

STATE OF MINNESOTA

Minnesota Pollution Control Agency

**FACT SHEET
for the**

**STATE OF MINNESOTA
GENERAL ANIMAL FEEDLOT PERMIT**

Permit Number MNG450000

I. INTRODUCTION

The Minnesota Pollution Control Agency (MPCA) proposes to issue a General State Disposal System (SDS) Permit (General SDS Permit) for feedlots capable of holding 1,000 animal units (AU) or more, or the manure generated by 1,000 AU or more, as defined under Minnesota Law. This fact sheet has been developed to document the basis for the limitations and conditions for the General SDS Permit in accordance with Minn. R. 7001.0100, subp. 3.

II. AVAILABILITY OF PERMIT

A paper copy of the General SDS Permit may be obtained by:

- Download from the MPCA Feedlot site at:
<http://www.pca.state.mn.us/index.php/topics/feedlots/index.html>;
- Calling the MPCA at: 651-296-6300 or toll free at 800-657-3864,
(for users of Telecommunications Devices for the Hearing Impaired, call 651-282-5332; or
- Submitting a written request or electronic message to the contact address provided in Part XIII, of this fact sheet.

The General SDS Permit is also available for review at the following MPCA offices during regular business hours 8:00 a.m. to 4:30 p.m., Monday through Friday.

St. Paul Office, 520 Lafayette Road North, St. Paul, Minnesota 55155

Brainerd Office, 7678 College Road, Suite 105, Baxter, Minnesota 56425

Detroit Lakes Office, 714 Lake Avenue, Suite 220, Detroit Lakes, Minnesota 56501

Mankato Office, 12 Civic Center Plaza, Suite 2165, Mankato, Minnesota 56001

Marshall Office, 504 Fairgrounds Road, Suite 200, Marshall, Minnesota 56258

Rochester Office, 18 Wood Lake Drive Southeast, Rochester, Minnesota 55904

Willmar Office, 1601 Highway 12 East, Suite 1, Willmar, Minnesota 56201

III. BACKGROUND

Minn. R. 7020.0405, subp. 1. B. (1) requires that the owner of a feedlot capable of holding 1,000 animal units (AU) or more, or the manure generated by 1,000 AU or more, apply to the MPCA for an SDS permit for the construction, operation, and maintenance of the facility, unless the feedlot already has coverage under a National Pollutant Discharge Elimination System (NPDES) Permit. The animal unit value for a feedlot is determined by multiplying the number of each type of livestock by the animal unit equivalent provided in Table 1.

There are two types of SDS permits, individual and general. An Individual SDS Permit is unique to each facility. A General SDS Permit provides permit coverage to eligible facilities that have similar operations not requiring special conditions as described below, upon the filing of application for coverage.

Table 1. MPCA Animal Unit Equivalentents

Animal Type & Size	MPCA Animal Unit Equivalent/Animal	Number of Animals in 1,000 AU
Mature dairy cow > 1,000 lb.	1.4	715
Mature dairy cows < 1,000 lb.	1.0	1,000
Dairy Replacement Heifer	0.7	1,429
Dairy calf	0.2	5,000
Veal calves	0.2	5,000
Slaughter steer or Stock cow	1.0	1,000
Feeder cattle (stocker or backgrounding) or Heifer	0.7	1,429
Cow/calf pair	1.2	833
Beef calf	1.0	1,000
Swine, >300 lb.	0.4	2,500
Swine, 55 – 300 lb.	0.3	3,334
Swine, <55 lb.	0.05	20,000
Horses	1.0	1,000
Sheep or Lambs	0.1	10,000
Turkeys, >5 lb.	0.018	55,556
Turkeys, <5 lb.	0.005	200,000
Layer hens/broilers, liquid system	0.033	30,303
Non-layer chickens, non-liquid system, >5 lb.	0.005	200,000
Non-layer chickens, non-liquid system, <5 lb.	0.003	333,333
Layer hens, non-liquid system, >5 lb.	0.005	200,000
Layer hens, non-liquid system, <5 lb.	0.003	333,333

