

Swine industry regulatory flexibility during the COVID-19 crisis

Due to the COVID-19 crisis, some pork processing plants are either closing or reducing production, resulting in a major bottleneck for live hogs. Producers are unable to ship market-ready hogs, and are faced with holding them back. They are trying to reduce production, but that will not affect the current backlog.

This fact sheet provides guidance on how to notify the MPCA with requests via the COVID-19 email portal for approval to exceed permit numbers or exceed 1,000 animal units without obtaining an NPDES or SDS permit in total confinement facilities for up to 45 days.

MPCA.COVID19REGFLEX@state.mn.us



Submit requests via COVID-19 e-mail

All requests must be submitted through the following e-mail address:

MPCA.COVID19REGFLEX@state.mn.us.

- Requests should come from an individual party (company/individual) and identify the party requesting the flexibility by name and applicable permit or registration number.
- A company owning multiple feedlot sites can submit one request, but it must include:
 - Name and address of each site;
 - Permit or registration number for each site.
- All requests should include a phone number(s) of the individual to contact about the request;
- Request should state whether it is to exceed permitted numbers or to operate without a permit.
- To receive this regulatory flexibility, the owner/operator's message shall state the following:
 - The site has adequate storage capacity for the additional manure that may be generated.
 - The site has an adequate amount of land available to apply manure at agronomic rates.
 - All applicable setbacks will be met during manure application.
- Requestor must retain record of number of animals, when they arrived, and when they left.
- Facilities having additional animals without approval may be subject to enforcement action.

No wait time for approval; 45-day extension possible

- After submitting the request, it's not necessary to wait for approval from MPCA to begin increasing animal numbers at a site as long as the facility has met the criteria listed above.
- An e-mail approval will be sent by MPCA to the person submitting the request and to the respective county in which the facility is located. This approval is only for state rules and permits. Separate regulatory flexibility will be required for any applicable local ordinances and Conditional Use Permits.

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- The approval will be granted for 45 days and may be extended as needed by submitting another request as described above. An extension must be approved by the MPCA prior to the expiration of the first 45 days.

Contact information

For more information contact MPCA Feedlot Program managers:

- Randall Hukriede, 320-295-2777, randall.hukriede@state.mn.us
- Lisa Scheirer, 218-846-8122, lisa.scheirer@state.mn.us
- Steven Schmidt, 507-206-2618, steven.schmidt@state.mn.us

A recording of a Webex information meeting April 14, 2020 is available on the MPCA's [Covid-19 response for agriculture webpage](#).

Regulatory flexibility

For more information on MPCA regulatory flexibility during the COVID-19 crisis, please visit this webpage: www.pca.state.mn.us/covid-19/covid-19-and-regulatory-flexibility.