staff who will most likely only be working limited hours during the first year or two of operations. At FPP, this problem has been solved through hiring prisoners eligible for work release from the Marion Minimum Security Unit, a state prison located next door to the processing plant. A trained line staff of ten individuals is available on-demand as processing days are scheduled, or as needed for repair and maintenance work. They are paid
minimum wage, and with FICA and employer withholding requirements this effective rate is $8 per hour. Estimating line staff labor costs in relation to processing speeds and annual through-put is discussed in the sustainability discussion below, however a simplified estimate of labor costs in the first year of operations is $20,000.

**Supplies**

Following opening for services, project managers must anticipate a reasonable cost for facility operations. One important concept to understand is that as services at the facility increase, so too will operational expenses, especially wages for line staff and supplies consumed during processing and packaging. Some basic supplies needed to begin processing services are listed in the following table:

<table>
<thead>
<tr>
<th>Supplies</th>
<th>Price</th>
<th>Quantity</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Foaming Hand Soap</td>
<td>$30</td>
<td>6</td>
<td>$180</td>
</tr>
<tr>
<td>2. Hand Sanitizer</td>
<td>$20</td>
<td>6</td>
<td>$120</td>
</tr>
<tr>
<td>3. Foaming Hand Soap Dispenser</td>
<td>$15</td>
<td>4</td>
<td>$60</td>
</tr>
<tr>
<td>4. Hand Sanitizer Dispenser</td>
<td>$15</td>
<td>4</td>
<td>$60</td>
</tr>
<tr>
<td>5. Paper Towels (Center Pull)</td>
<td>$12.50</td>
<td>12</td>
<td>$150</td>
</tr>
<tr>
<td>6. Paper Towel Dispenser (Center Pull)</td>
<td>$25</td>
<td>4</td>
<td>$100</td>
</tr>
<tr>
<td>7. Label Machine Labels (930 per roll)</td>
<td>$24</td>
<td>20</td>
<td>$480</td>
</tr>
<tr>
<td>8. Waxed Boxes</td>
<td>$3</td>
<td>200</td>
<td>$600</td>
</tr>
<tr>
<td>9. Shrink Bags – 9”X16”</td>
<td>$0.21</td>
<td>1000</td>
<td>$210</td>
</tr>
<tr>
<td>10. Trash Can (50 gallon)</td>
<td>$60</td>
<td>3</td>
<td>$180</td>
</tr>
<tr>
<td>11. Trash Can Rollers</td>
<td>$25</td>
<td>3</td>
<td>$75</td>
</tr>
<tr>
<td>12. Hairnets (100ct.)</td>
<td>$6</td>
<td>5</td>
<td>$30</td>
</tr>
<tr>
<td>13. White Disposable Lab Coats (30ct.)</td>
<td>$60</td>
<td>4</td>
<td>$240</td>
</tr>
<tr>
<td>14. Shoe Covers (25ct.)</td>
<td>$15</td>
<td>5</td>
<td>$75</td>
</tr>
<tr>
<td>15. Safety Goggles (3ct.)</td>
<td>$5</td>
<td>4</td>
<td>$20</td>
</tr>
<tr>
<td>16. Rubber Gloves (100ct.)</td>
<td>$5</td>
<td>5</td>
<td>$25</td>
</tr>
<tr>
<td>17. Large Heavy Duty Vinyl Apron</td>
<td>$12.50</td>
<td>12</td>
<td>$150</td>
</tr>
<tr>
<td>18. Large Vinyl Apron</td>
<td>$9.93</td>
<td>12</td>
<td>$119</td>
</tr>
<tr>
<td>19. Sterilizing Fungicide - D-TROL 4X1 Gal.</td>
<td>$44.15</td>
<td>2</td>
<td>$88</td>
</tr>
<tr>
<td>20. Cleanser – Enduro Chlor 5 Gal.</td>
<td>$67.50</td>
<td>2</td>
<td>$135</td>
</tr>
<tr>
<td>21. Detergent – Interest VC92 5 Gal.</td>
<td>$64.13</td>
<td>2</td>
<td>$128</td>
</tr>
<tr>
<td>22. Disinfectant - Divosan Forte 5 Gal.</td>
<td>$228.31</td>
<td>1</td>
<td>$228</td>
</tr>
<tr>
<td>23. Mop Bucket w/ Wringer</td>
<td>$50</td>
<td>1</td>
<td>$50</td>
</tr>
<tr>
<td>24. Mop</td>
<td>$15</td>
<td>2</td>
<td>$30</td>
</tr>
<tr>
<td>25. Push Broom</td>
<td>$12</td>
<td>2</td>
<td>$24</td>
</tr>
<tr>
<td>26. Dustpan</td>
<td>$6</td>
<td>2</td>
<td>$12</td>
</tr>
</tbody>
</table>
The supplies costs listed above are for initial start-up only. As usage increases, these supplies will need to be regularly replenished. A first-year supplies budget is therefore recommended at 2 times initial start-up costs, for an annual estimate of approximately $10,000.

**Utilities**
Utility costs of operation will be a major ongoing expense. Electricity with 3-phase power, gas or propane, and water and sewer fees are among the most common. Also included in utilities may be internet access, cell phone or land-line costs, and subscription monitoring of security alarms. Utility costs will rise along with usage, and it is difficult to accurately estimate total costs until a facility is in operation.

At FPP, utility costs are estimated at approximately $1,200 per month during heavy usage, with substantially less costs in winter months when demand for processing services are presumably low. A safe annual utility budget is recommended at $12,000 per year.

**First Year Operational Costs**
First year operational costs are expected to be relatively low as growers become acquainted with the service and develop relationships with the general manager. For Year One, operational costs may be expected as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Project Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facility manager</td>
<td>salary and fringe</td>
<td>$40,000</td>
</tr>
<tr>
<td>Hourly line staff</td>
<td>Part-time minimum wage, 40 full days equivalent</td>
<td>$20,000</td>
</tr>
<tr>
<td>Utilities</td>
<td>water, sewer, electrical, phone, internet</td>
<td>$12,000</td>
</tr>
<tr>
<td>Supplies</td>
<td>cleaning materials, hair-nets, gloves, boxes, tray packs, etc</td>
<td>$10,000</td>
</tr>
<tr>
<td>Office supplies</td>
<td>Paper and misc</td>
<td>$1,000</td>
</tr>
<tr>
<td>Insurance</td>
<td>product and personal injury liability</td>
<td>$4,500</td>
</tr>
<tr>
<td>Workers Comp Insurance</td>
<td>11% of wages</td>
<td>$6,060</td>
</tr>
</tbody>
</table>
First year operational costs cannot be expected to be covered by revenues from processing fees. The experience at FPP indicates that first year through-put should be approximately 20,000 broiler equivalents per year, for potential revenue generation of approximately $60,000. The researchers recommend that outside capital be obtained (either through grants or investments) for all first year operation costs. Any revenues generated in the first year should be retained to support year two operations.

**Products and Services**

The facility can offer graduated pricing of animal processing inclusive of vacuum packing and in-house labeling. Custom labels may be used by the farmer or printed at the facility for an additional fee. If the farmer intends to make any GDA-regulated claims or other special claims on the label, copies of permitting document should be required. Discounts at higher processing volumes may encourage farmers to expand their flock sizes and ensure sufficient processing levels for the plant. Cut-up, deboning and offal harvesting services can be offered for additional fees. Optional wax box packaging can be offered as well.

Farmers should plan on contacting the general manager for delivery of flock at least two weeks prior to the desired processing date to ensure the availability of inspectors. Once a delivery date has been set, the farmers should plan to withdraw feed at least 8-10 hours before delivering livestock. Water should be withdrawn at least 3-4 hours before livestock delivery. Finished product pickup time should be confirmed with plant manager at time of drop-off. Farmers must provide their own coolers for transport.

If farmers wish to pool small quantities of livestock with other growers to qualify for lower prices, they must arrange this prior to delivery for processing. Pools must be administered and paid for by a single person upon delivery. The facility should not segregate individual lots within pools.

An example of a pricing structure in use at Foothill Pilot Plant is as follows:

<table>
<thead>
<tr>
<th>Chickens</th>
<th>Fee per head</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-24</td>
<td>$4.50</td>
</tr>
<tr>
<td>25-99</td>
<td>$3.75</td>
</tr>
<tr>
<td>100-249</td>
<td>$3.00</td>
</tr>
<tr>
<td>250+</td>
<td>$2.50</td>
</tr>
</tbody>
</table>
Revenue Development and Financial Considerations

Funding for the launch of a pastured poultry processing facility may be provided by grants from state, federal and private foundation sources. Obtained funds will support facility operations for at least the first 18 months of operation, which will allow the facility to develop a client base and increase cash flow from fees for services.

The implementation strategy for the facility anticipates a steady increase in the volumes of birds and rabbits that will be processed over a three- to five-year period. Market demand is expected to grow as consumers and retailers are made aware of the availability of USDA-inspected birds.

Experience with growers has shown that many will only use the facility on a regular basis after clear quality control measures are in place and growers are assured of receiving a high quality product. The facility can expect the first calendar year of operations to be a period of establishing best practices, developing relationships with growers, and developing a highly qualified line staff. The plant may therefore expect significant revenues and volumes to begin in the following calendar year.

Grant funds and any revenues from processing services in the first operating year should be held in an account to support future operating expenses.

Analysis of FPP operations indicates that in order to achieve current-account break-even, where revenues generated from processing fees equal or exceed costs expended in a calendar year, the facility should process a minimum of 50,000 head per year in broiler equivalents. For example, a mix of chickens, turkeys, and specialty fowl, with anticipated per bird revenues, is presented in the table below:
### Processing Revenues, 50,000 Broiler Equivalents

<table>
<thead>
<tr>
<th>Species</th>
<th>Anticipated Demand</th>
<th>Per-head Average Fee</th>
<th>Total Revenues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chickens</td>
<td>30,000</td>
<td>$3.50</td>
<td>$105,000.00</td>
</tr>
<tr>
<td>Turkeys</td>
<td>3,000</td>
<td>$9.00</td>
<td>$27,000.00</td>
</tr>
<tr>
<td>Ducks</td>
<td>2,500</td>
<td>$6.50</td>
<td>$16,250.00</td>
</tr>
<tr>
<td>Other</td>
<td>2,000</td>
<td>$6.50</td>
<td>$13,000.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$161,250.00</strong></td>
</tr>
</tbody>
</table>

Under a scenario where the facility is processing 50,000 broiler equivalents per year, estimated operational costs are presented as follows:

### Example: Estimated Operating Expenses, 50,000 Broilers/year

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Project Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facility manager</td>
<td>salary and fringe</td>
<td>$40,000</td>
</tr>
<tr>
<td>Hourly line staff</td>
<td>Part-time minimum wage, 100 days, 10 persons, 500 head/day</td>
<td>$53,000</td>
</tr>
<tr>
<td>Utilities</td>
<td>water, sewer, electrical, phone, internet</td>
<td>$18,000</td>
</tr>
<tr>
<td>Supplies</td>
<td>cleaning materials, hair-nets, gloves, boxes, tray packs, etc</td>
<td>$18,000</td>
</tr>
<tr>
<td>Office supplies</td>
<td>Paper and misc</td>
<td>$1,500</td>
</tr>
<tr>
<td>Insurance</td>
<td>product and personal injury liability</td>
<td>$4,500</td>
</tr>
<tr>
<td>Workers Compensation</td>
<td>11% of wages</td>
<td>$12,210</td>
</tr>
<tr>
<td>Insurance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Product testing fees</td>
<td>salmonella, e-coli, listeria</td>
<td>$3,000</td>
</tr>
<tr>
<td>Repairs and maintenance</td>
<td>Maintenance and servicing for HVAC systems, machinery and equipment</td>
<td>$7,000</td>
</tr>
<tr>
<td>Ongoing equipment acquisition</td>
<td>Equipment needed to expand capacity</td>
<td>$5,000</td>
</tr>
<tr>
<td>Professional Services</td>
<td>Accounting, legal, etc.</td>
<td>$2,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$164,210</strong></td>
</tr>
</tbody>
</table>

By the beginning of Year Four, a facility should have the experience and relationships necessary to balance operational costs with fees from services. The line staff will have become highly efficient in processing birds at more than 100 per hour inclusive of cut-up and packaging. New revenue streams can be established through high-end pet food for use of some offal, and supply chains will have been established with retailers and distributors to a degree that allows for accurate business forecasting. The fiscal goal at this point will be to provide high quality processing services on a break-even basis, with net profits accruing to the facility.
Chapter 10 - Conclusions and Next Steps

Establishing processing facilities in Georgia to serve independent growers of pastured poultry can take several paths. These include private investments to add poultry processing services at existing red-meat facilities, changes in regulatory interpretations to allow for on-farm slaughter of up to 20,000 head per year, and development of a stand-alone facility under nonprofit management. Variations of these general paths may be developed, such as private-public partnerships that combine private investment with public support and include management input from growers themselves.

As of now, the researchers do not believe that development of mobile processing units will be viable in terms of meeting regulatory requirements or having sufficient capacity to meet all grower demands. Regulatory requirements for wastewater disposal may be the most difficult barrier to development of MPUs. However, a change in wastewater discharge policies by EPD and a relaxing on on-farm slaughter regulations by GDA may open opportunities for MPUs in the future.

GO staff is recommended to pursue the following next steps:

1. Continue to advocate for clarity of state regulations regarding on-farm slaughter, specifically to establish regulations that will allow for up to 20,000 head to be processed on-farm and in an economically viable manner;
2. Work towards securing commitments from landowners in Northeast Georgia to make available land suitable for developing a fixed-site facility;
3. Reach out to existing red-meat processors and others with an interest in adding on poultry processing lines at existing or planned facilities;
4. Encourage collaborative approaches to establishing facilities involving positive input and support from GO, growers, regulatory officials, elected leaders, and educational institutions.

In the event that other avenues are unavailable, proceed with plans to establish a stand-alone processing facility modeled on the success of Foothills Pilot Plant.
Appendix A – GDA Small Poultry Guidelines
This document is intended to be a “Guideline” which describes in simple terms a number of basic requirements which must be met before licensing a small poultry producer. For further assistance contact the Administrative Office in Atlanta – (404) 657-4801.

SMALL POULTRY/PASTURE POULTRY GUIDELINES

Registration by the department is required for the slaughter, preparation, and sale of one thousand (1,000) or fewer poultry in a calendar year by a poultry producer for the sale of whole raw poultry directly to the ultimate consumer at the producer's farm and/or farmers market. The requirements include, but are not limited to, those for: cooling procedures; sanitary facilities, equipment, and utensils; clean water; washing and other hygienic practices; and waste and wastewater disposal.

The department shall conduct such inspections as are reasonably necessary to ensure compliance with requirements.

An annual registration fee of $100.00 is required for Small Poultry processors.

Qualifying statements:

- Slaughter, preparation and sale of 1000 birds or less in a calendar year
- Of their own raising
- direct sale to end-product users only
- whole birds only
- Intra-state sale only

Poultry can be sold fresh or frozen on the farm
- If fresh within 48 hours

If sales occur at the farmers market, poultry can be sold only in a frozen state and a mobile meat license is required.

Records:

The Department must be notified at least 48 hours prior to slaughter and provided the information listed below:

1. Poultry slaughter dates
2. Number of poultry slaughtered each date and the cumulative total per permit period
3. Temperature control log monitoring poultry cool down and storage (w/ calibration)
4. Annual bacteriological water test results (if applicable)
Minimum construction requirements:

During slaughter and plucking, overhead protection and drainable floors are required. Further structural elements, such as walls or screens, maybe used to prevent any additional risk of contamination such as, insects, dust, mud, etc. Further processing and packaging must be conducted in an enclosed protected area.

Water:

It is important to have an adequate supply of potable water for processing. If using a non-public water system, it must be constructed, maintained, and operated according to requirements of the Department. The non-public water source needs to meet drinking standards and should be tested.

