

Feedlot General
NPDES Permit
2021-2026

Information
Meetings



wq-f3-56

WebEx: March 31, April 2, 2020

Background

- National Pollutant Discharge Elimination System (NPDES) permit
 - ⊗ Federal permit issued by MPCA
 - n Combines fed and state regulations
 - ⊗ Set 5-year term
 - n First general permit issued in 2001
 - ⊗ Current general permit (4th iteration)
 - n Effective Feb. 1, 2016 to Jan. 31, 2021
 - n Covers about 1,200 sites

General permits

- One permit that covers many feedlots
 - ⊗ Meet certain eligibility criteria
- Permit is public noticed once
 - ⊗ Chance to comment on permit language
- Applicants request to be covered by general permit
 - ⊗ Intent to provide coverage is noticed by MPCA on web
 - ⊓ Comments taken about sites ability to qualify/comply with the general permit
 - ⊓ General permit language is not changed

Public meetings

- Provide opportunity for early feedback
 - ⊗ Highlight potential changes to
 - n How people apply for coverage
 - n The format of the permit
 - n What the applicant will receive upon approval of coverage
 - ⊗ Highlight new concepts being considered for incorporation into the permit
 - ⊗ Goal - productive discussions
- This is not the public notice period

Meetings already held

- Producer groups
 - ✧ MN milk, MN poultry growers, MN pork producers, MN cattlemen's association
- Other interested parties
 - ✧ MN Center for Environmental Advocacy, Land Stewardship Project, Environmental Working Group
 - ✧ MN Ag Water Quality Certification Program
- Some proposed requirements “tweaked” after meetings

Application for coverage

- Current system uses paper forms
- On-line system being built
 - ⊗ Fall of 2020 anticipated availability
 - ⊗ See info in MPCA database
 - n Make changes if needed
 - ⊗ All parts of an application submitted electronically
 - n MMP, emergency response plan, etc.
 - ⊗ More info to come closer to launch date

General permit format

- New look – like a spreadsheet
- Reduction in pages
 - ✧ Eliminate “white space”
 - ✧ Reduce redundant text
 - ✧ Simplify language
 - ✧ Very limited removal of requirements
 - ✧ Initial rough draft has 24 pages
 - n Current permit is 48 pages

Notice of coverage

- Now – entire permit sent to permittee
 - ⌘ Some parts of permit are not applicable
 - n Example – requirements for poultry don't apply to swine
- Proposed – Customized Notice of Coverage (NOC)
 - ⌘ Only send applicable parts to permittee
 - n Only liquid manure requirements if no solid manure
 - n Construction requirements only for those building something
 - ⌘ Further reduction in pages (as few as 12 pages)
 - n Less to read
 - n Easier to understand

Removal of current requirements

- Notify the MPCA 30 days prior to the start-up of an anaerobic digester
- Submit a report to the MPCA after a bypass of an anaerobic digester
- Notify the MPCA 3 days prior to the start of construction of a vegetated infiltration basin (VIB)
- Notify the Minnesota Duty Officer for instances of emergency winter liquid manure application.
 - ✘ The requirement to notify the MPCA would still remain.

Mitigation of nitrate leaching

- Increased awareness of issues with nitrate impacts
 - ✧ MN nutrient reduction strategy
 - ✧ Comments on recent permits
 - ✧ MDA fertilizer management plan
- Keep nitrogen in the soil profile available for plants
 - ✧ Use U of MN nitrogen BMPs
- Focus on two specific time periods
 - ✧ Manure applications in September
 - ✧ Manure applications in October

September manure applications

- Require the use of a cover crop
 - ✧ Other BMPs are not as effective
 - ✧ Cover crops already required for June, July, & August
 - ✧ Could be inter-seeded prior to primary crop harvest
 - ✧ Could be seeded following manure application
 - ✧ No restrictions on type of cover
- Could approve other BMPs through MMP
 - ✧ New technologies

October manure applications

- Require nitrogen BMPs
 - ✘ Soil temp 50° or below
 - n Around Oct. 21 for most of the state
 - ✘ Cover crops
 - n Similar to September applications
 - ✘ Split application
 - n Some N in October, the rest later on or in spring
 - ✘ Nitrification inhibitors
- Could approve other BMPs through MMP
 - ✘ New technologies

Winter manure applications

- What stays the same
 - ⊗ Winter = frozen or snow covered after Nov. 30
 - ⊗ No surface application of liquid manure
 - n Except emergency or
 - n Able to incorporate/inject
 - ⊗ Restrictions for solid applications
 - n 6% slope
 - n no rain forecast
 - n no active snowmelt
 - n low P runoff risk

Winter manure applications

- .. What would change
 - ⌘ No solid manure application in February or March
 - n Data shows highest likelihood of winter runoff
 - n Could get MPCA approval for snow removal activities
 - ⌘ Provision for temp stockpile at facility
 - n No permit modification
 - q No permanent storage at facility
 - q Cannot stockpile on land application fields
 - q Meet short term stockpile location requirements
 - q No clean water flowing through site
 - q Remove snow from area before piling
 - n Remove stockpile in the spring (May 15)

Manure transfer

- Manure transfer prohibition
 - ⊗ Liquid application in winter
 - ⊗ Solid application during February and March
 - ⊗ Would not apply if manure will be injected or immediately incorporated

Remaining “newer” requirements

- Public notice of substantial MMP changes
- Containment of feed storage area runoff
- Construction must comply with stormwater control requirements

Timeline

- March – early April
 - ✧ Public meetings
 - ✧ Seek EPA input
- May or early June
 - ✧ Public notice permit
 - Chance to see actual proposed language
 - Formal comment period
- Continued updates
 - ✧ Newsletter
 - ✧ Web: www.pca.state.mn.us/2021-npdes-general-permit



MINNESOTA POLLUTION
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Questions?

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Feedlot homepage: www.pca.state.mn.us/feedlots