



Nebraska Department of Environmental Quality (NDEQ)



Overview of Nebraska Livestock Waste Management Regulations

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NDEQ Authority

- ✦ Nebraska Environmental Protection Act (NEPA)
- ✦ Livestock Waste Management Act (LWMA)
- ✦ Title 130 – Rules and Regulations Pertaining to Livestock Waste Control
- ✦ NPDES – Federal Program Administered by NDEQ



NDEQ – Agriculture Section

✚ Permits and Compliance Unit

and

✚ Engineering Services Unit



NPDES

- ✦ National Pollution Discharge Elimination System
- ✦ EPA Permit Program administered by NDEQ
- ✦ Currently Subject of Proposed Changes Nationally



Nebraska LWCF Permit Steps

- ✦ Request for Inspection
- ✦ Inspection to Determine if Permit Required
- ✦ Permit Application
- ✦ Construction Permit
- ✦ Operating Permit
- ✦ Compliance Inspections and Permit Modification
- ✦ Land Application Training



When is a Permit Required?

- ✖ Under 300 Animal Units - Generally Exempt if No Identified Problems.
- ✖ Over 300 Animal Units - Determined by Inspection.
- ✖ NOTE: ALL livestock operations over 300 A.U. were required to request an inspection (LWMA).



What is an Animal Unit (A.U.)?

Animal Units are Determined as follows:

Multiply by

✂ 0.4 for swine over 55 pounds

✂ 0.04 for swine under 55 pounds

✂ 1.4 for dairy cattle

✂ 1.0 for beef feeder cattle



A.U. Example

300 A.U.=

- 750 finishing swine
- 7,500 nursery pigs
- 300 feeder cattle
- 214 dairy cows

What's Required in an Application?

- ✦ **Applicant / Operation Info (name, address, legal, etc.)**
- ✦ **Animal Info (type, weight, number of head, etc.)**
- ✦ Detailed Scaled Drawings and Maps
- ✦ Construction Methods and Details
- ✦ Construction Quality Assurance Plan
- ✦ USGS Quad map or equivalent with Details

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Application (continued):


- ✦ Design Calculations
- ✦ Supporting Geotechnical Reports (as needed)
- ✦ Emergency Response Plan
- ✦ Signed Certification Statement
- ✦ Signed and Complete Applicant Disclosure
- ✦ Appropriate Fee
- ✦ Professional Engineer's Certification (as needed)

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Application (continued):

- ✦ **Comprehensive Nutrient Management Plan (CNMP)**
- ✦ **Irrigation Distribution Plan**
- ✦ **Sludge Management Plan**
- ✦ **Operational and Maintenance Plan (O&M Plan)**
- ✦ **Closure Plan**
- ✦ **BMP for Minimizing Odor**



Application (continued):

- ✦ Refer to Title 130, Chapters 3, 10, and 11 for specific requirements



What's Required in a CNMP?

- ✦ Manure Application Site Information
- ✦ Application Area Agreement if Non-owned
- ✦ Plan for Soil and Manure Sampling and Analysis
- ✦ Application Plan (Location and Quantity)

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CNMP continued

- ✦ Application Method (include equipment capacity) and Frequency
- ✦ Keep Records of Location and Amount of Waste Applied
- ✦ Keep Records of Waste Sold or Given Away
- ✦ Crop Yield Data

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CNMP continued

- ✖ Agronomic Application of Waste (nitrogen based)
- ✖ Location and Distance to Water and Wetlands
- ✖ Record Keeping (5 years required)

(reference: Title 130, Chapters 3, 10, and 11)



Manure Application Location Restrictions

- ✂ Minimum 30 foot from any streams, lakes, or impounded surface water
(the Department may place additional restrictions on application within 100 feet)

- ✂ Wetlands



Any Phosphorus Based Restrictions?

- ✦ All Analyses over 150 ppm (Bray) Must be Reported to NDEQ
- ✦ NDEQ May Require Modification of CNMP

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What's Needed in a Sludge Plan?

- Periodic Monitoring
- Schedule for Removal
- Method of Removal and Application
- Analysis and Agronomic Application
- Location Information and
- Record Keeping

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What's Required for an O&M Plan?

- Schedule for Monitoring Capacity
- Schedule for Comprehensive Inspections
- Maintenance Schedule
- Schedule for Waste Removal
- Equipment Details
- Record Keeping

What's Needed for a BMP Plan to Minimize Odor?

- ✦ Location Considerations
- ✦ Selection of Size and Type of LWCF
- ✦ Management Procedures
- ✦ Methods and Scheduling of Waste Application
- ✦ Any other Planned Methods and Procedures to be used to reduce offensive odors



Other Management Requirements?

- ✦ New Proposed Federal CAFO Rules
(Phosphorus Based?)
- ✦ Non-Point (TMDLs)



For More Information

- ✦ Title 130 and Livestock Waste Management Act
- ✦ NDEQ Fact Sheets and Guidance Documents
- ✦ UNL and NRCS Publications



Questions?

☀ **NDEQ Agriculture Section – 402-471-4239**

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