The water source and system shall be of sufficient capacity and pressure to meet the water demands of food establishment.

Hand washing:

Hand washing facilities shall be convenient and easily accessible for all employees in poultry processing area. The hand washing sink must provide water temperature of at least 100°F. Hand washing station shall be equipped with hand soap and paper towels.

Hands must be thoroughly washed before starting, between each preparation step and as frequently as required to prevent contamination. Hands must also be washed after every break. Hand washing stations must be conveniently located in your slaughter site and properly maintained.

Bathroom facilities:

- At least one toilet must be available and conveniently located to your poultry slaughter site.
- Toilet areas must be kept clean, free of trash and litter, and in good repair. All doors used to enter the non-domestic toilet area must be self-closing and must not open directly into your slaughter site.
- Hand washing sinks must be conveniently located to restrooms.

Backflow prevention:

Be sure that you have left an air gap between the hose or fill pipe and the vessel or bucket that you are filling. The air gap must be at least two (2) times the diameter of the fill hose or pipe. If you don't wish to maintain an air gap, contact your Food Safety Officer for advice on other means of providing protection of the water system.
Sanitization:

All equipment must be cleaned and sanitized before you begin slaughter and after you finish slaughtering. Clean and sanitize any knives or other equipment that falls to the floor or otherwise becomes contaminated.

Hot water or chemicals can be used for sanitizing equipment. If immersion in hot water is used for sanitization, the temperature of the water shall be maintained at 170°F or above. If chemical sanitizing solution is used, it shall be used in accordance with the EPA – approved manufacturer's label use instructions.

Buckets of sanitizing solution are allowed in your slaughter area for rinsing and storing your wipe down cloths that are used to sanitize the equipment and slaughter/preparation areas during processing. The sanitizing solution in the bucket must be maintained at proper solution for the particular chemical. Be sure to use cool water to make up the solution and follow label instructions. This sanitizing water needs to be changed every one to two hours while you are slaughtering. Appropriate test strips shall be used to verify sanitizing solution strength.

Equipment wash sink:

On-farm processors can clean with water hoses, using hot water and soap, followed by a water rinse and sanitizing rinse. Food grade hoses must be used in the processing areas.

All equipment must be stored so it will not become contaminated between uses.

Sewage:

Sewage shall be disposed through an approved public or individual disposal system.

County or municipal sewer system evaluation may be required to approve a grease trap, or to allow an exemption.

Lighting:

Adequate lighting must be present.

Employee Health:

- Must be authorized by the permit holder. Unauthorized persons must be kept out of the slaughter site. Authorized persons are prohibited from smoking, eating or drinking while actively engaged in slaughtering, preparing or handling the poultry.
• Any authorized person infected with a communicable disease, has open sores or infected cuts on hands, is vomiting or has diarrhea is prohibited from working in your slaughter site.

• Slaughtering personnel must wear clean and adequate clothing. The clothing must be clean at the start of the slaughter-preparation-sale process and changed when the clothing becomes soiled and no longer suitable to the specific part of the process (slaughter, preparation or sale) in which you are engaged. Hair restraints are required.

• Authorized persons must remove hand jewelry that cannot be adequately sanitized during periods when carcasses are handled by hand. If such hand jewelry cannot be removed, impermeable or disposable gloves may be worn. Food employees shall keep their fingernails trimmed, maintained with no fingernail polish or artificial fingernails unless wearing intact gloves. Maintain any gloves that are used in an intact, clean, and sanitary condition.

• All personal garments and belongings must be stored separately and apart from the slaughter site.

Packaging/ Labeling:

You are required to provide sanitary food grade packaging of the poultry. Packaging must be stored in a sanitary location and protected from pests. Proper label is required on packaging of poultry, consisting of farm name, address, and safe handling instructions. If sold by weight, certified scale must be available.

Storage:

All foods must be stored to prevent contamination and growth of microbial organisms. Under refrigeration the poultry must maintain an internal temperature of 40°F or below. Frozen foods shall be maintained in a frozen state.

Waste Management:

Waste from processing includes offal, feathers, and blood.

It is recommended that you begin by contacting the Department’s Livestock/Poultry Division for disposal management plans (404) 656-3649. On-farm processors usually compost their waste. Contact your local UGA County Extension office for handouts on composting methods. Various other methods of disposal are acceptable in Georgia.

The state EPD is the ultimate approval agency for your rinse water management and approval of any plans you might have for disposal.
Appendix B – HACCP Plan-
Turkeys and Chickens
Form # 1- Product Description

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Process/product type name</td>
<td>Raw Turkey Meat</td>
</tr>
<tr>
<td>2. Product characteristics (Aw, pH, preservatives, etc.)</td>
<td>Raw/ uncooked meat</td>
</tr>
<tr>
<td>3. How it is to be used</td>
<td>Cooked by consumers/buyers</td>
</tr>
<tr>
<td>4. Packaging</td>
<td>Vacuum packed</td>
</tr>
<tr>
<td>5. Shelf-life</td>
<td>Fresh= 3-4 days under refrigerated conditions/ up to 6 months in freezer</td>
</tr>
<tr>
<td>6. Where it will be sold</td>
<td>Live turkeys will be brought to the facility where they are processed, packed, labeled and returned to the farmer</td>
</tr>
<tr>
<td>7. Labeling instructions</td>
<td>Safe handling instructions, pack date, address, name of the product, ingredients, weight of the product, total price</td>
</tr>
<tr>
<td></td>
<td>Keep refrigerated</td>
</tr>
<tr>
<td>8. Special distribution control</td>
<td>Keep under refrigerated conditions until use/ Frozen until ready to use.</td>
</tr>
<tr>
<td></td>
<td>Keep refrigerated or freeze it after opening until use</td>
</tr>
</tbody>
</table>
## Form # 2 List of product ingredients and incoming material

<table>
<thead>
<tr>
<th>Primary Components</th>
<th>Packaging</th>
<th>Restricted Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fresh turkey</td>
<td>Vacuum packaging bags</td>
<td>None</td>
</tr>
<tr>
<td>Chilled water containing Lactic acid</td>
<td>Labels</td>
<td></td>
</tr>
<tr>
<td>Air for chilling</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chlorinated water for spraying</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date: 12-18-2011  Prepared by – Paljinder Manhiani  Approved By____________________
Form # 3: Flow Chart


7. Separation of head and feet → 8. Evisceration

11. Chill racks (≤ 40°F within 4hrs) ← 10. Ice Chilling ← 9. Washing & Quality Check

12. Chill Room (≤ 40°F) → 13. Whole turkey/ Further Cutting

15. Storage (≤ 40°F)

16. Dispatch/ Handed back to grower under refrigerated condition

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### Form #4 – Hazard Analysis and Preventive Measures

<table>
<thead>
<tr>
<th>Process Step</th>
<th>Potential hazards introduced, controlled or enhanced at this time</th>
<th>Does this potential hazard need to be addressed in the HACCP Plan? (Yes or No)</th>
<th>Why does the hazard need to be addressed? (Justification for decision in previous column)</th>
<th>What control measures can be applied to prevent, eliminate, or reduce to acceptable levels?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Receiving/Unloading of turkeys</td>
<td>B: Incoming turkeys will be monitored if any dead turkey during hauling C and P: None</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Hanging</td>
<td></td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Stunning</td>
<td></td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Bleeding</td>
<td></td>
<td>No</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date: 12-18-2011  Prepared by – Paljinder Manhiani Approved By_________________
<table>
<thead>
<tr>
<th>Process</th>
<th>B, C, P - None</th>
<th>B, C, P - None</th>
<th>B, C, P - None</th>
<th>B, C, P - None</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Scalding</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Picking/Defeathering</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Separation of head and feet</td>
<td>B, C, P - None</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Evisceration</td>
<td>B, C, P - None</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Washing &amp; Quality Check</td>
<td>B - Yes</td>
<td>C,P - None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Ice Chilling</td>
<td>BP,C - None</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Chill racks (≤ 40°F within 4hrs)</td>
<td>B, C,P-None</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ingesta or fecal matter could contain spoilage or pathogenic bacteria

Quality Check of carcasses

Date: 12-18-2011 | Prepared by – Paljinder Manhiani | Approved By

HACCP PLAN
Foothills Pilot Plant, Marion, NC 28752
### HACCP PLAN
Foothills Pilot Plant, Marion, NC 28752

<table>
<thead>
<tr>
<th>Step</th>
<th>B: Yes</th>
<th>C: Yes</th>
<th>P, C: None</th>
<th>Yes</th>
<th>Temperature (&gt; 40°F) could cause growth of pathogenic and/or spoilage microorganisms in the food product</th>
<th>Temperature measurement/monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td>12. Chill Room (≤40°F)</td>
<td>B: Yes</td>
<td>C: Yes</td>
<td>P, C: None</td>
<td>Yes</td>
<td>Temperature (&gt; 40°F) could cause growth of pathogenic and/or spoilage microorganisms in the food product</td>
<td>Temperature measurement/monitoring</td>
</tr>
<tr>
<td>13. Whole Turkey/ further cutting</td>
<td>B, C, P: None</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14. Packaging and labeling</td>
<td>B, C, P: None</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15. Storage</td>
<td>B: Yes</td>
<td>C, P: None</td>
<td>Yes</td>
<td></td>
<td>Temperature (&gt; 40°F) could cause growth of pathogenic and/or spoilage microorganisms in the food product</td>
<td>Temperature measurement/monitoring</td>
</tr>
<tr>
<td>16. Dispatch/ Handed back to growers under refrigerated conditions</td>
<td>B, C, P: None</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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### HACCP PLAN
Foothills Pilot Plant, Marion, NC 28752

**Form #5 – CCP Determination**

<table>
<thead>
<tr>
<th>Process Step</th>
<th>Hazard</th>
<th>Q1. Do control measures exist for the identified hazard?</th>
<th>Q2. Does this step eliminate the hazard or reduce the likelihood of its occurrence to an acceptable level?</th>
<th>Q3. Could contamination with the identified hazard occur in excess of acceptable levels or increase to unacceptable levels?</th>
<th>Q4. Will a subsequent step eliminate the hazard or reduce the likelihood of its occurrence to an acceptable level?</th>
<th>CCPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Washing &amp; Quality Check</td>
<td>Biological</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>12. Chill Room</td>
<td>Biological</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Date: 12-18-2011___  Prepared by – Paljinder Manhiani____  Approved By________________
| 15. Storage room | Biological | Yes | Yes | Yes | No | Yes |

Date: 12-18-2011 | Prepared by – Paljinder Manhiani | Approved By |
# HACCP Plan

Foothills Pilot Plant, Marion, NC 28752

**Form #6 - Critical Limits, monitoring, corrective actions**

<table>
<thead>
<tr>
<th>Process Step/ CCP</th>
<th>Critical Limits</th>
<th>Monitoring Procedures</th>
<th>Corrective Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Washing &amp; Quality Check</td>
<td>25 incidences per day</td>
<td>Room Temperature</td>
<td>The fecal or ingesta contaminated parts should be trimmed off</td>
</tr>
<tr>
<td>12. Chill Room</td>
<td>≤ 40°F</td>
<td>Room Temperature</td>
<td>Use the ice to cool the carcass temperature</td>
</tr>
<tr>
<td>15. Storage room</td>
<td>≤ 40°F</td>
<td>Room Temperature</td>
<td>Use the ice to bring down finished product temperature</td>
</tr>
</tbody>
</table>

Date: 12-18-2011  
Prepared by – Paljinder Manhiani  
Approved By________________
Form #7 – Verification and Record Keeping

<table>
<thead>
<tr>
<th>Process Step/CCP</th>
<th>Verification Procedures</th>
<th>Records</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Washing &amp; Quality Check</td>
<td>Visual inspection by quality assistant</td>
<td>Incidence log</td>
</tr>
<tr>
<td>12. Chill Room</td>
<td>Calibration of thermometer at-least once a month</td>
<td>Deviation log/ calibration log</td>
</tr>
<tr>
<td>15. Storage room</td>
<td>Calibration of thermometer at-least once a month</td>
<td>Deviation log/ calibration log</td>
</tr>
</tbody>
</table>
## HACCP PLAN
Foothills Pilot Plant, Marion, NC 28752

Form #8 – HACCP Master Sheet

<table>
<thead>
<tr>
<th>Critical Control Point (CCP)</th>
<th>Significant Hazard(s)</th>
<th>Critical Limits for Each Control Measure</th>
<th>Monitoring Procedures</th>
<th>Corrective Action</th>
<th>Verification</th>
<th>Records</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Washing &amp; Quality Check</td>
<td>Biological</td>
<td>25 incidences per day</td>
<td>Bird carcass</td>
<td>Visual Inspection</td>
<td>The fecal or ingesta contaminated parts should be trimmed off</td>
<td>Visual inspection by quality assistant</td>
</tr>
<tr>
<td>12. Chill Room</td>
<td>Biological</td>
<td>≤ 40°F</td>
<td>Room Temperature</td>
<td>Using thermometer/ Temperature Data Logger</td>
<td>Use the ice to cool the carcass temperature</td>
<td>Calibration of thermometer at-least once a month</td>
</tr>
<tr>
<td>15. Storage room</td>
<td>Biological</td>
<td>≤ 40°F</td>
<td>Room Temperature</td>
<td>Using thermometer/ Temperature Data Logger</td>
<td>Use the ice to bring down finished product temperature</td>
<td>Calibration of thermometer at-least once a month</td>
</tr>
</tbody>
</table>

Date: 12-18-2011  Prepared by – Paljinder Manhiani  Approved By________________
HACCP APPENDIX

Control Measures -- Biological Hazards

<table>
<thead>
<tr>
<th>Hazard</th>
<th>Control Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Campylobacter jejuni</em></td>
<td>• Proper pasteurization or cooking (temp and time)</td>
</tr>
<tr>
<td></td>
<td>• Prevent cross-contamination of utensils, equipment, cutting surfaces</td>
</tr>
<tr>
<td></td>
<td>• Freezing</td>
</tr>
<tr>
<td></td>
<td>• Decrease water activity</td>
</tr>
<tr>
<td><em>Escherichia coli</em> 0157:H7</td>
<td>• Adequate cooking (temperature and time)</td>
</tr>
<tr>
<td></td>
<td>• Prevent cross-contamination by unsanitary equipment or infected food handlers</td>
</tr>
<tr>
<td><em>Salmonella spp.</em></td>
<td>• Proper heat treatment (temperature and time)</td>
</tr>
<tr>
<td></td>
<td>• Separate raw from cooked product</td>
</tr>
<tr>
<td></td>
<td>• Decrease water activity</td>
</tr>
<tr>
<td></td>
<td>• Withdraw feed from animals before slaughter</td>
</tr>
<tr>
<td></td>
<td>• Antimicrobial rinses</td>
</tr>
</tbody>
</table>

Date: 12-18-2011     Prepared by – Paljinder Manhiani     Approved By_________________
## HACCP APPENDIX

Control Measures -- Chemical Hazards

<table>
<thead>
<tr>
<th>Hazard</th>
<th>Control Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Naturally Occurring Substances</td>
<td>• Supplier warranty or guarantee on raw materials/packaging films</td>
</tr>
<tr>
<td></td>
<td>• Monitor program to test supplier’s compliance with warranty/guarantee</td>
</tr>
<tr>
<td>Added Hazardous Chemicals</td>
<td>• Detailed specifications for each raw material and ingredient</td>
</tr>
<tr>
<td></td>
<td>• warranty or guarantee that only approved chemicals are used</td>
</tr>
<tr>
<td></td>
<td>• Supplier audit require that suppliers operate with a HACCP plan</td>
</tr>
<tr>
<td></td>
<td>• Set up test program to monitor residues of hazardous chemicals</td>
</tr>
</tbody>
</table>
| In-Process Chemicals | • Identify/list all direct and indirect food additives and color additives used in the processing operation  
• Check that each chemical is approved and properly used.  
• Record the use of any critical/restricted ingredient where overusage might cause a serious allergic reaction. |
**HACCP APPENDIX**

**Control Measures -- Physical Hazards**

<table>
<thead>
<tr>
<th>Hazard</th>
<th>Control Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raw Materials</td>
<td>• Supplier’s HACCP plan use of specs/guarantees</td>
</tr>
<tr>
<td></td>
<td>• Vendor inspections and certification</td>
</tr>
<tr>
<td></td>
<td>• In-line magnets, screens, traps, and filters</td>
</tr>
<tr>
<td></td>
<td>• In-house inspection of raw materials</td>
</tr>
<tr>
<td>Incoming Ingredients</td>
<td>• Suppliers HACCP plan</td>
</tr>
<tr>
<td></td>
<td>• Use of specifications/guarantees</td>
</tr>
<tr>
<td></td>
<td>• Vendor inspection and certification</td>
</tr>
<tr>
<td></td>
<td>• In-house inspection of materials</td>
</tr>
<tr>
<td>Processing Operations</td>
<td>• In-line metal detectors</td>
</tr>
<tr>
<td></td>
<td>• Visual product examinations</td>
</tr>
<tr>
<td></td>
<td>• Proper maintenance of equipment</td>
</tr>
<tr>
<td></td>
<td>• Frequent equipment inspections</td>
</tr>
</tbody>
</table>

Date: 12-18-2011     Prepared by – Paljinder Manhiani     Approved By________________
HACCP APPENDIX

CCP Decision Tree

Q 1: Do control measures exist for the identified hazard?  Modify step, process or product

NO  Is control at this step necessary for safety?  YES

YES

NO  Not a CCP  STOP*

Q 2: Does the step eliminate or reduce the likely occurrence of a hazard to an acceptable level?