IV. CRITERIA FOR COVERAGE UNDER THE GENERAL SDS PERMIT

Coverage under the General SDS Permit will not be granted to those facilities that require an NPDES permit under federal law or that require:

1. a schedule of compliance to address a pollution hazard;
2. special conditions as the result of environmental review;
3. conditions related to a “new technology” for construction or operation which is not addressed by the General SDS Permit;
4. conditions related to removal of bedrock to comply with site restrictions under Minn. R. 7020.2100;
5. a variance from a condition established by rule;
6. the owner is proposing to broker/sell feed for animals;
7. the facility cannot comply with the effluent limitations of the General SDS Permit due to the lack of existing manure contaminated runoff, feed storage area runoff, or other process wastewater controls for existing facility components and the application does not include plans for construction of facilities that will allow the facility to operate in compliance;
8. the existing feed storage area pad does not meet the requirements contained in Part 3.5.1 of the General SDS Permit; or
9. the MPCA determines that the facility operations would be more appropriately controlled by an individual permit as provided in Minn. R. 7001.0210, subp. 6., as in the case of a facility with an extensive history of noncompliance.

V. TYPE OF DISCHARGES CONTROLLED BY THE GENERAL SDS PERMIT

The General SDS Permit prohibits the discharge of pollutants from the production area except as allowed by the applicable effluent standards and includes conditions to minimize the amount of pollutants entering waters of the State as a result of land application of manure. The General SDS Permit also prohibits discharges directly to groundwater.

VI. PERMIT COVERAGE AND PUBLIC COMMENT PROCESS

A. Application for Coverage

Feedlot owners interested in obtaining coverage under the 2015 General SDS Permit must submit a completed feedlot permit application, available from the MPCA at any of the MPCA’s regional offices (addresses are included in the public notice), or at the MPCA’s website. The applicable submittals (including application fees) outlined in the permit application must be included with the permit application.

B. Public Comment on Applications for Coverage

Applications for coverage under the 2015 General SDS Permit are open for public review, unless the applicant identifies data that is not public under the Minnesota Government Data Practices Act and the MPCA agrees as provided under Minn. R. 7000.1300. The MPCA will maintain a list of facilities that have applied for coverage on its website for at least 30 days. This list can be found at: www.pca.state.mn.us/yrwc6a9. The public may submit comments about SDS permit applications to the appropriate MPCA office at any time before permit coverage is granted. Comments will be considered by the MPCA and may result in additional inspections, or modifications to applicable plans. In certain cases, applicants may be requested to apply for an individual SDS permit.

VII. BASIS FOR GENERAL SDS PERMIT REQUIREMENTS

The 2015 General SDS Permit is based on requirements of Minn. Stat. chs. 115 and 116, and Minn. R. chs. 7001, 7009, 7020, 7053 and 7060. The General SDS Permit contains protections for surface waters, ground water, and air quality.

In accordance with the Permit conditions, feedlot facility owners must meet construction, operational, and maintenance requirements for the animal holding areas, manure storage areas, and land application activities. The following items outline key requirements of the General SDS Permit.

A. Facility Plans

To obtain coverage under the General SDS Permit, an applicant must submit site-specific plans for review and approval. The MPCA-approved plans are enforceable when coverage is granted under the General SDS Permit. Part 2 of the General SDS Permit outlines the plans that must be submitted with an application for Permit coverage. The submittals include site specific plans that address facility design, management and operating procedures for areas that hold animals, store manure, store feed, and land application of manure. If the applicant proposes any construction, the MPCA will also review and approve plans related to the construction.

B. Facility Construction

Part 3 of the 2015 General SDS Permit includes the requirements for construction of manure storage or treatment areas including liquid manure storage areas (LMSA), permanent manure stockpiles, poultry barn floors, feed storage area pad and runoff controls, groundwater monitoring systems, and stormwater requirements for construction. The MPCA technical standards for the design of a manure storage or treatment area are not specifically included in the Permit because this information is provided in Minn. R. ch. 7020. Site specific plans and specifications submitted with an application for permit coverage will be reviewed prior to approval to insure compliance with applicable technical standards.

