

Feedlot permit modifications

Including ownership or name changes

A modification is a change to a facility component or operational practice described, required, or authorized by a permit, including an expansion. The majority of permit modifications apply to National Pollutant Discharge Elimination System (NPDES) and State Disposal System (SDS) permits; however, Construction Short Form (CSF) and Interim permits can also be modified. There are three categories of permit modifications.

- Major modification - A change that increases the animal holding or manure storage capacity or results in an actual or potential increase in the emission or discharge of a pollutant.
- Minor modification - A change that does not result in an actual or potential increase of emissions.
 - For NPDES and SDS permits, a substantial manure management plan change is a minor modification.
- Administrative modification - A change to the ownership or name of a facility.

Examples of modifications

Table 1 below specifies whether commonly requested changes are considered major, minor, or administrative permit modifications. This list is not exhaustive and does not account for site-specific circumstances that may necessitate a different type of permit modification than listed.

Table 1: Common permit modifications

	Type of modification
Changes in animal types or animal holding areas	
Change in animal species (i.e., dairy to beef or poultry to swine)	Major
Change in animal type with increase in animal units (i.e., toms to hens)	Major
Change in animal type with no increase in animal units (i.e., hens to toms)	Minor
Adding an animal holding area where none has existed	Major
Increase animal holding capacity of an existing animal holding area (i.e., building remodel)	Major
Roofing an existing open lot without an increase in AU capacity	Minor
Changes to manure handling or storage areas	
Construction or expansion of a liquid manure storage area (pit, basin, sand lane, wedge pit, etc.)	Major
Construction or expansion of a solid manure storage area (stockpile, stacking slab, etc.)	Major
Installation of manure solids or sand separation equipment (without a new manure storage area)	Minor
Change in name or ownership	
Change in name or ownership of a feedlot without any other changes to the operation	Administrative
Facility operational changes (only applicable to NPDES or SDS permits)	
Construction of a new or expansion (increased footprint) of an existing feed storage area	Major
Installation of an infiltration area for feed storage area runoff	Major
Addition of a field to the Manure Management Plan (MMP)*	Minor
Change to the methodology portion of the MMP*	Minor

*This change must be public noticed if the facility has coverage under a NPDES permit.

Changes that do not require permit modification

Here are some example of changes to a facility that do not require permit modification.

- Reconstruction of facilities following disaster (fire, storm, etc.) with no increase in size of structure(s), animal numbers or units, or manure handling/storage practices (i.e., replace what was destroyed)*.
- Construction or expansion of an animal mortality processing/storage area.
 - Exception: If manure/litter is used as a compost medium, a permit modification is required.
- Decreasing capacity of an existing animal holding area.
- Routine maintenance of animal holding areas without an increase in capacity.
- Routine maintenance of manure storage areas consistent with approved design plans and specifications*.
- Repair/replacement of manure transfer pipes*.
- Changes to feeding or milking schedules or animal diets.
- Change in bedding materials or equipment used to clean the facility so long as consistent with approved design plans and specifications.
- Changes to lands used as pasture.
- Changes to facility components not involved directly in animal or manure management such as an office or machine shed.
- Construction or expansion of a covered commodity storage area (dry feedstocks).
- Changes to the type of crop or manure application rate if consistent with the methodology portion of the manure management plan and reflected in required records (NPDES and SDS permits only).

**Contact MPCA staff to determine if oversight by a Professional Engineer is required.*

When a change to a facility does not require permit modification, the change can be made at any time without notification to the MPCA. If you have any question as to whether or not a change requires modification of your permit, please contact your regional MPCA staff to discuss the specifics prior to making the change.

Facility name change

When the name of a facility changes, the permit for the facility must be modified to reflect the new name. This is done via an administrative modification, or can be included as part of another permit application.

Facility ownership change

An administrative modification is necessary to properly transfer permit coverage from the previous owner to the new owner.