NO

YES

Q 3: Could contamination with the identified hazard(s) occur in excess of acceptable level?

YES  NO  Not a CCP  STOP*

Q 4: Will a subsequent step eliminate identified hazards or reduce the likely occurrence to an acceptable level?

YES  Not a CCP  STOP*  NO  Critical Control Point

*Proceed to next step in the described process
HACCP PLAN
Foothills Pilot Plant, Marion, NC 28752

Modified Decision Tree

Q1. Does this step involve a hazard of significant likelihood of occurrence and severity to warrant its control?

- YES
- NO → Not a CCP

Q2. Does a control measure for hazard exist at this step? ← Modify step, process or product

- YES
- NO → Is control at this step necessary → YES

Q3. Is control at this step necessary to prevent, eliminate, or reduce the risk of the hazard to consumers?

- YES → CCP
- NO → Not a CCP → STOP

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Appendix C – EPD Approved POTW Pretreatment Programs
Approved POTW pretreatment programs:

<table>
<thead>
<tr>
<th>#</th>
<th>POTW</th>
<th>Location in State</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Albany</td>
<td>Southwest</td>
</tr>
<tr>
<td>2</td>
<td>Americus</td>
<td>Southwest</td>
</tr>
<tr>
<td>3</td>
<td>Athens</td>
<td>Northeast</td>
</tr>
<tr>
<td>4</td>
<td>Atlanta</td>
<td>North Central</td>
</tr>
<tr>
<td>5</td>
<td>Augusta</td>
<td>Southeast</td>
</tr>
<tr>
<td>6</td>
<td>Braselton</td>
<td>Northeast</td>
</tr>
<tr>
<td>7</td>
<td>Brunswick</td>
<td>Southeast</td>
</tr>
<tr>
<td>8</td>
<td>Buford</td>
<td>Northeast</td>
</tr>
<tr>
<td>9</td>
<td>Calhoun</td>
<td>Northwest</td>
</tr>
<tr>
<td>10</td>
<td>Canton</td>
<td>Northwest</td>
</tr>
<tr>
<td>11</td>
<td>Cartersville</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Cedartown</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Chatsworth</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Cherokee County</td>
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</tr>
<tr>
<td>15</td>
<td>Clayton County</td>
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<td>Cleveland</td>
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<td>17</td>
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<td>20</td>
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<tr>
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<td>Cumming</td>
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</tr>
<tr>
<td>23</td>
<td>Dahlonega</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>DeKalb County</td>
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</tr>
<tr>
<td>25</td>
<td>Douglas City</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Douglasville/Douglas County</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Ellijay</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Fulton County</td>
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</tr>
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<td>29</td>
<td>Gainesville</td>
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<td>Greensboro</td>
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<td>31</td>
<td>Griffin</td>
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<td>32</td>
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<td>Macon</td>
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<td>Milledgeville</td>
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<td>43</td>
<td>Rockmart</td>
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<td>44</td>
<td>Rome</td>
<td>Northwest</td>
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<td>45</td>
<td>Savannah</td>
<td>Southeast</td>
</tr>
<tr>
<td>46</td>
<td>Social Circle</td>
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<tr>
<td>47</td>
<td>Statesboro</td>
<td>Southeast</td>
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<tr>
<td>48</td>
<td>Summerville</td>
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<tr>
<td>49</td>
<td>Swainsboro</td>
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<tr>
<td></td>
<td>City</td>
<td>District</td>
</tr>
<tr>
<td>---</td>
<td>----------------</td>
<td>-------------</td>
</tr>
<tr>
<td>50.</td>
<td>Thomaston</td>
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</tr>
<tr>
<td>51.</td>
<td>Thomasville</td>
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</tr>
<tr>
<td>52.</td>
<td>Tifton</td>
<td></td>
</tr>
<tr>
<td>53.</td>
<td>Toccoa</td>
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<td>54.</td>
<td>Trion</td>
<td></td>
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<tr>
<td>55.</td>
<td>Valdosta</td>
<td>Southwest</td>
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<td>56.</td>
<td>Villa Rica</td>
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<td>57.</td>
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<td>59.</td>
<td>Washington</td>
<td></td>
</tr>
<tr>
<td>60.</td>
<td>Waycross</td>
<td>Southwest</td>
</tr>
<tr>
<td>61.</td>
<td>Waynesboro</td>
<td></td>
</tr>
</tbody>
</table>
Appendix D – EPD Land Disposal and Permit Requirements
391-3-6-.11 Land Disposal and Permit Requirements.

(1) **Purpose.** The purpose of Rule 391-3-6-.11 is to provide for the degree of pollutant treatment required and the uniform procedures and practices to be followed relating to the application for and the issuance or revocation or permits for the discharge of pollutants into land disposal or land treatment systems and then into the waters of the State.

(2) **Definitions.** All terms used in this Paragraph shall be interpreted in accordance with the definitions as set forth in the Act unless otherwise defined in this Paragraph or in any other Paragraph of these Rules:

(a) "Act" means the Georgia Water Quality Control Act, as amended;
(b) "Land disposal system" means any method of disposing of pollutants in which the pollutants are applied to the surface or beneath the surface of a parcel of land and which results in the pollutants percolating, infiltrating, or being absorbed into the soil and then into the waters of the State. Land disposal systems exclude landfills and sanitary landfills but include ponds, basins, or lagoons used for disposal of wastes or wastewaters, where evaporation and/or percolation of the wastes or wastewaters are used or intended to be used to prevent point discharge of pollutants into waters of the State. Septic tank systems, as defined in Chapter 270-5-25-.01 and as approved by appropriate County Boards of Public Health, are not considered land disposal systems for purposes of Chapter 391-3-6-.11.
(c) "Land treatment system" means any land disposal system in which vegetation on the site is used to removed some of the pollutants applied;
(d) "Treatment requirement" means any restriction or prohibition established under the Act on quantities, rates, or concentrations, or a combination thereof, of chemical, physical, biological, or other constituents which are discharged into a land disposal or land treatment system and then into the waters of the State, including but not limited to schedules of compliance;
(e) "Land disposal system permit application" means an application filed by any persons with the Director for a land disposal system permit:
(f) "Land disposal system permit" means any permit issued by the Division to regulate the discharge of any pollutant into a land disposal or land treatment system;
(g) "Hydraulic loading rate" is the rate at which wastes or wastewaters are discharged to a land disposal or land treatment system, expressed in volume per unit area per unit time or depth of water per unit area per unit.

(3) **Land Disposal System Permit Requirement.** Any person discharging or proposing to discharge domestic, municipal, commercial, or industrial wastes or wastewaters into a land disposal or land treatment system and then into the waters of the State, under any of the circumstances described in Section 10 of the Act, shall obtain a permit from the Division to make such a discharge. Owners of land disposal or land treatment systems which employ overland flow, subsurface drain fields, or other techniques which result in one or more point discharges into surface waters of the State, must obtain an NPDES permit and will not be issued a land disposal system permit. The provisions of Section 391-3-6-.08 regarding pretreatment apply to publicly owned treatment works which employ land disposal or land treatment systems.

(4) **Degree of Pollutant Treatment Required.**
(a) All pollutants discharged into land disposal or land treatment system shall receive such treatment or corrective action so as to insure compliance with the terms and conditions of the issued land disposal system permit. The Division has the authority to establish the degree of treatment required before the pollutant is discharged to a land disposal or a land treatment system and then into waters of the State.

(b) Any pollutants which are being discharged or are intended to be discharged to a land disposal or land treatment system in amounts or concentrations which could be toxic or otherwise harmful to humans or biota if those pollutants mingle with waters of the State, or in amounts or concentrations which could reduce or impair the usefulness or operation of the land disposal or land treatment system, must receive such treatment as the Division may specify prior to being discharged to the land disposal or land treatment system.

(c) The hydraulic loading rate for any land disposal or land treatment system shall be determined based upon a technical analysis of soils and vegetation in the system area, climatic data characteristics of the wastes to be disposed or treated, and previous experience with similar systems. Hydraulic loading rates may not exceed those established in guidelines issued by the Division unless such technical analysis proves to the satisfaction of the Division that higher rates can be used.

(d) No land disposal system permit shall be issued authorizing the discharge of any radiological, chemical, or biological warfare agent or high-level radioactive waste into a land disposal or land treatment system.

(e) The groundwater leaving the land disposal systems boundaries must not exceed maximum contaminant levels for drinking water in accordance with Chapter 391-3-5 and subsequent amendments.

(5) Application for a Land Disposal System Permit.

(a) Applications for a land disposal system permit under Section 10 of the Act shall be on forms as may be prescribed and furnished from time to time by the Division. Applications shall be accomplished by all pertinent information as the Division may require in order to establish pollutant treatment requirements in accordance with subparagraph 391-3-6.11(4), including but not limited to complete engineering reports, schedule of progress, plans, specifications, maps, measurements, quantitative and qualitative determinations, records, and all related materials.

(b) Engineering reports, plans, and specifications submitted to the Division in support of a land disposal system permit application shall be prepared by a professional engineer, competent in the field of sewage and industrial waste treatment. Other materials in support of engineering reports, plans, specifications, and permit applications may be prepared by other persons competent in the field of land disposal or land treatment system technology.

(c) Materials submitted shall be complete and accurate.

(d) Any land disposal system permit application form or any other form submitted to the Division shall be signed as follows in accordance with the Federal Regulations 40 CFR 122.22:

1. For a corporation, by a responsible corporate officer. For this subparagraph a responsible corporate officer means:

   (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or
(ii) the manager of one or more manufacturing, production, or operating facilities
employing more than 250 persons or having gross annual sales or expenditures exceeding
$25 million (in second-quarter 1980 dollars), if authority to sign documents has been
assigned or delegated to the manager in accordance with corporate procedures.
2. For a partnership or sole proprietorship, by a general partner or the proprietor,
respectively;
or
3. For a municipality, State, Federal, or other public facility, by either a principal
executive officer or ranking elected official.
(e) All other reports or requests for information required by the permit issuing authority
shall be signed by a person designated in (d) above or a duly authorized representative of
such person; if:
1. The representative so authorized is responsible for the overall operation of the facility
from which the discharged originates, e.g., a plant manager, superintendent or person of
equivalent responsibility;
2. The authorization is made in writing by the person designated under (d) above; and
3. The written authorization is submitted to the Director.
(f) Any changes in the written authorization submitted to the permitting authority under
(e) above which occur after the issuance of a permit shall be reported to the permitting
authority by submitting a copy of a new written authorization which meets the
requirements of (e)1. and 2. above.
(g) Any person signing any document under (d) or (e) above shall make the following
certification: "I certify under penalty of law that this document and all attachments were
prepared under direction or supervision in accordance with a system designed to assure
that qualified personnel properly gather and evaluate the information submitted. Based on
my inquiry of the person or persons who manage the system, or those persons directly
responsible for gathering the information, the information submitted is, to the best of my
knowledge and belief, true, accurate, and complete. I am aware that there are significant
penalties for submitting false information, including the possibility of fine and
imprisonment for knowing violations."
Comment: The permit application will be revised to incorporate this statement. Where a
permit program document does not contain the statement, the certification must
accompany the appropriate document.
(6) Notice and Public Participation.
(a) Tentative determination and draft permits:
1. When the Division is satisfied that the application is complete, a tentative
determination will be made to issue or deny the land disposal system permit. If the
tentative determination is to issue the permit, a draft permit will be prepared in
accordance with applicable State law prior to the issuance of a public notice. If the
tentative determination is to deny the permit the applicant will be notified in writing by
the Director and such notification shall include suggested revisions and modifications
necessary to meet the requirements for a land disposal system permit.
(b) Public Notice:
1. Public notice of every approvable land disposal system permit application will be
prepared and circulated in a manner designed to inform interested and potentially
interested persons of the proposed pollutant discharge and of the proposed determination
to issue a permit for the proposed pollutant discharge into a land disposal system and then into waters of the State. Procedures for circulation of the public notice shall include the following:

(i) Issuance of a news release to one (1) or more newspaper of general circulation in the area of the applicant;
(ii) A copy of the public notice shall be mailed to the land disposal system permit applicant and a copy shall be available for review and inspection at the Division office in Atlanta;
(iii) Mailing of the public notice to any persons or group upon written request to the Division. The Division shall maintain a mailing list for distribution of public notices for land disposal system permits. Any person or group may request that their names be added to the mailing list. The request should be in writing to the Division office in Atlanta and shall be renewed in December of each year. Failure to renew the request shall result in the removal of such name from the mailing list for the land disposal system permit notification;
(iv) The Division shall provide a period of not less than thirty (30) days following the date of the public notice in which interested persons may submit their written views on the tentative determination with respect to the land disposal system permit application. All written comments submitted during the thirty (30) day comment period will be retained by the Division and considered in the final determination with respect to the land disposal system permit application. The comment period may be extended at the discretion of the Director.

(c) Public Hearing:
1. The Director shall provide an opportunity for an applicant, any affected state or interstate agency, or any other interested agency, person or group of persons to request a public hearing with respect to a land disposal system permit application. Any such request for a public hearing shall be filed within the thirty (30) day comment period prescribed in subparagraph 32-3-6-11(6)(b)1.(iv) and shall indicate the interest of the party filing such request, reasons why a hearing is requested and those specific portions of the application or other land disposal system form or information to be considered at the public hearing. The Director shall hold a hearing if he determines that there is sufficient public interest in holding such a hearing;
2. Any public hearing held pursuant to this subparagraph shall be held in the geographical area of the proposed pollutant discharge into a land disposal system and then into waters of the State, or other appropriate location at the discretion of the Director;
3. The Director may hold one public hearing on related groups of land disposal system permit applications;
4. Public notice of any hearing held pursuant to this subparagraph shall be provided at least thirty (30) days in advance of the hearing date and shall be circulated in accordance with the public notification procedures in subparagraph 391-3-6-11(6)(b).

