



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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**RECOMMENDATION OF THE LIVESTOCK SERVICES PROGRAM
ADMINISTRATOR FOR A PROPOSED MODIFICATION TO NPDES PERMIT
APPLICATION SDG-100130, NEW FASHION PORK, LLP, BRAD FREKING,
MANAGING PARTNER**

**FOR AMENDED COVERAGE UNDER THE GENERAL WATER POLLUTION
CONTROL PERMIT FOR CONCENTRATED ANIMAL FEEDING OPERATIONS**

Pursuant to South Dakota Codified Law, SDCL 34A-2-36.2, the Administrative Rules of South Dakota (ARSD), Article 74:52, and the April 15, 2017 *General Water Pollution Control Permit for Concentrated Animal Feeding Operations* (general permit), the following is the recommendation of the Livestock Services Program Administrator concerning the modification to National Pollutant Discharge Elimination System (NPDES) permit application SDG-100130, New Fashion Pork, LLP, Brad Freking, Managing Partner, P.O. Box 244, Jackson, MN 56143-0244.

The Administrator of the Livestock Services Program is recommending **APPROVAL** of the modification to permit application SDG-100130 for issuance of amended NPDES coverage to include the modification under the general permit because the modification to the application meets the requirements for coverage under the general permit.

See the following report for additional information.

Troy M. Roth, P.E.
Administrator
Livestock Services Program
April 21, 2026

**REPORT ON THE PROPOSED MODIFICATION TO
NPDES PERMIT APPLICATION SDG-100130**

Pursuant to South Dakota Codified Law 34A-2-36.2, the Administrative Rules of South Dakota, Article 74:52, and the April 15, 2017, *General Water Pollution Control Permit for Concentrated Animal Feeding Operations* (general permit), a proposed modification to the National Pollutant Discharge Elimination System (NPDES) permit application, consisting of a revised nutrient management plan (NMP), has been received from New Fashion Pork, LLP, Brad Freking, Managing Partner, P.O. Box 244, Jackson, MN 56143-0244.

The permitted manure management system is located in the Northeast $\frac{1}{4}$ of Section 6, Township 105 North, Range 58 West in Miner County, South Dakota. NPDES coverage under the general permit for the manure management system for a maximum of 7,807 swine weighing 55 pounds or more was issued on August 21, 2025.

The proposed modification consists of revising the approved NMP by including additional land application acres, requiring a public notice. The total available land application acres will increase from 3,893.7 acres to 4,511.6 acres. The new land application acres are located in portions of the following sections in Miner and Sanborn Counties.

Miner County:

Section 7 in Township 105 North, Range 58 West;

Sanborn County:

Section 12 in Township 105 North, Range 59 West.

DANR's Livestock Services Program is recommending **APPROVAL** of the modification to permit application SDG-100130 because the modification to the application is complete and meets the requirements of the 2017 general permit. Specific applicable sections of the permit include:

- A major modification consisting of a revision to the NMP resulting in an increase in land application field acres requiring a public notice – Section 1.1.14 (p.5), Section 1.2.3.m. (p.15), and Section 1.4.4. (p.29)

If all conditions of the 2017 general permit have been met, the proposed modification will be approved, and amended permit coverage to include the modification will be issued. The swine operation will be responsible for land applying manure and process wastewater in accordance with the approved NMP and the 2017 general permit. DANR's Livestock Services Program will inspect the swine operation annually.



Justice Jessop
Natural Resources Engineer
Livestock Services Program