Change of ownership includes:

- Sale of a facility from one group to another.
- Change in corporate structure; such as, transition from a limited liability partnership to a limited liability corporation, or any other combinations of corporate structure changes.
- Addition of a child or other family member to the ownership of the facility.

Sometimes, ownership changes also result in modifications to other aspects of the permitted facility. The most common include remodeling of animal holding areas, changing manure handling procedures, or adding more fields to the manure management plan. When these, or other, modifications qualify as a minor or major modification to the facility, the change of ownership is simply included as part of the minor or major modification request.

Applying for permit modifications

To obtain the necessary permit modification, you must submit your request to the entity that issued your current permit.

Current permit issued by a delegated county

To modify a CSF or Interim permit that was issued by a [delegated county](#), you need to submit the [CSF and Interim permit application form](#) to the county feedlot officer (CFO). This form is used for all types of permit modifications.

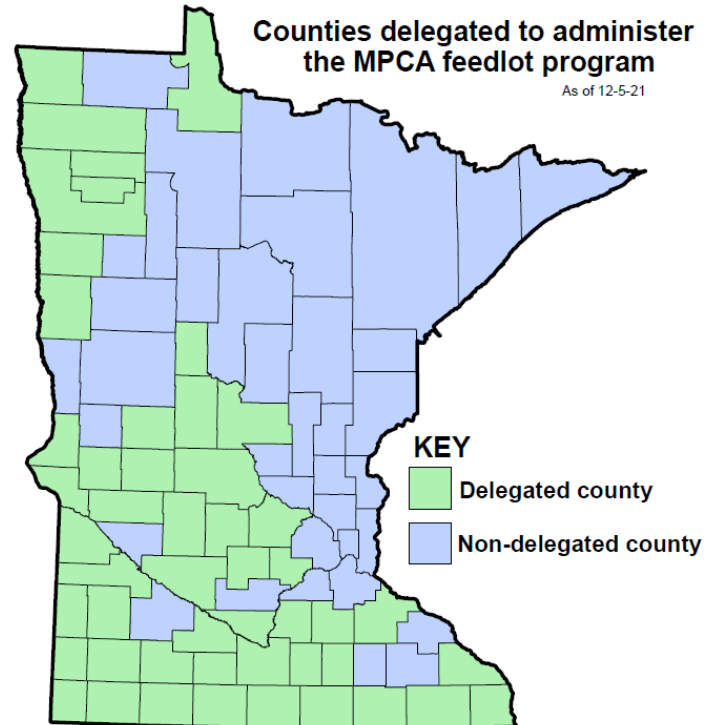
This form can be found at <https://www.pca.state.mn.us/water/construction-and-interim-permits> or you can request it from the CFO.

Current permit issued by the MPCA

To modify a NPDES or SDS permit, or a CSF or Interim permit issued by the MPCA, you will need to use the online permit service available at: <https://webapp.pca.state.mn.us/services/login/>.

The MPCA will no longer accept paper applications for permit modifications. The online service must be used for all types of permit modifications.

For more information about using the online permit application service consult the factsheet [Applying for a Feedlot Permit](#).



Approval of permit modifications

Prior to approval, you may be required to provide public notification to residents and property owners within 5,000 feet of the feedlot when construction or expansion is proposed as part of the permit modification. For more details regarding this notification process including the required content and acceptable notice methods, please consult the [Permit Notifications Requirements](#) fact sheet.

When a NPDES or SDS permit is modified, public notice of the modification may be required. The public notice process is completed by the MPCA before the modification request can be approved.

- Major modifications require a 30-day public notice.
- Minor modifications do not require public notice, except a 14-day public notice for:
 - The addition of a field to the MMP of a NPDES permitted site.
 - A substantial change to the methodology portion of the MMP of a NPDES permitted site.

Final approval of either a major or minor modification request is complete upon receipt of a modified permit, or notice of coverage for general NPDES and SDS permits. The permittee is not authorized to implement the desired modification until receiving approval from the MPCA or CFO.

For more information

For more information about the feedlot program, visit <http://www.pca.state.mn.us/feedlots>.