(7) Schedule of Compliance.
(a) Any person who obtains a land disposal system permit pursuant to the Act but who is not in compliance with applicable pollutant treatment requirements and limitations or other requirements contained in such permit at the time same is issued, shall be required to achieve compliance with such pollutant treatment requirements and limitations or other requirements in accordance with the schedule of compliance as set forth in such permit,
or in the absence of a schedule of compliance, by the date set forth in such permit which the Director has determined to be the shortest reasonable period of time necessary to achieve compliance;

(b) Within 14 days after an interim date of compliance or the final date of compliance specified in a land disposal system permit, the permittee shall provide the Director with written notice of his compliance or non-compliance with requirements and conditions specified to be completed by such date. Failure to submit the written notice is just cause for the Division to pursue enforcement action pursuant to the Act;

(c) A permittee who fails or refuses to comply with an interim or final date of compliance specified in a land disposal system permit may be deemed by the Director to be in violation of the permit and may be subject to enforcement action pursuant to the act.

(8) Monitoring, Recording and Reporting Requirements.

(a) Any pollutant discharge into a land disposal or land treatment system and then into the waters of the State authorized by a land disposal system permit issued pursuant to the Act may be subject to such monitoring, recording and reporting requirements as may be reasonably required by the Director including the installation, use and maintenance of monitoring equipment or methods, including monitoring wells; specific requirements for recording of monitoring activities and results; and periodic reporting of monitoring results. The monitoring, recording and reporting requirements shall be specified in a permit when issued, provided, however, the Director may modify or require additional monitoring, recording and reporting by written notification to the permittee.

(b) The permittee shall be required to retain any records of monitoring activities and results for a minimum of three (3) years, unless otherwise required or extended by the Director upon written notification.

(c) Any holder of a permit which requires monitoring of the authorized pollutant discharge into a land disposal or land treatment system and then into the waters of the State shall report periodically to the Division results of all required monitoring activities on appropriate forms supplied by the Division. The Division shall notify the permittee of the frequency of reporting but in no case shall the reporting frequency be less than once per year.

(9) Modification, Suspension and Termination of Land Disposal System Permits.

(a) The Director may revise or modify the schedule of compliance set forth in an issued land disposal system permit if the permittee requests such modification or revision in writing. The Director may grant requests in accordance with this subparagraph if he determines after a documented showing by the permittee that good and valid cause (including acts of God, strikes, floods, material shortages or other events over which the permittee has little or no control) exists for such revision.

(b) The Director may modify, suspend or terminate an issued land disposal system permit in whole or in part during its term for cause, including, but not limited to, failure or refusal of the permittee to carry out the requirements of the Act or regulations promulgated pursuant thereto, and if within 30 days following receipt of such notice of such proposed modification, suspension or termination from the Director there is no objection by the permittee in writing. Prior to any such modification, suspension or termination of an issued land disposal system permit by the Director (other than modification or revision of compliance schedule pursuant to subparagraph (a) above or modification of the monitoring, recording or reporting requirements), the Director will
provide public notice in accordance with procedures set forth in subparagraph 391-3-6-.11(6)(b) and an opportunity for public hearing in accordance with the procedures set forth in subparagraph 391-3-6-.11(6)(c)

(10) Non-governmentally Owned Sewerage Systems. In cases involving nongovernmentally owned sewerage systems, a trust indenture or other legal contract or agreement, approved by the Division, assuring continuity of operation of the system, may be required to be filed with the application for a permit. This provision shall not be applicable to systems treating or disposing only industrial waste.

(11) Duration and Transferability of Land Disposal System Permits.
(a) Any land disposal system permit issued under Section 10 of the Act shall have a fixed term not to exceed five years. Upon expiration of such permit a new permit may be issued by the Director, provided that an application for renewal is filed with the Director at least 180 days prior to the expiration date of the existing permit. The issuance of such new permit shall likewise have a fixed term not to exceed five years.
(b) A permit may be transferred to another person by a permittee if:
1. The permittee notifies the Director of the proposed transfer;
2. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittees (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) is submitted to the Director; and
3. The Director within thirty (30) days does not notify the current permittee and the new permittee of the Division's intent to modify, revoke and reissue, or terminate the permit and to require that new application be filed rather than agreeing to the transfer of the permit. A new application will be required when the change of ownership is accompanied by a change or proposed change in process or wastewater characteristics or a change or a potential change in any circumstances that the Director believes will affect the conditions or restrictions in the permit.

(12) Enforcement. Any person who violates any provision of the Act, any rule promulgated and adopted pursuant thereto, or any term, condition, schedule of compliance or other requirement contained in a permit issued pursuant to the Act shall be subject to enforcement proceedings pursuant to the Act.

Appendix E – EPD
Pretreatment and Permit Requirements
391-3-6-.08 Pretreatment and Permit Requirements.

(1) **Purpose.** The purpose of Rule 391-3-6-.08 is to provide for the degree of wastewater pretreatment required and the uniform procedures and practices to be followed relating to the application for and the issuance or revocation of pretreatment permits for the discharge of any pollutant into a publicly owned treatment works and then into the waters of the State.

(2) **Definitions.** All terms used in this Paragraph shall be interpreted in accordance with the definitions as set forth in the Act unless otherwise defined in this Paragraph or in any other Paragraph of these Rules.

(a) "Act" or "O.C.G.A." means the Official Code of Georgia Annotated, Title 12, Article 2.

(b) "Approval Authority" means the Director of the Environmental Protection Division of the Georgia Department of Natural Resources.

(c) "Approved pretreatment program," "POTW pretreatment program," or "program" means a program administered by a POTW that meets the criteria established in this Paragraph and Rule 391-3-6-.09, and which has been approved by the Approval Authority in accordance with Rule 391-3-6-.09.

(d) "Best management practices" or "BMPs" means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b). BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

(e) "Control Authority" means:

1. The POTW if the POTW’s pretreatment program submission has been approved by the Approval Authority in accordance with Rule 391-3-6-.09; or
2. The Approval Authority if the submission has not been approved; or

(3) In cases where categorical or significant non-categorical industrial users discharge to POTWs that are not included in an approved pretreatment program, the Approval Authority shall function as the Control Authority until an approved pretreatment program has been established by the POTW.

(f) "EPD" means the Environmental Protection Division of the Georgia Department of Natural Resources.

(g) "Federal Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.

(h) "Indirect discharge" or "discharge" means the introduction of pollutants into a POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the Federal Act.
(i) "Industrial user" means any person that is a source of an indirect discharge or proposed indirect discharge.

(j) "Interference" or "interfere" means a discharge which, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts a POTW's sewer system, treatment processes or operations or its sludge processes, including use of disposal thereof; and such discharge is a cause of a violation of any requirement of the POTW's NPDES Permit (including an increase in the magnitude or duration of a violation). The terms include prevention of sewage sludge use or disposal in accordance with Section 405 of the Federal Act, or any criteria, guidelines, or regulations developed pursuant to State or Federal laws.

(k) "Limitation" means any restriction or prohibition established under the Act on quantities, rates, or concentration, or a combination thereof, of chemical, physical, biological, or other constituents which are discharged from industrial users into a publicly owned treatment works and then into the waters of the State, including but not limited to schedules of compliance.

(l) "National pretreatment standard", "pretreatment standard" or "standard" means any regulation containing pollutant discharge limits promulgated by the U.S. Environmental Protection Agency (EPA) in accordance with Section 307(b) and (c) of the Federal Act, which applies to industrial users. This term includes prohibited discharge limits established pursuant to 40 CFR Part 403.5.

(m) "New source" means:

1. Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after publication of proposed pretreatment standards under Section 307(c) of the Federal Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section provided that:

   (i) the building, structure, facility or installation is constructed at a site at which no other source is located; or

   (ii) the building, structure, facility or installation totally replaces the process or reduction equipment that causes the discharge of pollutant at an existing source; or

   (iii) the production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type or activity as the existing source should be considered.

2. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of Subparagraphs 391-3-6-.08(2)(m)1. (ii) or (iii) but otherwise alters, replaces, or adds to existing process or production equipment.
3. Construction of a new source as defined under this Paragraph has commenced if the owner or operator has:

(i) begun, or caused to begin as part of a continuous on-site construction program:

(I) any placement, assembly, or installation of facilities or equipment; or

(II) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(ii) entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase, or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this Paragraph.

(n) "Pass through" means a discharge which exits the POTW into waters of the State in quantities or concentration which alone or in conjunction with a discharge or discharges from other sources is a cause of a violation of any requirement of the POTW's NPDES Permit (including an increase in the magnitude or duration of a violation).

(o) "Person" means any individual, corporation, company, association, partnership, county, municipality, State agency, Federal agency or facility or other entity.

(p) "Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical, or biological processes, process changes or by other means, except as prohibited by 40 CFR Part 403.6(d). Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40 CFR Part 403.6(e).

(q) "Pretreatment permit" means any permit issued by the Control Authority to regulate the discharge of pollutants from any industrial user into a publicly owned treatment works and the waters of the State.

(r) "Pretreatment permit application" means an application filed by any person with the Control Authority for a pretreatment permit.

(s) "Pretreatment requirements" means any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard, imposed on an industrial user.
(i) "Publicly owned treatment works" or "POTW," as applied in Rules 391-3-6-.08 and 391-3-6-.09, means a treatment works as defined by section 212 of the Federal Act, which is owned by the State or a municipality (as defined by section 502(4) of the Federal Act). This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the municipality, as defined in section 502(4) of the Federal Act, which has jurisdiction over the indirect discharges to, and the discharges from, such a treatment works

(u) "Significant Industrial User"

1. Except as provided in Subparagraphs (u) 2. and 3. below, the term Significant Industrial User means:

(i) All industrial users subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and

(ii) Any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Control Authority on the basis that the industrial user has a reasonable potential for adversely affecting the POTW’s operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

2. The Control Authority may determine that an industrial user subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the industrial user never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:

(i) the industrial user, prior to the Control Authority’s finding, has consistently complied with all applicable categorical pretreatment standards and requirements;

(ii) the industrial user annually submits the certification statement required in 40 CFR 403.12(q) together with any additional information necessary to support the certification statement; and

(iii) the industrial user never discharges any untreated concentrated wastewater.

3) Upon a finding by the Control Authority that an industrial user meeting the criteria in Subparagraph (u)1.(ii) above has no reasonable potential for adversely affecting the POTW’s operation or for violating any pretreatment standard or requirement, the Control Authority may at any time, on its own initiative or in response to a petition received from an industrial user or from a POTW pretreatment program and in accordance with
Subparagraph 391-3-6-.09(7)(d), determine that such industrial user is not a Significant Industrial User.

(v) "Significant noncompliance" for an industrial user means that its violation meets one or more of the following criteria:

1. Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a six month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits, as defined by 40 CFR 403.3(l);

2. Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements for the same pollutant parameter taken during a six month period equal or exceed the product of the numeric pretreatment standard or requirement, including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH);

3. Any other violation of a pretreatment standard or requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that the Control Authority determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);

4. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the Control Authority's exercise of its emergency authority to halt or prevent such a discharge;

5. Failure to meet, within ninety (90) days after the schedule date, a compliance schedule milestone contained in a control mechanism or enforcement order for starting construction, completing construction or attaining final compliance;

6. Failure to provide, within forty-five (45) days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;

7. Failure to accurately report noncompliance; or

8. Any other violations or group of violations which may include a violation of BMPs, which the Control Authority determines will adversely affect POTW operations or violate applicable NPDES Permit effluent limitations and requirements.

(3) Pretreatment Permit Requirements.

(a) Any industrial user discharging or proposing to discharge any pollutant into a publicly owned treatment works and then into the waters of the State, under any of the circumstances described in O.C.G.A. Section 12-5-30, shall be considered for a pretreatment permit by the Control Authority. In addition to other pretreatment permit requirements described in this Paragraph, the permit must contain the following conditions:
1. Statement of non-transferability without, at a minimum, prior notification to the Control Authority and provision of a copy of the existing control mechanism to the new owner or operator;

2. Effluent limits based on national pretreatment standards for prohibited discharges as specified in 40 CFR 403.5(a) and (b), national pretreatment standards for categorical discharges as specified in 40 CFR 403.6 and 40 CFR Chapter 1, Subchapter N, Parts 405-471, and local limits and/or BMPs as specified in 40 CFR 403.5(c);

3. Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule;

4. Conditions and limits to ensure that concentration and mass limits requirements under 40 CFR 403.6(c)(1)-(9), dilution prohibition requirements under 40 CFR 403.6(d) and combined wastestream formula requirements under 40 CFR 403.6(e)(1)-(4) are complied with.

5. Requirements to control slug discharges as defined in 40 CFR 403.8(f)(2)(vi), if determined by the Control Authority to be necessary.

(4) Degree of Pretreatment Required.

(a) All pollutants discharged from an industrial user to a publicly owned treatment works shall receive such pretreatment or corrective action so as to ensure compliance with the terms and conditions of the issued pretreatment permit and with the following whenever applicable:

1. Limitations, prohibitions and pretreatment standards and requirements promulgated by the U.S. EPA pursuant to Section 307 of the Federal Act and as described in Subparagraph 391-3-6.08(3)2.

2. Until such time as such limitations, prohibitions and pretreatment standards and requirements are formally promulgated pursuant to Section 307 of the Federal Act, the Control Authority shall apply such limitations, prohibitions and pretreatment standards necessary to achieve the purpose of said Section of the Federal Act. With respect to industrial users, such limitations, prohibitions or pretreatment standards shall be based upon an assessment of technology and processes, to wit:

(i) to existing industrial users limitations or pretreatment standards and requirements based on application of the best demonstrated control technology currently available;

(ii) to any industrial user whose construction commences after the effective date of this Paragraph, pretreatment standards and requirements which reflect the greatest degree of effluent reduction which the Control Authority determines to be achievable through the application of best demonstrated control technology currently available, or changes in processes or operating methods or other alternatives including where practical, a standard permitting no discharge of pollutants.
3. Notwithstanding the above, more stringent pretreatment may be required as deemed necessary by the Control Authority to meet:

(i) any other existing Federal laws or regulations;

(ii) to ensure compliance with any applicable State water quality standards, POTW effluent limitations, local discharge limitations, national pretreatment standards for prohibited discharges as specified in 40 CFR 403.5, dilution prohibition as specified in 40 CFR 403.6(d), pretreatment standards and requirements, or schedules of compliance;

(iii) to ensure there is no interference with the operation of a POTW or pass through of pollutants untreated.

4. To any industrial user, as appropriate, pretreatment standards and requirements designed to prohibit the discharge of toxic pollutant in toxic amounts which interfere with, pass through, prevents the use or disposal of sewage sludge, or otherwise interferes with operation of publicly owned treatment works.

5. The foregoing requirements shall be applied in considering all applications for pretreatment permits made pursuant to O.C.G.A. Section 12-5-30 and no such application shall be approved unless the pretreatment facilities will achieve such pretreatment standards and requirements within such reasonable time thereafter as the Control Authority may require.

(5) Application for Pretreatment Permit.

(a) Applications for pretreatment permits under O.C.G.A. Section 12-5-30 shall be on forms as may be prescribed and furnished from time to time by the Control Authority. Applications shall be accompanied by all pertinent information as the Control Authority may require in order to establish pretreatment standards and requirements in accordance with Subparagraph 391-3-6-.08(4), including but not limited to complete engineering reports, schedule of progress, plans, specification, maps, measurements, quantitative and qualitative determinations, records and all related materials. For industrial users subject to national pretreatment standards for categorical discharges, the application for a pretreatment permit shall contain information for a baseline report as required by 40 CFR 403.12(b)(1)-(7).

(b) Engineering reports, plans, specifications and other materials submitted to the Control Authority in support of a pretreatment permit application shall be prepared by or under the direct supervision or review of, and bear the seal of a Professional Engineer, competent in the field of sewage and industrial waste treatment. At no time shall this requirement be in conflict with O.C.G.A. Section 43-15 governing the practice of professional engineering and surveying.

(c) Materials submitted shall be complete and accurate.

