

MPCA revising large feedlot NPDES general permit for 2021-2026

The National Pollutant Discharge Elimination System (NPDES) program regulates the operation of many Concentrated Animal Feeding Operations (CAFO). In Minnesota, about 1,200 livestock feedlots currently operate under a NPDES general permit, which covers large CAFOs that have similar operations.

The NPDES permit combines federal regulations with Minnesota rules and statutes. It is intended to protect surface water quality near feedlot facilities and to minimize potential impacts from pollution caused by pathogens and nutrients, primarily from land application of manure.



The current NPDES general permit for large feedlots is set to expire on January 31, 2021. The Minnesota Pollution Control Agency (MPCA) is developing a new NPDES general permit that will be effective from February 1, 2021 through January 31, 2026.

A draft of the new general permit (2021 general permit) is scheduled to have a 30-day public notice in the spring of 2020. There will be news announcements, public meetings, and outreach at livestock trade shows.

The 2021 general permit requirements are proposed to be substantially similar to the current 2016 general permit, but some requirements are proposed to be modified or added.

Changes in land application requirements proposed to limit nitrate leaching

The 2021 general permit includes proposed measures to limit the potential for nitrate leaching and runoff from manure land application areas. The following additional practices are proposed.

- A cover crop for any manure application during the months of June, July, August, and September (previously only June, July, and August).
- Nitrogen best management practices for any manure application during the month of October. This would include practices such as cover crops, split applications of nitrogen, nitrification inhibitors, or applying manure when soil temperatures are 50 degrees or less.
- Prohibition of land application of solid manure during February and March. The prohibition on application of liquid manure during the winter would also remain.



Proposed changes to record keeping and annual reporting requirements

The 2021 general permit would not specifically list all of the information required for a complete annual report or records of facility activities. The permit would instead require the use of MPCA approved forms for these

activities. These forms will have all the information necessary for complete records of facility activities or submission of the annual report. The required forms would be available at the same time the 2021 permit is placed on public notice so it will be evident what information would be required.

Changes to permit format and coverage process

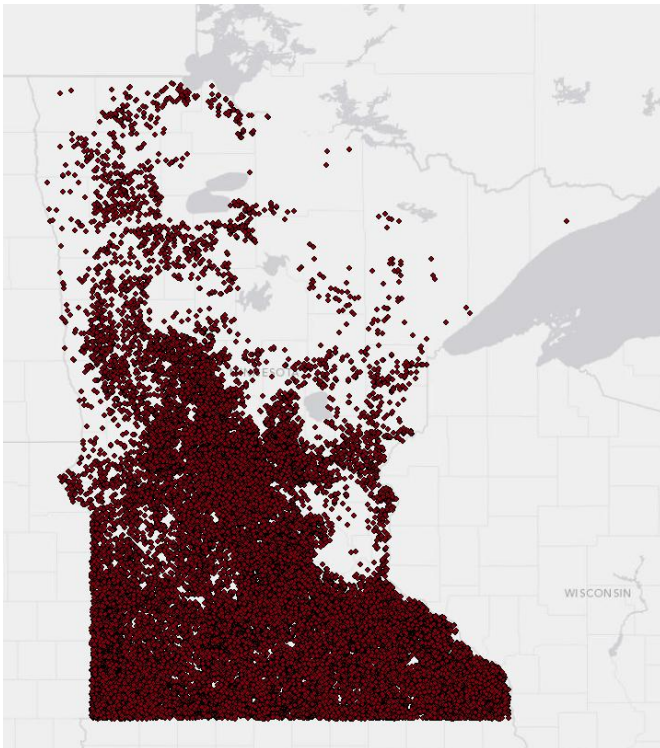
The 2021 general permit and notice of coverage will appear different from previous general permits. The number of pages will be significantly fewer. Redundant text and numerous references to rules, regulations, and statute citations will be eliminated. Much white space, title and sub-title text will be removed. Another significant change may include a customized notice of coverage for each facility that will contain only those sections of the permit applicable to the facility, based upon its permit application. For example, if construction is not proposed, the notice of coverage would not contain requirements applicable to construction of new facility components. This would create a more concise document for each facility owner to understand and follow, even though the facility owner must comply with the entire 2021 general permit.

Changes to permit application process

The process for applying for coverage under the 2021 general NPDES permit likely will be changing. The MPCA is developing an on-line application process that is scheduled to be available for use in the fall of 2020.

Most, if not all, of the permit application documents would be available to submit electronically through the on-line service.

Map: Feedlot locations in Minnesota. Source: Minnesota Geospatial Commons <https://gisdata.mn.gov/dataset/env-feedlots>



More information about the on-line permit application process will be available closer to the launch date of the service.

As the permit development process continues, more information on the 2021 general permit, and opportunities for public participation, will be posted on the web at:

<https://www.pca.state.mn.us/water/npdes-and-sds-permits>.