



Minnesota  
Pollution  
Control  
Agency

Regional  
Environmental  
Management

Feedlot  
Program

Feedlot Rule  
Summary

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**1,000 or More Animal  
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### MPCA Area Offices:

**Rochester area:**  
507/285-7343  
**Mankato area:**  
507/389-5977  
**Marshall area:**  
507/537-7146  
**Willmar area:**  
320/214-3786  
**Detroit Lakes area:**  
218/847-1519  
**Brainerd area:**  
218/828-2492  
**Duluth area:**  
218/723-4660  
**Metro area:**  
651/296-6300  
**Toll-Free Number:**  
800/657-3864  
**Feedlot Service Center:**  
877/333-3508

# 1,000 or More Animal Units: Construction and Expansion

Water Quality/Feedlots #6.32 May 2002

This fact sheet is intended to provide producers with the basic information they need to comply with the revised state feedlot regulations when constructing or expanding. See MN Rule Chapter 7020 or referenced rules for specific information. Please keep in mind:

- Where local ordinances are more restrictive than state laws, the local ordinance must also be followed. Please contact your local county feedlot officer or planning and zoning department.
- A feedlot that is defined as a Concentrated Animal Feeding Operation (CAFO) in accordance with federal regulations must meet federal requirements.

### **Permits**

An individual or general National Pollutant Discharge Elimination System (NPDES) permit, or an individual State Disposal System (SDS) permit, is required from the MPCA for the construction and/or operation of a feedlot or manure storage area. A permit application is required by June 1, 2001 for existing operations without a NPDES permit and at least 180 days prior to the planned date of construction or expansion for new or expanding facilities.

### Permit Fees

General NPDES permits:

- \$350 application
- \$345 annual fee

Individual NPDES or SDS permits:

- \$350 application fee
- \$1,230 annual fee

NPDES and SDS permits have a five-year maximum term.

All permit applications for feedlots with 1,000 or more animal units must include:

- Air emission plan,
- Emergency response plan, and
- Manure management plan
- For construction or expansion activities involving liquid-manure storage areas, the permit application must also include engineering design plans and specifications prepared and signed by a registered professional engineer

### **Mandatory Environmental Assessment Worksheet (EAW)**

MN Rules Chapter 4410, state that a mandatory EAW is required for:

- Construction of a new feedlot having 1,000 animal units or more
- Expansion of an existing feedlot by 1,000 animal units or more
- Expansion of an existing feedlot by more than 500 animal units in a sensitive area. Sensitive areas defined in Chapter 4410 are:
  - Shoreland





- A delineated flood plain, except that in the flood plain of the Red River of the North the sensitive area includes
- only land within 1,000 feet of the ordinary high water mark
- A state or federally designated wild and scenic river district
- The Minnesota River Project Riverbend area
- The Mississippi River headwaters area
- An area within a drinking water supply management area delineated under Chapter 4720 where the aquifer is identified in the wellhead protection plan as vulnerable to contamination
- Within 1,000 feet of a known sinkhole, cave, resurgent spring, disappearing spring, karst window, blind valley, or dry valley.

### Location Restrictions

New feedlots *cannot* be located:

- In shoreland
  - Within 300 feet of a river or stream
  - Within 1,000 feet of a lake, pond or flowage
- In a 100-year floodplain
- Within 300 feet of a sinkhole
- Within 100 feet of a private well
- Within 1,000 feet of a community water supply well or wells serving a school or licensed childcare center unless three conditions are met:
  1. The Minnesota Department of Health has approved a drinking water supply management area for the well under Minn. R. part 4720.5360;
  2. The animal feedlot or manure storage area is not within the drinking water supply management area; and
  3. The animal feedlot or manure storage area is not within 200 feet of the well.

### Expansion Limitations

- An existing animal feedlot or a manure storage area located in shoreland may not expand to a capacity of 1,000 animal units or more or the manure produced by 1,000 animal units or more.
- An existing animal feedlot or a manure storage area located in a 100-year floodplain may not expand.

### Construction Activities

A permit application for a NPDES and/or SDS permit is required for all construction or expansion activities. The owner must be issued the permit prior to commencing any construction and also must comply with the notification requirements for manure storage and/or poultry barn floor construction.

### Liquid Manure Storage

Standards for constructing liquid manure storage structures include:

- Nine-month minimum storage capacity
- Seepage limits for various liner types
- Plans and specifications designed by an engineer
- Construction inspections
- Notifications and reports
- Location restrictions
- Separation to bedrock restrictions

A professional engineer or NRCS staff must prepare and sign plans and specifications (except concrete-lined structures with a capacity of less than 20,000 gallons).

### Notifications

Neighbors within 5,000 feet of proposed construction or expansion activities must be personally notified, sent a letter, or notified through publication in a local newspaper within 10 days of submitting a permit application to the MPCA. The local zoning authority must be notified of all construction activities at least 30 days prior to construction. Owners are required to notify the MPCA or delegated county at least three days prior to commencement of construction and within three days of completion of construction.

### For More Information

For more information about the revised feedlot rule or to download a copy of the revised rule, log onto the MPCA website at:

<http://www.pca.state.mn.us/hot/feedlot-rules.html>.

Or, for information call your area office listed on the first page of this fact sheet and ask for the feedlot officer, or call the Feedlot Service Center toll-free at (877) 333-3508.