(d) Any pretreatment permit application forms or any other forms submitted to the Control Authority shall be signed as follows:
1. By a responsible corporate officer, if the industrial user submitting the reports is a corporation. For this subparagraph a responsible corporate officer means:

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or

(ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. By a general partner or proprietor if the industrial user submitting the reports is a partnership or sole proprietorship respectively; or

3. By a duly authorized representative of the individual designated in paragraphs (5)(d)1. and (5)(d)2. of this section if:

(i) The authorization is made in writing by the individual described in paragraph (5)(d)1. or (5)(d)2.;

(ii) The authorization specifies either an individual or position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and

(iii) The written authorization is submitted to the Control Authority.

4. If an authorization under paragraph (5)(d)3. of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph (5)(d)3. of this section must be submitted to the Control Authority prior to or together with any reports to be signed by the authorized representative.

5. For a municipality, State, Federal, or the public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee. The duly authorized employee must be an individual or position having responsibility for the overall operation of the facility or the pretreatment program. This authorization must be made in writing by the principal executive officer or ranking elected official, and submitted to the Control Authority prior to or together with the report being submitted.

(6) Receipt and Use of Pretreatment Permit Application Forms and Data.
(a) Applications for pretreatment permits will be reviewed together with such other information as may be necessary to ascertain the effect of the discharge of any pollutant into a publicly owned treatment works and then the waters of the State.

(b) The Control Authority shall receive any data it finds relevant which is intended to clarify or support the pretreatment permit application.

(c) Any information submitted in a pretreatment permit application form, together with reports, records or plans that are considered confidential by the applicant for a pretreatment permit should be clearly labeled "Confidential" and be supported by a statement as to the reasons that such information should be considered confidential. If the Control Authority determines that such information is entitled confidential protection, it shall label and handle the same accordingly. However, all submitted effluent data shall be available to the public without restriction.

(7) Notice and Public Participation.

Where the Approval Authority is acting as the Control Authority, the following procedures shall apply:

(a) Tentative determination and draft permits:

1. When the Approval Authority is satisfied that the application is complete, a tentative determination will be made to issue or deny the pretreatment permit. If the tentative determination is to issue the permit, a draft permit will be prepared in accordance with applicable Federal regulations and State laws prior to the issuance of a public notice. If the tentative determination is to deny the permit, the applicant will be notified in writing by the Approval Authority and such notification shall include suggested revisions and modifications necessary to meet the requirements for a pretreatment permit.

(b) Public Notice:

1. Public notice of every approvable pretreatment permit application will be prepared by the Approval Authority and circulated in a manner designed to inform interested and potentially interested persons of the proposed discharge and of the proposed determination to issue a permit for the proposed discharge by an industrial user into a publicly owned treatment works and then into the waters of the State. Procedures for circulation of the public notice shall include the following:

   (i) publication in one (1) or more newspaper of general circulation that provides meaningful public notice in the area of the applicant;

   (ii) copy of the public notice shall be mailed to the pretreatment permit applicant and the owner or operator of the publicly owned treatment works that is to receive the discharge from the industrial user.

   (iii) mailing of the public notice to any persons or group upon written request to the EPD. The Approval Authority shall maintain a mailing list for distribution of public notices for pretreatment permits it issues. Any person or group may request that their names be added to the mailing list. The request should be writing to the EPD office in Atlanta and
shall be renewed in December of each year. Failure to renew the request shall result in the removal of such name from the mailing list for pretreatment permit notification;

(iv) a copy of the public notice shall be available for review and inspection at the EPD office in Atlanta;

(v) the Approval Authority shall provide a period of not less than thirty (30) days following the date of the public notice in which interested persons may submit their written views on the tentative determination with respect to the pretreatment permit application. All written comments submitted during the thirty (30) day comment period will be retained by the Approval Authority and considered in the final determinations with respect to the pretreatment permit application. The comment period may be extended at the discretion of the Approval Authority.

(c) Public Hearing:

1. The Approval Authority shall provide an opportunity for an applicant, any affected state or interstate agency, or any other interested agency, person or group of persons to request a public hearing with respect to a pretreatment permit application. Any such request for a public hearing shall be filed within the thirty (30) day comment period prescribed in Subparagraph 391-3-6-.08(7)(b)1.(v) and shall indicate the interest of the party filing such request, reasons why a hearing is requested and those specific portions of the application or other pretreatment form or information to be considered at the public hearing. The Approval Authority shall hold a hearing if it determines that there is sufficient public interest in holding such a hearing.

2. Any public hearing held pursuant to this Subparagraph shall be held in the geographical area of the proposed discharge to the publicly owned treatment works or other appropriate location at the discretion of the Approval Authority.

3. The Approval Authority may hold one public hearing on related groups of pretreatment permit applications.

4. Public notice of any hearing held pursuant to this Subparagraph shall be provided at least thirty (30) days in advance of the hearing date and shall be circulated in accordance with the public notification procedures in Subparagraph 391-3-6-.08(7)(b)

(8) Terms and Conditions of Pretreatment Permits.

(a) Terms and conditions under which the discharge will be permitted will be specified on the permit issued for the industrial user to discharge into a publicly owned treatment works and then into the waters of the State.

(b) No pretreatment permit shall be issued authorizing the discharge into a publicly owned treatment works and then into the waters of the State of any radiological, chemical or biological warfare agent or high-level radioactive waste.

(c) Schedule of compliance:
1. Any person who obtains a pretreatment permit pursuant to the Act but who is not in compliance with applicable pretreatment standards and limitations or other requirements contained in such permit at the time same is issued, shall be required to achieve compliance with such pretreatment standards and limitations or other requirements in accordance with the schedule of compliance as set forth in such permit, or in the absence of a schedule of compliance, by the date set forth in such permit which the Control Authority has determined to be the shortest, reasonable period of time necessary to achieve compliance. Such compliance schedules may not extend the compliance date beyond applicable Federal deadlines. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the industrial user to meet the applicable pretreatment standards and limitations. No increment referred to in this Subparagraph shall exceed nine months.

2. Within fourteen (14) days of an interim date of compliance or the final date of compliance specified for an industrial user, the industrial user shall provide the Control Authority with written notice of its compliance, or non-compliance with the requirements and conditions specified to be completed by such date. Failure to submit the written notice is just cause for the Control Authority to pursue enforcement action pursuant to its legal authority.

3. An industrial user who fails or refuses to comply with an interim or final date of compliance specified in a pretreatment permit may be deemed by the Control Authority to be in violation of the permit and may be subject to enforcement action by the Control Authority.

4. Within ninety (90) days following the date for final compliance with applicable pretreatment standards or in the case of a new source following commencement of the introduction of wastewater to the POTW, industrial users subject to categorical standards shall submit to the Control Authority a report containing information described in 40 CFR 403.12(b)(4)-(6).

(d) Monitoring, recording and reporting requirements:

1. Any industrial user authorized by a pretreatment permit issued pursuant to the Act may be subject to such monitoring, recording and reporting requirements as may be reasonably required by the Control Authority including the installation, use and maintenance of monitoring equipment or methods; specific requirements for recording of monitoring activities and result; and periodic reporting of monitoring results. The monitoring, record keeping, sampling, notification and reporting requirements including an identification of the pollutants to be monitored, sampling location, sampling frequency, and sample type, based on national pretreatment standards, including those in 40 CFR 403.12 as applicable, and applicable local limits and requirements shall be specified in a permit when issued, provided however the Control Authority may modify or require additional monitoring, recording and reporting by written notification to the industrial user.

2. The industrial user shall be required, in the pretreatment permit, to retain any records of monitoring activities and results for a minimum of three (3) years, unless otherwise
extended by the Control Authority upon written notification. The period of retention shall be extended during the course of any unresolved litigation regarding the industrial user or POTW.

3. Any holder of a permit, which requires monitoring of the authorized discharge into a publicly owned treatment works and then into the waters of the State, shall report periodically to the Control Authority results of all required monitoring activities on appropriate forms supplied by the Control Authority. The Control Authority shall notify the industrial user of the frequency of reporting. All periodic reporting shall be in accordance with the requirements described in 40 CFR 403.12(e)-(h).

4. The effluent limitations specified in the pretreatment permit will be based on an allowable POTW headworks loading methodology for deriving the value of the limiting pollutant for inclusion in the permit after consideration of State water quality standards, sludge disposal requirements, final determination of NPDES Permit limits, POTW inhibition, and any other applicable criteria. The limiting factor selected will then be compared to appropriate national pretreatment standards for categorical discharges if applicable, and the most stringent will then be incorporated into the permit. In instances where the potable water sources or other incoming water sources have values that exceed limits based on water quality standards, then an alternate limit may be derived on a case-by-case basis after the evaluation of sampling conducted on the water sources by the Control Authority. These alternate effluent limitations will be considered local limits and will be enforced to comply with 40 CFR 403.5(c) and (d) requirements.

(9) Modification, Suspension and Revocation of Pretreatment Permits:

Where the Approval Authority is acting as the Control Authority, the following procedures shall apply:

(a) The Approval Authority may revise or modify the schedule of compliance set forth in an issued pretreatment permit if the industrial user requests such modification or revision in writing and such modification or revision will not cause an interim date in the compliance schedule to be extended more than one hundred and twenty (120) days or affect the final date in the compliance schedule. If the industrial user requests in writing the modification or revision of a schedule of compliance set forth in an issued pretreatment permit which, if granted, would cause an interim date in the compliance schedule to be extended more than one hundred and twenty (120) days or affect the final date in compliance schedule, the Approval Authority may revise or modify such schedule of compliance provided it is in accordance with promulgated Federal regulations. The Approval Authority may grant a request in accordance with this Subparagraph if it determines after documented showing by the industrial user that good and valid cause, including acts of God, strikes, floods, material shortages or other events over which the industrial user has little or no control, exist for such revision.

(b) The Approval Authority may modify, suspend or revoke an issued pretreatment permit in whole or in part during its term for cause, including but not limited to, failure or refusal of the industrial user to carry out the requirements of the Act or regulations promulgated pursuant thereto and/or promulgated Federal regulations, if within thirty
(30) days following receipt of such proposed modifications, suspension or revocation from the Approval Authority, there is no objection by the industrial user in writing. In addition prior to any such modifications, suspension or revocation of an issued pretreatment permit by the Approval Authority (other than modification or revision of compliance schedule pursuant to Subparagraph 391-3-6-.08(9)(a) above or modification of the monitoring, recording and reporting requirements), the Approval Authority will provide public notice in accordance with the procedures set forth in Subparagraph 391-3-6-.08(7)(b). Where the Approval Authority is acting as the Control Authority, the procedures set forth in Chapter 391-1-2 of these Rules shall apply to any person who is “aggrieved or adversely affected” as provided for in Title 12 of the Official Code of Georgia Annotated.

(10) Duration of Pretreatment Permits.

Any pretreatment permit issued by a Control Authority shall have a fixed term not to exceed five (5) years. When the Approval Authority is acting as the Control Authority, a new pretreatment permit may be issued by the Authority, provided that an application for such new pretreatment permit is filed with the Approval Authority at least one hundred and eighty (180) days prior to the expiration date of the existing permit. The issuance of such new pretreatment permit shall likewise have a fixed term not to exceed five (5) years.

(11) Enforcement.

Any person who violates any provision of the Act, any rule promulgated and adopted pursuant thereto, or any term, condition schedule or compliance or other requirement contained in a permit issued pursuant to the Act shall be subject to enforcement proceedings pursuant to the Act.
Appendix F - EPD Requirements for Approval, Implementation and Administration
391-3-6-.09 Requirements for Approval and Implementation of Publicly Owned Treatment Works Pretreatment Programs and Administration of the EPD Pretreatment Program.

(1) Purpose. The purpose of Rule 391-3-6-.09 is to provide uniform procedures and practices to be followed for the development and submission of POTW pretreatment programs for EPD review and approval or denial, and the public notification methods to be used.

(2) Definitions. All terms used in this Paragraph shall be interpreted in accordance with the definitions as set forth in the Act unless otherwise defined in this Paragraph or in any other Paragraph of these Rules:

(a) "Submission" means a request to the Approval Authority for approval of a POTW pretreatment program by a POTW.

(3) Required POTW Pretreatment Programs.

(a) Any POTW or combination of POTWs operated by the same authority with a total design flow greater than 5 million gallons per day (MGD) and receiving from industrial users pollutants which may pass through untreated or interfere with the operation of the POTW or are otherwise subjects to Section 307(b) or 307(c) of the Federal Act will be required to establish a POTW pretreatment program.

(b) The Approval Authority may require in writing that a POTW with a design flow of 5 mgd or less develop a POTW pretreatment program if it finds that the nature or volume of the industrial effluent, treatment process upsets, violations of POTW effluent limitations, contamination of municipal sludge or other circumstances warrant a POTW pretreatment program in order to prevent interference with the POTW or pass through of untreated pollutants.

(c) Any POTW described in Subparagraphs 391-3-6-.09(3)(a) and (b) must obtain approval of its POTW pretreatment program no later than three (3) years after the reissuance or modification of its existing NPDES permit, but in no case later than July 1, 1983. POTWs whose NPDES permits are modified under Section 301(h) of the Federal Act shall have a pretreatment program within less than three (3) years as provided by 40 CFR Part 125, Subpart G. POTWs identified after July 1, 1983 as being required to develop a POTW pretreatment program under Subparagraph 391-3-6-09(3)(a) and (b) shall develop and submit such a program for approval as soon as possible to the Approval Authority but in no case later than one (1) year after written notification from the Approval Authority of such identification.

(d) The POTW pretreatment program shall meet the criteria set forth in 40 CFR 403.8(f) and shall be capable of being administered by the POTW to ensure compliance by the industrial users with applicable State and Federal pretreatment standards and requirements in order to be approved by the Approval Authority.
(e) The Approval Authority may hold a public hearing in the geographical area served by any POTW which fails to comply with the Approval Authority's finding and written directive that a POTW pretreatment program is required and a draft submission must be developed and submitted to the Approval Authority within sixty (60) days. The public hearing will be held to advise the public, the industrial users and other concerned parties that the EPD will establish and operate the pretreatment program necessary to meet the Federal requirements as a result of the failure of the POTW to carry out its legal responsibility. The appropriate POTW, city or municipal officials will be requested at the public hearing to explain the reasons why they failed to comply with the Approval Authority's finding and directive. For any public hearing held pursuant to this Subparagraph a public notice shall be provided at least forty-five (45) days in advance of the hearing date and shall be published and circulated in accordance with Subparagraph 391-3-6-.09(5)(a).

(f) A POTW requesting approval of a POTW pretreatment program shall develop a program submission which includes the information set forth in 40 CFR 403.9(b) and 403.8(f). Any other pertinent information requested by the Director as being necessary to clarify, support or supplement the program description must also be submitted.

(4) POTW Pretreatment Program Approval or Denial.

(a) Any POTW requesting POTW pretreatment program approval shall submit to the EPD three copies of the submission described in 40 CFR 403.9(b). Within 60 days after receiving the submission, the EPD shall make a preliminary determination of whether the submission meets the requirements of 403.9(b) and whether the submission meets the requirements as may be described by the EPD. When the EPD is satisfied that a POTW pretreatment program meets the requirements of 40 CFR 403.8(f), 403.9(b) and such other requirements as may be prescribed by the Approval Authority, the EPD shall notify the POTW that the submission has been received and is under review and commence public notice and evaluation activities set forth in Subparagraph 391-3-6-.09(5).

(b) When the EPD determines that the POTW pretreatment program does not meet the requirements of Subparagraph 391-3-6-.09(a), the EPD shall notify the POTW in writing as appropriate and each person who has requested individual notice. This notification shall identify any defects in the submission and advise the POTW and each person who has requested individual notice of the means by which the POTW can comply with the applicable requirements of Subparagraph 391-3-6-.09(a). Unless the necessary revisions and modifications are made within the time period specified in the notification of denial, not to exceed the one year period specified in Subparagraph 391-3-6-.09(3)(c), the EPD will proceed to develop and implement a pretreatment program for the area served by the POTW in accordance with Paragraphs 391-3-6-.08 and 391-3-6-.09.

