

FACT SHEET

INTENT TO REVOKE CONSTRUCTION APPROVAL

In accordance with Title 115, *Rules of Practice and Procedure*, the Nebraska Department of Water, Energy, and Environment (Department) intends to revoke a Construction Approval issued to the animal feeding operation (AFO) listed below. The Department has determined that this AFO shall no longer be subject to the permit requirements described in Title 130, *Livestock Waste Control Regulations*. The basis for such a determination is provided below.

Name of Operation-Murphy Stock Farms Inc.

Authorized Representative -Robert Murphy

Address

City/State/Zip Code-83579 553rd Ave

Norfolk NE 68701

Legal Description-NE 1/4, Section 30, Township 23N, Range 01W, Madison County

Type of Permit and Issuance Date-Construction Approval issued on March 20, 1986

Animal Capacity and Type-640 head of swine

Current Ownership-Robert Murphy

Basis for Revocation- ceased feeding swine and feeder cattle operation is a small

Regulatory Requirements for any Owner or Operator seeking to resume feeding as a large or medium swine

Animal Feeding Operation at the location described above*-Any person owning or operating a large or medium animal feeding operation that does not have an NPDES permit, construction approval, operating permit or construction and operating permit and has not been notified that no permit is required shall submit an inspection request to the Department on a form provided by the Department. An inspection fee shall accompany the inspection request.

Any person who owns or operates an animal feeding operation shall not:

- Construct an animal feeding operation or any portion thereof prior to an inspection by the Department, unless exempted from inspection by the Nebraska Environmental Protection Act, Livestock Waste Management Act or these regulations;
- Construct a livestock waste control facility without a Construction and Operating Permit or Construction Approval or not in compliance with a Construction and Operating Permit or Construction Approval issued by the Department, unless exempted from the requirements for a Construction and Operating Permit by the Nebraska Environmental Protection Act, Livestock Waste Management Act or these regulations;
- Violate any provision of the Livestock Waste Management Act and regulations.

End of Public Comment Period-

*This summary of regulatory requirements for animal feeding operation owners or operators is collected from Title 130, *Livestock Waste Control Regulations*, Chapter 2. This summary is not intended to be a comprehensive list of requirements, please refer to Title 130 in its entirety for a complete listing of regulatory obligations.

The draft revocation letter, draft exemption letter, inspection report and other public information are available for review and copying at the Lincoln office by contacting the Records Management Section, Telephone: (402) 471-3557; FAX: (402) 471-2909; or E-Mail: dwee.records@nebraska.gov.

All comments received during the public comment period will be considered in the final decision on whether to revoke the permit. A request for public hearing must be submitted in writing and state the nature of the issues proposed to be raised at a hearing. A determination to hold a hearing will be based on factual environmental or regulatory considerations. All public comments and requests for hearings may be submitted in writing to: **Livestock & Agriculture Section, Nebraska Department of Water, Energy, and Environment, 245 Fallbrook Blvd, Ste 100, Lincoln, Nebraska 68521.**