

NEBRASKA ADMINISTRATIVE CODE

TITLE 130 - NEBRASKA DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENTAL QUALITY

Chapter 11 - BEST MANAGEMENT PRACTICES

001 Animal feeding operations and livestock waste control facilities shall be operated and maintained to prevent water pollution and to protect the environment of the State. Best management practices shall be implemented using the most effective methods based on the best available technology achievable for specific sites to prevent or reduce the discharge of pollutants to waters of the State and control odor where appropriate.

002 Livestock wastes collected in the facilities for totally housed animal feeding operations shall be land applied onto application areas on dewatering days at a rate to prevent a discharge from the facilities. A minimum of 180 days of storage shall be provided prior to the winter months, except as provided for in Chapter 8.

003 Any time the waste storage volume in the livestock waste control facility exceeds the level identified in 008.02 in Chapter 8 (i.e. the "must pump level"), livestock wastes shall be land applied on all available dewatering days until adequate storage is restored.

004 Appropriate waste handling equipment for emptying and cleaning facilities shall be available as needed to operate and maintain the facility to meet the capacity and storage requirements. Adequate application area shall be available at all times when land application is necessary.

005 All livestock wastes removed from the facility and the animal feeding operation itself shall be land applied or stockpiled in a manner which will not contribute to water pollution. The owner or authorized representative shall remain responsible for wastes removed from the operation to land under his or her control.

006 Stockpiles of livestock waste shall be located to prevent a discharge to waters of the state. Stockpiles shall be managed as necessary by use of cover material, diking, or other means to prevent discharge until the stockpile material is utilized.

007 Sludge accumulation levels shall not exceed the maximum sludge depth identified in the facility design. When sludge, sediment, or other solid or liquid accumulations are removed from the facilities, the equipment used for the removal shall not be allowed to impact the integrity of the liner or compromise the structure of the facility. Sludge or solids shall not be allowed to

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accumulate such that it cannot be disposed of agronomically as provided for in Chapter 14. Any removed accumulations shall not be stockpiled where it is likely to reach waters of the State.

008 Minimum treatment volumes shall be maintained for lagoons. On initial startup, fresh water shall be added to a depth of at least four feet prior to adding any wastes. Additional water shall be added as needed for the minimum treatment volume to be attained within six months. Slug loading shall be avoided and the level needed for the minimum treatment volume shall be maintained.

009 In the event of an accident or emergency, such as a spill, release or discharge of animal waste due to such events as power failures, large storms, leaks or breaks in water supply systems, component failure of the waste control facilities and any releases during land application due to equipment failure or accidents or irrigation equipment failure, the owner or authorized representative will take actions as needed to stop the cause, contain and control any release, and cleanup any affected areas. Any discharge of waste shall be reported to the Department within 24 hours of the event. A written report is also required to be submitted to the Department within five days of the event. The Department may require additional actions or additional information.

010 Livestock waste control facilities shall be maintained in proper operating condition. Weed growth that prevents or limits facility inspections shall be routinely removed. Animals shall not be allowed access to livestock waste control facility liners or allowed to otherwise compromise liner integrity. Animal contact with facility structures, including berms and diversions, shall be prevented or minimized to avoid damage to these structures. Structures subject to animal contact shall be included in routine inspections. Structures shall be maintained to prevent the growth of trees and shrubs and any such growth routinely removed.

011 The owner of an animal feeding operation shall maintain the production area for periods of time when it is not in operation. If the operation has been discontinued and ceased operation, the following minimum closure requirements shall also be followed:

011.01 Remove all accumulated manure, litter, and process wastewater, including any sludge and sediment; follow agronomic practices including the sampling and testing of any wastes removed; and dispose in an agronomic manner; and

011.02 Continue ground water monitoring, as required, unless the Department has vacated the monitoring requirement. If the ground water monitoring requirement has been vacated, monitoring wells shall be properly decommissioned.

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012 Chemicals and chemical rinsates shall be properly used and disposed of according to label directions and any applicable regulations. Livestock waste control facilities shall not be used for the disposal of chemicals except for trace amounts normally found in process wastewater, such as spent foot bath water.

013 For a field or field segment with a high or very high phosphorus risk assessment rating, there shall be no application of manure, litter, or process wastewater when the soil is frozen, or snow or ice covered.

Enabling Legislation: Neb. Rev. Stat. § 81-1504(10)(11)(12)(13)(20)(21); § 81-1505(10)(11); §§ 54-2416 to 54-2438

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