(5) Notice and Public Participation.

(a) Tentative Determination for POTW Pretreatment Program Approval.
1. Within 20 work days after the EPD has made a determination that a POTW pretreatment program submission meets the requirements of 40 CFR 403.9(b), a public notice will be issued by the EPD and the city or municipality requesting approval to advise the public that a request has been made for approval of the submission. This public notice shall be published and circulated in a manner designed to inform interested and potentially interested persons of the submission. Procedures for circulation of the public notice shall include the following:

(i) mailing to adjoining State whose waters may be affected;

(ii) mailing to designated 208 planning agencies; Federal and State fish, shellfish and wildlife resources agencies; upon request to other appropriate government agencies; and to any other person or group, including those on the appropriate EPD mailing list;

(iii) publication in a newspaper(s) of general circulation within the city or municipality in which the POTW pretreatment program has been established;

(iv) mailing to the chief elected official of the city or municipality requesting approval of the POTW pretreatment program submission;

(v) a copy will be available at the EPD office in Atlanta;

(vi) the EPD shall provide a period of not less than forty-five (45) days following the date of the public notice during which interested persons may submit their written views on the submission. All written comments submitted during the forty-five day period will be retained by the EPD and considered in the decision on whether or not to approve the submission. The comment period may be extended at the discretion of the Approval Authority; and

(vii) the contents of the public notice will be in accordance with appropriate Federal requirements and applicable State laws.

2. The Approval Authority shall provide an opportunity for the applicant, any affected State, any interested State or Federal agency, person or group of persons to request a public hearing with respect to the submission. Any such request for a public hearing shall be filed within the forty-five (45) day comment period described in Subparagraph 391-3-6-.09(5)(a)1.(vi) and shall indicate the interest of the person filing such request and the reason why a hearing is warranted. The Approval Authority shall hold the hearing if it determines that there is sufficient public interest in holding such hearing or if the POTW requests a hearing.

(i) any public hearing held pursuant to this Subparagraph shall be held in the geographical area of the applicable submission or other appropriate location at the discretion of the Approval Authority. The Approval Authority may hold one public hearing on related groups of submissions in the same geographical area;

(ii) public notice of any hearing held pursuant to this Subparagraph shall be provided at least forty-five (45) days advance of the hearing date and shall be circulated in accordance with Subparagraph 391-3-6-.09(5)(a)1.
(b) Final Determination for POTW Pretreatment Program Approval or Denial.

1. Deadline for review of submission. The Approval Authority shall have 90 days from the date of public notice of any submission complying with the requirements of § 403.9(b) to review the submission. The Approval Authority shall review the submission to determine compliance with the requirements of 40 CFR 403.8 (b) and (f). The Approval Authority may have up to an additional 90 days to complete the evaluation of the submission if the public comment period provided for in Subparagraph 391-3-6-.09(5)(a)1.(vi) is extended beyond 45 days or if a public hearing is held as provided for in Subparagraph 391-3-6-.09(5)(a)2. In no event, however, shall the time for evaluation of the submission exceed a total of 180 days from the date of public notice of a submission meeting the requirements of § 403.9(b).

2. At the conclusion of the public notice comment period or the public comment period allowed following a public hearing or the extension if warranted per Subparagraph 391-3-6-.09(5)(b)1. above, the Approval Authority shall make a determination to approve the POTW pretreatment program or deny any approval to the program based on the requirements of Subparagraph 391-3-6-.09(4) and taking into consideration the comments submitted during the comment period and the record of the public hearing, if held. When the Approval Authority has made a determination to deny approval to the program the POTW shall be notified in writing in accordance with Subparagraph 391-3-6-.09(4)(b) and each person who has requested individual notice. The Approval Authority shall also notify these persons who submitted comments and participated in the public hearing, if held, of the approval or disapproval of the submission.

3. U.S. EPA’s objection to Approval Authority's decision. No POTW pretreatment program shall be approved by the Approval Authority if, following the 45 day (or extended) evaluation period provided for in Subparagraph 391-3-6-.09(5)(a)1.(vi) and any hearing held pursuant to Subparagraph 391-3-6-.09(5)(a)2 of this section, the Regional Administrator of U.S. Environmental Protection Agency Region 4 (Regional Administrator) sets forth in writing objections to the approval of such submission and the reasons for such objections. A copy of the Regional Administrator's objections shall be provided to the applicant, and each person who has requested individual notice. The Regional Administrator shall provide an opportunity for written comments and may convene a public hearing on his or her objections. Unless retracted, the Regional Administrator's objections shall constitute a final ruling to deny approval of a POTW pretreatment program 90 days after the date the objections are issued.

4. When the EPD has made a determination to approve the submission, a public notice shall be issued to advise of the decision. This public notice shall be published and circulated in a manner designed to inform interested and potentially interested persons of the decision. Procedures for circulation of the public notice shall include the following:

(i) publication in the same newspaper as the original notice of request for approval of the submission was published;

(ii) mailing to those persons who submitted comments and participated in the hearing for approval or disapproval of the submission;
(iii) the Approval Authority shall ensure that the submission and any comments upon said submission are available to the public for inspection and copying at the EPD offices in Atlanta during normal business hours;

(iv) mailing to adjoining State whose waters may be affected; and

(v) mailing to designated 208 planning agencies; Federal and State fish, shellfish and wildlife resource agencies; upon request to other appropriate government agencies; and to any other person or group including those on the appropriate EPD mailing list.

(6) Notification of POTW Pretreatment Program Approval.

(a) Notification of any final approval of a POTW pretreatment program will be forwarded to the POTW in writing including any conditions or special requirements for compliance schedules, monitoring and reporting both for the POTW and the industrial user in accordance with 40 CFR 403.12.

(b) When the POTW accepts the approval and any specific conditions or requirements that are a part of the approval notification by the Approval Authority, procedures will be started to revise, modify and reissue the POTW’s discharge permit to include compliance with Rules 391-3-6-.08 and 391-3-6-.09, and the approved POTW pretreatment program as enforceable conditions of the POTW’s permit. The modification of a POTW's discharge permit for the purposes of incorporating a POTW pretreatment program approved by the Approval Authority in accordance with 40 CFR 403.11 and this Paragraph shall be deemed a minor permit modification subject to the procedures in 40 CFR 122.63.

(7) Modification of POTW Pretreatment Program.

(a) Either the EPD or a POTW with an approved POTW pretreatment program may initiate program modification at any time to reflect exchanging conditions at the POTW. Program modification is necessary whenever there is a significant change in the operation of the POTW pretreatment program that differs from the information in the POTW submission as approved by the Approval Authority. Any approved POTW pretreatment program identified by the EPD that needs to modify its program to incorporate requirements that have resulted from revision to Paragraph 391-3-6-.08 through 391-3-6-.10 or any other applicable paragraph revision shall develop and submit to the EPD for approval such program modification no later than one (1) year after written notification from the EPD to modify the program.

(b) POTW pretreatment program modifications shall be accomplished as follows:

1. For substantial modifications as defined in Subparagraph 391-3-6-.09(7)(c):

   (i) the POTW shall submit to the EPD a statement of the basis for the desired modification, a modified program description or such other documents the Approval Authority determines to be necessary under the circumstances;
(ii) the Approval Authority shall approve or disapprove the modifications based on the requirements of 40 CFR 403.8(f), following the procedures in Subparagraph 391-3-6-.09(4)-(6);

(iii) the modification shall be incorporated into the POTW discharge permit after approval. The POTW’s discharge permit will be modified to incorporate the approved modification in accordance with 40 CFR 122.63(g);

(iv) the modification shall become effective upon approval by the Approval Authority. Notice of approval shall be published in the same newspaper as the notice of original request for approval of the modification under Subparagraph 391-3-6-.09(5)(a)1.(iii).

2. The POTW shall notify the EPD of any other (i.e., non-substantial) modifications to its pretreatment program at least thirty (30) days prior to when they are to be implemented by the POTW, in a statement similar to that provided for in Subparagraph 391-3-6-.09(7)(b)1.(i). Such non-substantial program modification shall be deemed to be approved by the Approval Authority, unless the EPD determines that a modification submitted is in fact a substantial modification thirty (30) days after the submission of the POTW's statement. Following such approval by the Approval Authority, such modifications shall be incorporated into the POTW’s discharge permit in accordance with 40 CFR 122.63(g). If the EPD determines that a modification reported by a POTW in its statement is in fact a substantial modification, the EPD shall notify the POTW and initiate the procedures in Subparagraph 391-3-6-.09(7)(b)1.

(c) Substantial modifications.

1. The following are substantial modifications for purposes of this Subparagraph:

(i) changes to the POTW's legal authorities;

(ii) changes to local limits;

(iii) changes to the POTW's control mechanism as described in 40 CFR 403.8(f)(1)(iii);

(iv) changes to the POTW's method for implementing categorical pretreatment standards;

(v) a decrease in the frequency of self-monitoring or reporting required of industrial users;

(vi) a decrease in the frequency of industrial user inspection or sampling by the POTW;

(vii) changes to the POTW's confidentiality procedures;

(viii) significant reduction in the POTW's pretreatment program resources (including personnel commitments, equipments, and funding levels); or

(ix) changes in the POTW's sludge disposal and management practices.

2. The Approval Authority may designate other specific modifications in additional to those listed in Subparagraph 391-3-6-.09(7)(c)1. as substantial modifications.
3. A modification that is not included in Subparagraph 391-3-6-.09(7)(c)1. is none the less a substantial modification for purposes of this Subparagraph if the modification:

(i) would have a significant impact on the operation of the POTW's pretreatment program;

(ii) would result in an increase in pollutant loadings at the POTW's or

(iii) would result in less stringent requirements being imposed on industrial users of the POTW.

(d) The POTW shall prepare a list of its industrial users meeting the criteria in Subparagraphs 391-3-6-.08(2)(u)1.(i) and 2. applicable to each industrial user and, for industrial users meeting the criteria in Subparagraphs 391-3-6-.08(2)(u)1.(ii) shall also indicate whether the POTW has made a determination pursuant to Subparagraph 391-3-6-.08(2)(u) that such industrial user should be considered a significant industrial user. This list, and any subsequent modification thereto, shall be submitted to the EPD as a nonsubstantial program modification pursuant to Subparagraph 391-3-6-.09(7)(b)2. Discretionary designations or de-designations by the POTW pretreatment program shall be deemed to be approved by the EPD ninety (90) days after submission of the list or modifications thereto, unless EPD determines that a modification is in fact a substantial modification.

(8) Compliance Monitoring and Reporting Requirements for POTW Pretreatment Programs and the EPD Pretreatment Program.

(a) Both the EPD and each POTW pretreatment program shall develop and implement procedures to ensure compliance with the requirements of a pretreatment program. At a minimum, these procedures shall enable the Control Authority to:

1. Identify and locate all possible industrial users which might be subject to the pretreatment program;

2. Identify the character and volume of pollutants contributed to the POTW by the industrial users identified under Subparagraph 391-3-6-.09(8)(a)1.;

3. Notify industrial users identified under Subparagraph 391-3-6-.09(8)(a)1. of applicable pretreatment standards and applicable pretreatment requirements under Sections 204(b) and 405 of the Federal Act and Subtitles C and D of the Resource Conversation and Recovery Act. Within 30 days of approval pursuant to 40 CFR 403.8(f)(6), of a list of significant industrial users, notify each significant industrial user of its status as such and all requirements applicable to it as a result of such status;

4. Receive and analyze self-monitoring reports and other notices submitted by industrial users in accordance with the self-monitoring requirements in 40 CFR 403.12;

5. Randomly sample and analyze the effluent from industrial users and conduct surveillance activities in order to identify, independent of information supplied by industrial users, occasional and continuing noncompliance with pretreatment standards.
Inspect and sample the effluent from each significant industrial user at least once a year except as otherwise specified below:

(i) Where the Control Authority has authorized the industrial user subject to a categorical pretreatment standard to forego sampling of a pollutant regulated by a categorical pretreatment standard in accordance with 40 CFR 403.12(e)(3), the Control Authority must sample for the waived pollutant(s) at least once during the term of the categorical industrial user's control mechanism. In the event that the Control Authority subsequently determines that a waived pollutant is present or is expected to be present in the industrial user’s wastewater based on changes that occur in the industrial user’s operations, the Control Authority must immediately begin at least annual effluent monitoring of the industrial user’s discharge and inspection.

(ii) Where the Control Authority has determined that an industrial user meets the criteria for classification as a Non-Significant Categorical Industrial User, the Control Authority must evaluate, at least once per year, whether an industrial user continues to meet the criteria in 40 CFR 403.3(v)(2).

(iii) In the case of industrial users subject to reduced reporting requirements under 40 CFR 403.12(e)(3), the Control Authority must randomly sample and analyze the effluent from industrial users and conduct inspections at least once every two years. If the industrial user no longer meets the conditions for reduced reporting in 40 CFR 403.12(e)(3), the Control Authority must immediately begin sampling and inspecting the industrial user at least once a year.

6. Evaluate, within one year whether each such significant industrial user needs a plan or other action to control slug discharges. Additional significant industrial users must be evaluated within 1 year of being designated a significant industrial user. If the Control Authority decides that a slug control plan is needed, the plan shall be based on the requirements in 40 CFR 403.8(f)(2)(vi).

7. Investigate instances of noncompliance with pretreatment standards and requirements, as indicated in the reports and notices required under 40 CFR 403.12 or indicated by analysis, inspection, and surveillance activities described in Subparagraph 391-3-6-.09(8)(a)5. Sample taking and analysis and the collection of other information shall be performed using appropriate procedures to produce evidence admissible in enforcement proceedings or in judicial actions;

8. Comply with the public participation requirement of 40 CFR Parts 25 in the enforcement of national pretreatment standards. These procedures shall include provision for at least annual public notification, in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW of industrial users which, at any time during the previous 12 months, were in significant noncompliance with applicable pretreatment requirement as defined under Subparagraph 391-3-6-.08(2)(v); and

9. Deny or condition new increased contributions of pollutants, to the POTW by industrial users where such contributions do not meet applicable pretreatment standards
and requirements or where such contribution would cause the POTW to violate its NPDES Permit.

(b) Both the EPD pretreatment program and each POTW pretreatment program shall require the following industrial user reports and notification for their regulated industrial users:

1. Notice of potential problems including slug loading as described in 40 CFR 403.12(f);
2. Report on the monitoring and analysis to demonstrate continued compliance as described in 40 CFR 403.12(g)(1)-(6);
3. Reports for industrial users not subject to categorical pretreatment standards as described in 40 CFR 403.12(h);
4. Notification of changed discharge as described under 40 CFR 403.12(j);
5. Notification of discharge of hazardous waste as described in 403.12(p)(1)-(4).
6. Baseline reports as described in 40 CFR 403.12(b)(1)-(7);
7. Compliance scheduling and progress reports as described in 40 CFR 403.12(c)(1)-(3);
8. Report on compliance with categorical pretreatment standards deadlines as described in 40 CFR 403.12(d);
9. Periodic reports on continued compliance as described in 40 CFR 403.12(e)(1)-(5); and
10. Annual certification by Non-Significant Categorical Industrial Users (as defined in Subparagraph 391-3-6-.08(2)(r)(2)) as required in 40 CFR 403.12(q).

(c) Signatory requirements for industrial user reports and POTW pretreatment program reports shall comply with requirements described in 40 CFR 403.12(l) and (m), respectively.

(d) Records keeping for industrial users and POTW pretreatment programs shall comply with the requirements described in 40 CFR 403.12(o).

(e) The EPD may require a POTW pretreatment program to sample and analyze the POTW influent, effluent and/or sludge for the toxic priority pollutants as listed under Subparagraphs 391-3-6-.03(5)(e)(i)(ii) and (iii) and any other identified pollutants at a frequency that adequately characterizes pollutant loading at the POTW. In addition, the POTW pretreatment program may be required to conduct biomonitoring of the POTW effluent.