C. Land Application

Part 4 of the General SDS Permit contains conditions related to land application of manure, litter, process wastewater and manure-contaminated runoff, and nutrient management, in accordance with Minn. R. 7020.2225. A significant portion of this part pertains to the development, implementation and maintenance of a site specific Manure Management Plan (MMP). The purpose of the MMP is to identify the location, rates, timing, testing, and conservation practices used to assure maximum utilization of the nutrients by agricultural crops and minimize movement of pollutants to surface or ground waters as a result of land application activities.

This part of the General SDS Permit also provides the separate conditions that apply when the manure is: 1) land applied on land that is owned, rented, leased or otherwise under the control of the Permittee; or 2) transferred to another party. Recordkeeping is required under either practice.

D. Facility Operation and Maintenance

Part 5 of the General SDS Permit contains conditions pertaining to the overall operation and maintenance of the manure storage and treatment areas, feed storage areas, animal mortality handling, ambient air quality for manure removal and groundwater monitoring, as needed.

E. Required Inspections

Part 6 of the General SDS Permit contains the schedule for the feedlot owner to complete routine inspections of manure storage and treatment areas, as well as, the animal holding area, manure transfer systems, feed storage areas, and mortality handling areas to assess conformance to the Permit. This part also identifies the schedule for the owner to correct any deficiencies found as result of the inspections.

F. Closure

Part 7 of the General SDS Permit provides the requirements for the temporary or permanent closure of the all or part of the feedlot. These requirements address the removal of manure, prevention of discharge and notification to the MPCA.

G. Reporting and Recordkeeping Requirements

Part 8 of the General SDS Permit lists reporting and recordkeeping requirements which include:

1. Any discharge or bypass from the production area or land application areas; and
2. The annual report that is to be submitted by March 1st of each year to the MPCA by the Permittee. The annual report is to include, at a minimum, the following information:
 - a. The number and type of animals confined at the facility;
 - b. Non-compliance with the Permit;
 - c. Land application records for the previous cropping year;
 - d. Land application records for of any emergency land application of liquid manure during winter conditions;
 - e. Any damage and resulting repair to any LMSA;
 - f. The results of any manure composting activities;
 - g. The results of any ground water well or perimeter tile monitoring that occurred during the previous calendar year, including the analytic results, any ground water elevation data, monitoring system construction or repairs, and an interpretation of the results; and
 - h. Information pertaining to the temporary or permanent closure of any portion of the feedlot facility.

H. Effluent Limitations

The discharge limitations and other conditions contained in part 9 of the General SDS Permit are based on the effluent guidelines and other requirements specified in Minn. R. 7020.2003. Discharges covered by the Permit include those containing manure, litter, process wastewater and/or manure-contaminated runoff from the production area, manure storage or treatment facilities, and land application sites.

The General SDS Permit prohibits a discharge from the production area to waters of the United States and a discharge to waters of the state is authorized only in compliance with in 40 CFR pt. 412 as provided in Minn. R. 7020.2003, subp. 2, item A. Also, in accordance with Minn. R. 7020.2003, subp. 1, a discharge to a sinkhole, fractured bedrock, well, surface tile intake, mine, quarry, or other natural or constructed channels that convey fluids to groundwater is prohibited.

Discharges from the land application sites are also restricted by the General SDS Permit. Specific land application practices are contained in the Permit that must be followed, including documentation of land application rates based on agronomic needs and other limiting factors such as soil phosphorus levels and application restrictions based on the time of year, weather conditions and proximity to sensitive areas. These requirements are designed to minimize potential releases of pollutants to waters of the state.

I. Permit Modification

Part 10 of the General SDS Permit includes the requirements for modifying permit coverage when changes are being made to a feedlot. These changes may include construction or expansion that increases in the number of animals housed on the feedlot or increases manure storage capacity. It also includes transferring the ownership or changing the name of the feedlot.

VIII. PRELIMINARY DETERMINATION

The MPCA Commissioner's determination that the 2015 General SDS Permit should be issued is preliminary.

IX. PROCEDURES FOR REACHING A FINAL DECISION ON GENERAL SDS PERMIT

There are four formal procedures for public participation in the MPCA's consideration of permit issuance. These procedures and the MPCA contact information are included in the public notice.