(f) A Control Authority that chooses to receive electronic documents must satisfy the requirements of 40 CFR Part 3 (Electronic Reporting).

(9) **Legal Authority Requirements for Control Authorities.**
(a) Each Control Authority shall operate pursuant to a legal authority enforceable in Federal, State or local courts, which authorizes or enables the Control Authority to apply and to enforce the requirements of sections 307(b) and (c), and 402(b)(8) of the Federal Act and any regulations implementing those sections. Such authority may be contained in a statute, ordinance, or series of contracts or joint powers agreement, which the Control Authority is authorized to enact, enter into or implement and which are authorized by the Act or State law. At a minimum, this legal authority shall enable the Control Authority to:

1. Require compliance with applicable pretreatment standards and requirements by industrial users.

2. Deny or condition new or increased contributions of pollutants, or changes in the nature of pollutants, to the POTW by industrial users where such contributions do not meet applicable pretreatment standards and requirements or where such contributions would cause the POTW to violate its NPDES permit.

3. Control through permit, order, or similar means, the contribution to the POTW by each industrial user to ensure compliance with applicable pretreatment standards and requirements. In case of industrial users identified as significant under Subparagraph 391-3-6-.08(2)(u), this control shall be achieved through individual permits or equivalent individual control mechanism issued to each such user except as follows.

   (i) At the discretion of the Control Authority, this control may include use of general control mechanisms if the following conditions are met. All of the facilities to be covered must:

   (I) Involve the same or substantially similar types of operations;

   (II) Discharge the same types of wastes;

   (III) Require the same effluent limitations;

   (VI) Require the same or similar monitoring; and

   (V) In the opinion of the Control Authority, are more appropriately controlled under a general control mechanism than under individual control mechanisms.

   (ii) To be covered by the general control mechanism, a significant industrial user must file a written request for coverage that identifies its contact information, production processes, the types of wastes generated, the location for monitoring all wastes covered by the general control mechanism, any requests in accordance with 40 CFR 403.12(e)(2) for a monitoring waiver for a pollutant neither present nor expected to be present in the discharge, and any other information the Control Authority deems appropriate. A monitoring waiver for a pollutant neither present nor expected to be present in the discharge is not effective in the general control mechanism until after the Control Authority has provided written notice to the significant industrial user that such a waiver request has been granted in accordance with 40 CFR 403.12(e)(2). The Control Authority must retain a copy of the general control mechanism, documentation to support the Control Authority's determination that a specific significant industrial user meets the
criteria in 40 CFR 403.8(f)(1)(iii)(A)(1) through (f)(1)(iii)(A)(5), and a copy of the significant industrial user's written request for coverage for 3 years after the expiration of the general control mechanism. A Control Authority may not control a significant industrial user through a general control mechanism where the facility is subject to production-based categorical pretreatment standards or categorical pretreatment standards expressed as mass of pollutant discharged per day, or for industrial users whose limits are based on the combined wastestream formula in 40 CFR 403.6(e). Both individual and general control mechanisms must, be enforceable and contain the minimum conditions described in 40 CFR 403.8(f)(1)(iii)(B)(1)-(6). Each pretreatment permit will include, where appropriate, conditions and limits which ensure that concentration and mass limit requirements under 40 CFR 403.6(c)(1)-(9), dilution prohibition requirements under 40 CFR 403.6(d) and combined wastestream formula requirements under 40 CFR 403.6(e)(1)-(4) are complied with;

4. Require the development of a compliance schedule by each industrial user for the installation of technology required to meet applicable pretreatment standards and requirements and the submission of all notices and self-monitoring reports from industrial users with pretreatment standards and requirements, including, but not limited to the reports required in 40 CFR 403.12;

5. Carry out all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by industrial users, compliance or noncompliance with applicable pretreatment standards and requirements by industrial users. Representatives of the POTW shall be authorized to enter any premises of any industrial user in which a discharge source or treatment system is located or in which records are required to be kept under 40 CFR 403.12(o) to assure compliance with pretreatment standards. Such authority shall be at least as extensive as the authority provided under Section 308 of the Federal Act;

6. Obtain remedies for noncompliance by any industrial user with any pretreatment standard and requirement. All POTW's shall be able to seek injunctive relief for noncompliance by industrial users with pretreatment standards and requirements. All POTW’s shall also have authority to seek or assess civil or criminal penalties in at least the amount of $1,000 a day for each violation by industrial users of pretreatment standards and requirements. Pretreatment requirements which will be enforced through the remedies set forth in this Subparagraph will include but not be limited to, the duty to allow or carry out inspections, entry, or monitoring activities; any rules, regulations or orders issued by the POTW; any requirements set forth in control mechanisms issued by the POTW; or any reporting requirements imposed by the POTW; or any reporting requirements imposed by the POTW or these regulations. The POTW shall have authority and procedures (after informal notice to the discharger) to immediately and effectively halt or prevent any discharge of pollutants to the POTW which reasonably appears to present an imminent endangerment to the health or welfare of persons. The POTW shall also have authority and procedures (which shall include notice to the affected industrial users and an opportunity to respond) to halt or prevent an endangerment to the environment or which threatens to interfere with the operation of the POTW. The EPD shall have the authority to take additional enforcement action when the
EPD determines that the Control Authority’s enforcement response to noncompliance by an industrial user is insufficient;


(b) The Control Authority shall develop and implement an enforcement response plan which contains detailed procedures indicating how a POTW will investigate and respond to instances of industrial user noncompliance. The plan shall be developed in accordance with requirements described in 40 CFR 403.8(f)(5).

(c) Control Authority shall ensure that industrial users comply with the deadline for compliance with categorical standards as described in 40 CFR 403.6(b) or take appropriate enforcement actions to address noncompliance with 40 CFR 403.6(b) through the enforcement response plan under subparagraph 391-3-6-.09(9)(b).

(d) Control Authority shall ensure that proper legal authority exists to require industrial user compliance with the general prohibitions under 40 CFR 403.5(a)(1), the specific prohibitions under 40 CFR 403.5(b)(1)-(8) and local limits under 40 CFR 403.5(c) and (d). The Control Authority shall develop and enforce specific limits as described under 40 CFR 403.5(c) and (d) to implement the prohibitions listed in 40 CFR 403.5(a)(1) and 40 CFR 403.5(b)(1)-(8). The Control Authority shall continue to develop these limits as necessary and effectively enforce such limits.

(10) POTW Pretreatment Program Annual Report.

Each POTW pretreatment program shall provide the Approval Authority with a report that describes POTW program activities including activities of all participating agencies if more than one jurisdiction is involved in the local program. The report required by this subparagraph shall be submitted no later than one year after approval of the POTW's pretreatment program and at least annually thereafter and shall include, at a minimum, the information required in 40 CFR 403.12(i).

(11) Approval Authority Oversight of POTW Pretreatment Programs.

The Approval Authority retains the authority to enforce all pretreatment standards (including categorical standards, prohibited discharge standards, and local limits as described in 40 CFR 403) in cases where the Approval Authority determines that insufficient enforcement action has been taken by the POTW pretreatment program against industrial users. The Approval Authority also has the legal authority to review self-monitoring reports submitted by the industrial users described in 40 CFR 403.10(f)(1)(ii) and to carry out inspection surveillance, and monitoring procedures as described in 40 CFR 403.10(f)(1)(iii). The Approval Authority also has the legal authority to obtain remedies for noncompliance as described in 40 CFR 403.8(f)(1)(vi).

(12) Enforcement.
Any person who violates any provision of the Act, any rule promulgated and adopted pursuant thereto, or any term, condition, schedule or compliance or other requirements contained in a permit issued pursuant to the Act shall be subject to enforcement proceedings pursuant to the Act. Any reports submitted to the Control Authority or Approval Authority are also subject to the conditions of 40 CFR 403.12(n) and applicable Georgia laws.

Appendix G - GA Regulatory and Development Contacts
### Regulatory and Development Contacts

#### Regulatory Contacts:

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<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Department</th>
<th>Address</th>
<th>Phone</th>
<th>Fax</th>
<th>Email</th>
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<tbody>
<tr>
<td>Billy Skaggs</td>
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#### Development Contacts:

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<th>Name</th>
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<th>Address</th>
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<td>Courtney Bernardi</td>
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Appendix H – FPP Floor Plan
Line Drawing
Appendix I – ISAMPA
Nonprofit Bylaws Example
BYLAWS OF

INDEPENDENT SMALL ANIMAL MEAT PROCESSORS
OF WESTERN NORTH CAROLINA, INC.
A Nonprofit Corporation

Article 1
MISSION

The mission of the Corporation is to disseminate best practices for raising, processing and marketing small meat animals, support the development of a small-scale small animal processing facility meeting state or federal inspection requirements, create a fellowship of like-minded independent producers, and to raise public awareness of small animal meat products humanely raised and processed in a manner that contributes to the social, economic, and environmental well being of western North Carolina’s people and natural resources.

Article 2
OFFICES

The principal office of the Corporation shall be in McDowell County, North Carolina. The Corporation shall designate a registered office in accordance with North Carolina law. The Corporation may have offices at such other places within and without North Carolina as the Board of Directors may from time to time determine.

Article 3
MEMBERS

Section 1. Classes of Members.

a. Classes. The Association shall have three classes of voting members designated as: Regular; Associate; and Independent.

b. Regular. Regular membership shall be available to farms that are independent producers of small meat animals currently engaged in animal production or that are planning to do so within one year. For the purposes of membership, a “farm” is defined as a single family unit or family-owned business entity producing agricultural products. All Regular members must pay annual dues as established by these Bylaws and the Board of Directors.

c. Associate. Associate membership shall be available to individuals or firms who support the membership of the Association and pay annual dues for Associate members as established by these Bylaws and the Board of Directors.
d. **Independent.** Independent membership may be granted by the Board of Directors to any person nominated for such by at least six members in good standing for activities extraordinarily benefiting the organization.

e. **Non-discrimination.** Membership in the Association shall be without regard to race, religion, creed, sex, residence, or national origin.

f. **Non-transferability.** Membership in the Association may not be transferred or assigned.

Section 2. Voting and Other Rights.

Each Regular Member farm in good standing of each class designated in these bylaws shall have one vote upon each matter submitted to a vote at any meeting of the Association, annual or special. Member votes may be cast in person or by proxy.

Section 3. Admission to Membership.

a. Application for admission to membership in the Association shall be made on the prescribed form, addressed to the Secretary of the Association, or, to the Secretary's Designate.

b. Applications must be accompanied by the admission fee and such portion of the annual dues as is required, pro rata, for the remainder of the membership year.

c. Admission to membership in the Association shall be confirmed or denied by the Secretary, or the Secretary's Designate, after such investigation as the Secretary deems appropriate.

d. Applications denied shall be returned to the applicant with the refund of dues and fees paid.

e. Where new information presented to the Secretary suggests strongly that the Secretary's original decision should be revised, the matter shall be referred to the Board which shall be permitted to revise it.

f. The decision of the Board shall be final and conclusive.

Section 4. Fees and Dues.

The admission and reinstatement fees and the dues for regular, family and life members shall be determined annually by the Board of Directors.

Section 5. Good Standing.

A member in good standing, within the meaning of that term as used in these bylaws, is one who is not in default in the payment of dues or any other indebtedness to the Association, and against whom no charges are pending.

Section 6. Termination of Membership.
Membership in the Association shall be terminated by death, dissolution of the Association, resignation, nonpayment of membership dues, or expulsion.

a. *Resignation.* A member in good standing may resign by submitting a written resignation to the Secretary.

b. *Nonpayment of dues.* Membership of a regular or family member whose dues for any calendar year remain unpaid after the end of March in the following year shall be terminated. If the delinquency of a member's dues is disputed by the member, that member may appeal the termination to the Board of Directors. Such appeal shall be determined by the Board without unnecessary delay in such manner as the Board may decide, and the Board decision shall be final.

c. *Improper conduct.* Any member found by the Board of Directors of improper conduct or of conduct unbecoming a member may be suspended for a definite period without any rights or privileges in the Association, or may be expelled as herein provided. Definite and specific charges of misconduct must be in writing, and notice, including a copy of the charges, shall be served upon the member so charged. After investigation by the Board, notice of the findings and, if the charges are sustained, the recommended penalty, shall be communicated to the member and to each director of the Association through the Secretary, and the Board of Directors shall make a final decision on the matter at its next regular meeting. All documents pertaining to expulsion proceedings shall be preserved for six years following expulsion.

d. *Continuing obligations.* The right of the Association to enforce payment of any indebtedness of the member to the Association shall be in no way impaired by the expulsion of such a member.

e. *Reinstatement.* A person whose membership has been terminated for non-payment of dues may be reinstated as a member upon payment of the current annual dues. A person whose membership has been terminated for any other reason may apply for reinstatement only as a new applicant for membership. Reinstatement shall not be granted to persons with any outstanding indebtedness to the Association.

Section 7. Meetings.

a. *Annual meetings.* The purpose of the annual meeting of Members is to receive the annual report of the Board of Directors and to transact such other matters, if any, as may properly come before the Members. The annual meeting of the Members of the Association shall be held at such time and place designated by the Board of Directors of the Corporation. The annual meeting of Members for any year shall be held no later than thirteen (13) months after the last annual meeting of Members. However, failure to hold an annual meeting timely shall in no way affect the terms of Officers or Directors of the Corporation or the validity of actions of the Corporation.
b. *Special meetings.* Special meetings of Members may be called by the President or by a majority of the Board of Directors then in office. The purpose of each special meeting shall be stated in the notice and may only include purposes which are lawful and proper for Members to consider.

c. *Notice of Meeting.* Written or printed notice stating the place, day and hour of the meeting and, in the case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered personally or by first class mail not less than ten (10) days nor more than sixty (60) days before the date of the meeting. If the notice is mailed at least thirty (30) days before the date of the meeting, it may be done by a class of United States Mail other than first class. Notice shall be given by or at the direction of the President or the Secretary or the persons calling the meeting to each Member of record entitled to vote at the meeting. If mailed, such notice shall be deemed to have been delivered when deposited in the United States Mail addressed to the Member at his or her address as it appears on the records of the Corporation with postage thereon prepaid.

d. *Waiver of Notice.* A written waiver of notice signed by a Member, whether before or after a meeting, shall be equivalent to the giving of such notice. Attendance of a Member at a meeting shall constitute a waiver of notice of such meeting, except when the Member attends for the express purpose of objecting, at the beginning of the meeting, to the transaction of any business because the meeting is not lawfully called or convened.

e. *Member Quorum and Voting.* Unless otherwise required in the Articles of Incorporation, a majority of the Members appearing in person or by proxy shall constitute a quorum at a meeting of Members. If a quorum is present, unless otherwise provided by law or in the Articles of Incorporation, the affirmative vote of a majority of the Members at the meeting entitled to vote on the subject matter shall be the act of the Members. After a quorum has been established at a Members' meeting, the subsequent withdrawal of Members, so as to reduce the number of Members entitled to vote at the meeting below the number required for a quorum, shall not affect the validity of any action taken at the meeting or any adjournment thereof. If a quorum is not present when a meeting starts, then a majority of the Members at the meeting may adjourn the meeting from time to time without further notice until a quorum is present.

f. *Votes.* Each Member shall be entitled to an equal vote on each matter submitted to a vote at a meeting of Members.

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**Article 4**

**BOARD OF DIRECTORS**

Section 1. General Powers. Subject to the limitations of the Articles of Incorporation, these Bylaws, and the North Carolina Nonprofit Corporation Act concerning corporate action that must be authorized or approved by the Members of the Corporation, all corporate powers shall be exercised by or under the authority of the Board of Directors, and the management and affairs of the Corporation shall be controlled by the Board of Directors.
Section 2. Number, Qualification, Election and Tenure. The number of Directors shall be the number of Directors elected from time to time in accordance with these Bylaws, but shall never be less than three (3) nor more than thirty-three (33). The number of Directors may be increased or decreased from time to time by election in accordance with these Bylaws. The Directors need not be residents of North Carolina, but must be at least eighteen (18) years old. The Directors shall be elected by majority vote of the Directors present at the annual meeting of the Board of Directors from the candidates nominated by the Committee on Directors and from candidates nominated at the meeting. Each Director shall hold office until the third annual meeting next succeeding his or her election and until his or her successor is elected and qualified, or until removal from office, or death. The Directors shall be elected so that there are three classes of Directors, having staggered terms approximately one- third of which expire each year.

Section 3. Annual Meetings. The Board of Directors shall hold its annual meeting at the same time and place as the annual meeting of Members. The annual meeting shall be for the purpose of the election of Officers and the transaction of such other business as may come before the meeting. Notice of the annual meeting of the Board of Directors need not be given.

Section 4. Regular Meetings. Regular meetings of the Board of Directors shall be held at least every two months at such time and at such place as shall be determined from time to time by the Chair of the Board of Directors, or in his or her absence, by the Vice Chair.

Section 5. Special Meetings. Special meetings of the Board of Directors may be called by the Chair of the Board or any five (5) Directors. The person or persons authorized to call special meetings of the Board of Directors may fix a reasonable time and place for holding them.

Section 6. Telephone Meetings. Directors may participate in meetings of the Board of Directors by means of a conference telephone or similar communications equipment by which all persons participating can hear each other at the same time, and participation by such means shall constitute presence in person at such a meeting.

Section 7. Action Without Meeting. Any action of the Board of Directors may be taken without a meeting if a memorandum of consent in writing setting forth the action so taken signed by all of the Directors is filed in the minutes of the Board of Directors. Such consent shall have the same effect as a unanimous vote.

Section 8. Notice and Waiver. Notice of any regular meeting shall be given to each Director at least ten (10) days prior thereto by written notice delivered personally, by mail or by telegram to each Director. Notice of any special meeting of the Board of Directors shall be given by mail, telegram or telephone to each Director at least three (3) days prior to the meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States Mail with postage prepaid. If notice is given by telegram, such notice shall be deemed to be delivered when the telegram is delivered to the telegraph company. Any Director may waive notice of any meeting, either before, at, or after such meeting by signing a written waiver of notice. The attendance of a Director at a meeting shall constitute a waiver of notice of such meeting and a waiver of any and all objections to the place of such meeting or the manner in which it has been called or convened,
Section 9. Quorum and Voting. A majority of Directors in office shall constitute a quorum for the transaction of business. Ex officio members of the Board of Directors shall not be counted in determining a quorum. The vote of a majority of Directors present at a meeting at which a quorum is present shall constitute the action of the Board of Directors. If less than a quorum is present, then a majority of those Directors present may adjourn the meeting from time to time without notice until a quorum is present. Board members are expected and required to attend all board meetings. Absence shall be excused in advance by the Chair of the Board or Secretary. Directors may be granted a leave of absence by a majority of the Board of Directors, and when such a leave has been granted, the requirements for a quorum shall be adjusted by not counting that Director as a Director in establishing the number required for a quorum.

Section 10. Vacancies. Any vacancy occurring in the Board of Directors may be filled by appointment by a majority of the Directors, and such appointee shall serve for the unexpired term of the vacancy.

Section 11. Removal. Any Director may be removed from office, with or without cause, by vote of a majority of the Board of Directors present at a duly-called meeting. The vacancy shall be filled in accordance with the provisions in these Bylaws for vacancies. Unexcused absence of a Director from four meetings of the Board of Directors in any period of twelve months (except where leaves of absence have been granted) shall result in mandatory review of the Director by the Committee on Directors, who shall make a recommendation to the Board of Directors for or against removal from the Board; the decision of the majority of the Board of Directors shall be conveyed in writing to the Director.

Section 12. Presumption of Assent. A Director of the Corporation who is present at a meeting of the Board of Directors at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless he or she votes against such action or abstains from voting because of an asserted conflict of interest.

Section 13. Director Emeritus. The Board of Directors may, from time to time, by unanimous vote, elect any former Director who has provided exceptional and distinguished service to the Corporation to the permanent honorary title of Director Emeritus. No Director Emeritus shall be a Member of the Corporation, nor shall he or she have a vote on the Board of Directors or be counted in determining a quorum.
Section 1. Officers. The Officers of this Corporation shall be a President, Vice President, Secretary and Treasurer, each of whom shall be elected by and from the Board of Directors. The President shall be the Chair of the Board of Directors, and the Vice President shall be the Vice Chair of the Board of Directors. Such other officers and assistant officers as may be deemed appropriate may be elected by and from the Board of Directors from time to time. Any two or more offices may be held by the same person. A failure to elect any Officer shall not affect the existence of the Corporation. All Officers must be Directors of the Corporation.

Section 2. Election and Term of Office. The Officers of the Corporation shall be elected annually by majority vote of the Directors present at the annual meeting of the Board of Directors from the candidates nominated by the Committee on Directors and from candidates nominated at the meeting. Each Officer shall hold office from the end of the meeting at which the Officer is elected until the next annual meeting of the Board of Directors, and until his or her successor is elected and qualified, or until his or her earlier resignation, removal from office, or death.

Section 3. Removal. Any Officer may be removed from office at any time, with or without cause, on the affirmative vote of a majority of the Board of Directors whenever, in its judgment, the best interests of the Corporation will be served thereby. Removal shall be without prejudice to any contract rights of the person so removed, but election of an Officer shall not of itself create contract rights.

Section 4. Vacancies. Vacancies in Offices, however occasioned, shall be filled by election by majority vote of the Board of Directors at a special meeting or at the next regular meeting of the Board of Directors for the unexpired terms of such Officers.

Section 5. Duties. The Chair of the Board shall preside at all meetings of the Board of Directors and of the Members. The Vice Chair shall preside in the absence of the Chair. The President shall be the chief executive officer of the Corporation. Subject to the foregoing, the Officers of the Corporation shall have such powers and duties as usually pertain to their respective offices and such additional powers and duties specifically conferred by law, by the Articles of Incorporation, by these Bylaws, or as may be assigned to them from time to time by the Board of Directors.

Section 6. Salaries. The salaries, if any, of the Officers may be fixed from time to time by the Board of Directors, and no Officer shall be prevented from receiving such salary by reason of the fact that he is also a Director of the Corporation.

Section 7. Delegation of Duties. In the absence or disability of any Officer of the Corporation or for any other reason deemed sufficient by the Board of Directors, the Board may delegate his powers or duties to any other Officer or to any other Director.

Section 8. Administrator. The Board of Directors may elect an Administrator as the chief administrative officer of the Corporation to have general supervision over the activities and operations of the Corporation subject to the authority of the Officers and Board of Directors of the Corporation and subject to supervision by the President. The Administrator need not be a
Article 6
EXECUTIVE AND OTHER COMMITTEES

Section 1. Standing Committees. The following standing committees, with the exception of the Executive Committee and the Committee on Directors, shall be appointed by the Chair of the Board, after consultation with the Committee on Directors, and the committee members shall serve for one year or until their successors are appointed, and there shall be at least five (5) Directors on each committee, including its Chair:

a. Committee on Program and Performance. This committee is charged with reviewing and constantly evaluating the scope and effectiveness of the programs of the Corporation. This committee will endeavor to represent, at a minimum, the areas of specializations concerned with the Corporation's programs. It shall make such recommendations for action to the Board as in its judgment are necessary or desirable to enhance the quality and effectiveness of the Corporation in meeting its stated objectives.

b. Committee on Finance. This committee is to establish broad financial policies and advise the responsible Officers with respect to procedures to assure achievement of these policies.

c. Committee on Community Relations and Education. This committee shall be responsible for establishing policy to promote public relations, community awareness and relationships with lay and professional educators.

Section 2. Committee on Directors. The Committee on Directors and its Chair shall be elected by the Board of Directors at the annual meeting of Directors. The Chair and all members of the Committee on Directors must be Directors of the Corporation. The Committee on Directors also shall nominate candidates to be Directors and Officers. The Committee on Directors shall be responsible for developing policy for, and effecting the implementation of, nomination, orientation, development, and performance evaluation of Directors and Officers.

Section 3. Executive Committee. The Executive Committee shall consist of all of the Officers together with two other Directors chosen by the Board of Directors at the annual meeting of Directors to serve for one year or until their successors are elected. The Executive Committee shall consult with and advise the Officers of the Corporation in the management of its affairs and shall have and may exercise, to the extent provided in resolutions of the Board of Directors, such powers of the Board of Directors as can be lawfully delegated by the Board. The Chair of the Board shall be Chair of the Executive Committee.

Section 4. Creation of Other Committees. The Board of Directors may, by resolution passed by a majority of the whole Board, designate one or more other committees. Such other committees shall have such functions and may exercise such power of the Board of Directors as can be lawfully delegated and to the extent provided in the resolution or resolutions creating such
committee or committees. The Chair of the Board shall make appointments to such committee or committees.

Section 5. Committee Chairs. Unless otherwise specified in these Bylaws, the Chair of the Board shall appoint all committee chairmen. All committee chairmen must be Directors. The Chair of the Board may, with or without cause, revoke any such appointments at will and make new appointments.

Section 6. Ex Officio Member. The Chair of the Board and the Administrator shall be ex officio members of all committees except the Committee on Directors. The Administrator shall assign a staff person to assist each committee and attend each committee meeting.

Section 7. Meetings. Regular meetings of the committees may be held without notice at such time and at such place as shall from time to time be determined by the chairmen of the committees, and special meetings of the committees may be called by the Chair or any two (2) members thereof upon three (3) days' notice to the other members of such committee, or on such shorter notice as may be agreed to in writing by each of the other members of such committee, given either personally or in the manner provided in these Bylaws pertaining to notice for Directors' meetings.

Section 8. Vacancies. Vacancies on the committees shall be filled by the Board of Directors at any regular or special meeting of the Board of Directors.

Section 9. Quorum. At all meetings of the committees, a majority of the committee's members shall constitute a quorum for the transaction of business.

Section 10. Manner of Acting; Reports. The acts of a majority of the members of a committee present at a meeting at which there is a quorum shall be the act of such committee. The committee chairmen shall regularly report all acts and recommendations of their committees to the Board of Directors, and such reports shall, if requested by the Board of Directors, be in writing and be distributed to the Directors prior to each regular meeting of the Board of Directors.

Article 7
BOOKS, RECORDS AND REPORTS

Section 1. Minutes, Books and Records. The Corporation shall keep correct and complete minutes of the proceedings of its Members, Board of Directors, and committees, and shall keep correct and complete books and records of account.

Section 2. Report to Members. The Corporation shall send an annual report to the Members of the Corporation not later than four months after the close of each fiscal year of the Corporation. Such report shall include a balance sheet as of the close of the fiscal year of the Corporation and a revenue and disbursement statement for the year ending on such closing date. Such financial statements shall be prepared from and in accordance with the books of the Corporation, in conformity with generally accepted accounting principles applied on a consistent basis.
Section 3. Inspection of Corporate Records. Any person who is a Member of the Corporation shall have the right, for any proper purpose and at any reasonable time, on written demand stating the purpose thereof, to examine and make copies from the relevant books and records of accounts, minutes, and records of Members of the Corporation. Upon the written request of any Member, the Corporation shall mail to such Member a copy of the most recent balance sheet and revenue and disbursement statement. If such request is received by the Corporation before such financial statements are available for its last fiscal year, the Corporation shall mail such financial statements as soon as they become available. In any event, the financial statements must be mailed within four months after the close of the last fiscal year. Additionally, balance sheets and revenue and disbursement statements shall be filed in the registered office of the Corporation in North Carolina, shall be kept for at least five years, and shall be subject to inspection during business hours by any Member, in person or by agent.

Article 8
NONPROFIT OPERATION

Section 1. The Corporation will not have or issue shares of stock. No dividends will be paid. No part of the income or assets of the Corporation will be distributed to its Members, Directors or Officers without full consideration. No Member of the Corporation has any right, interest or privilege in or to the assets, property, functions or activities of the Corporation.

Section 2. Limitations on Activities. No substantial part of the activities of this corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation (except as otherwise provided by Section 501(h) of the Internal Revenue Code), and this corporation shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office. Notwithstanding any other provisions of these bylaws, this corporation shall not carry on any activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

Section 3. Prohibition Against Private Inurement. No part of the net earnings of this corporation shall inure to the benefit of, or be distributable to, its members, directors or trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes of this corporation.

Section 4. Distribution of Assets. Upon the dissolution of this corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation, shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or shall be distributed to the federal government, or to a state or local government, for a public purpose. Such distribution shall be made in accordance with all applicable provisions of the laws of this state.

Article 9
FISCAL YEAR

The fiscal year of the Corporation shall be the period from the first day of January through the last day of December.

Article 10
SEAL

The corporate seal shall bear the name of the Corporation between two concentric circles and in the inside of the inner circle shall be the year of incorporation. The corporate seal may be an engraved, printed, stamped or impression seal.

Article 11
INDEMNIFICATION

The Corporation shall indemnify each Officer and Director, including former Officers and Directors, to the full extent permitted by the North Carolina General Corporation Act and the North Carolina Nonprofit Corporation Act. The Corporation shall, if financially practical in the discretion of the Board of Directors, obtain Directors and Officers insurance.

Article 12
AMENDMENTS

These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by affirmative vote of two-thirds of the Members at any Annual or Special Meeting at which specific notice of the proposed change to the Bylaws has been given to all Members in the duly distributed Notice of Meeting.

Article 13
PARLIAMENTARY PROCEDURE

The current edition of Roberts Rules of Order shall apply to meetings of Members, Directors, and committees to the extent that such rules are consistent with these Bylaws and with the rules and policies of the Board of Directors.

Attestation

I, Meredith Leigh McKissick, Secretary of INDEPENDENT SMALL ANIMAL MEAT PROCESSORS OF WESTERN NORTH CAROLINA, INC., attest that the foregoing Bylaws were duly adopted on ________________ (date) and placed by me in the minute book of the Corporation.

____________________________________
Meredith Leigh McKissick
Secretary
Appendix J – ISAMPA Articles
of Incorporation
State of North Carolina
Department of the Secretary of State

ARTICLES OF INCORPORATION
NONPROFIT CORPORATION

Pursuant to §55A-2-02 of the General Statutes of North Carolina, the undersigned corporation does hereby submit these Articles of Incorporation for the purpose of forming a nonprofit corporation.

1. The name of the corporation is:

   Independent Small Animal Meat Processors of Western North Carolina, Inc.

2. The corporation is a charitable or religious corporation as defined in NCGS §55A-1-40(4).

3. The street and mailing address and county of the initial registered office of the corporation is:

   45 Little Pond Road
   Fairview, North Carolina 28730
   Buncombe County

5. The name of the initial registered agent is: Walter Harrill.

6. The name and address of each incorporator is as follows:

   Thomas A. Beckett, Incorporator
   P.O. Box 151
   Hendersonville, NC 28793

7. The corporation will not have members.

8. Limitations on Activities. No substantial part of the activities of this corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation (except as otherwise provided by Section 501(h) of the Internal Revenue Code), and this corporation shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office. Notwithstanding any other provisions of these bylaws, this corporation shall not carry on any activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

9. Prohibition Against Private Inurement. No part of the net earnings of this corporation shall inure to the benefit of, or be distributable to, its members, directors or trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay
reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes of this corporation.

10. Distribution of Assets. Upon the dissolution of this corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation, shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or shall be distributed to the federal government, or to a state or local government, for a public purpose. Such distribution shall be made in accordance with all applicable provisions of the laws of this state.

11. The street and mailing address and county of the principal office of the corporation is:

   45 Little Pond Road
   Fairview, North Carolina 28730

12. These articles will be effective upon filing.

   This the 25th day of September, 2007.

   [Signature]

   Thomas A. Beckett
   Incorporator