

**NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
CATTLE WASTE OPERATION GENERAL PERMIT**

This permit shall be effective from the date of issuance until October 1, 2004. Holders of Certificates of Coverage (COC) under this permit shall comply with the following specified conditions and limitations:

I. PERFORMANCE STANDARDS

1. The animal waste collection, treatment, storage and application system permitted under this permit shall be effectively maintained and operated as a non-discharge system to prevent the discharge of pollutants to surface waters, wetlands, or ditches. Application of waste at agronomic rates to terraces and grassed waterways is acceptable in accordance with Natural Resources Conservation Service (NRCS) Standards. Facilities which are in compliance with their CAWMP and this permit, which unintentionally discharge as a result of a storm event greater than the 25-year, 24-hour storm, will not be considered to be in violation of this permit.
2. The CAWMP is hereby incorporated by reference into this general permit. New or expanding farms are required to be certified prior to the stocking of animals. The CAWMP must be consistent with all applicable statutes, rules and standards in effect at the time of siting, design and certification of the facility. Any violation of the CAWMP shall be considered a violation of this general permit and subject to enforcement actions. A violation of the General Permit may result in the Permittee having to take immediate or long term corrective action(s) as required by the Division of Water Quality. These actions may include modifying the CAWMP, ceasing land application of waste, or removing animals from the farm.
3. The facility may not be expanded above the capacity shown in the COC until a new COC reflecting the expansion has been issued.
4. A copy of this General Permit, COC, certification forms, lessee and landowner agreements, and the CAWMP shall be readily available at the farm (stored at places such as the farm residence, office, outbuildings, etc.) where animal waste management activities are being conducted for the life of this permit. These documents shall be kept in good condition and records shall be maintained in an orderly fashion.
5. For all new and expanding operations, no collection or storage facilities may be constructed in a 100-year flood plain.

II. OPERATION AND MAINTENANCE REQUIREMENTS

1. The collection, treatment, and storage facilities, and land application equipment and fields shall be maintained at all times and properly operated.

2. A vegetative cover shall be maintained on all land application fields and buffers in accordance with the CAWMP. No waste may be applied upon fields not included in the CAWMP.
3. Lime must be applied, as needed, to maintain soil pH in the optimum range for crop production.
4. Land application rates shall be in accordance with the CAWMP. In no case shall land application rates exceed the Plant Available Nitrogen rate for the receiving crop or result in runoff during any given application.
5. Application of animal waste onto land which is used to grow crops for direct human consumption (e.g., strawberries, melons, lettuce, cabbage, apples, etc.) shall not occur following the planting of the crop or at any time during the growing season, or in the case of fruit bearing trees, following breaking dormancy. Application of animal wastes shall not occur within 30 days of the harvesting of fiber and food crops for direct human consumption that undergo further processing.
6. If manure or sludges are applied on conventionally tilled bare soil, the waste shall be incorporated into the soil within two (2) days after application on the land. This requirement does not apply to no-till fields, pasture, or fields where crops are actively growing.
7. Domestic and/or industrial wastewater from showers, toilets, sinks, etc. shall not be discharged into the animal waste collection, treatment, storage and application system. Wash vats required to be connected to the animal waste collection, treatment, storage and application system by the Grade A Pasteurized Milk Ordinance Part II, Section 7, Item 5r are exempt from this requirement. Washdown of stock trailers, owned by and used to transport animals to and from this farm only, will be permissible as long as the system can accommodate the additional volume. Only those detergents and disinfectants that are labeled by the manufacturer as readily biodegradable may be utilized.
8. Disposal of dead animals shall be done in accordance with the North Carolina Department of Agriculture and Consumer Services (NCDACS) Veterinary Division's regulations.
9. Unless accounted for in temporary storage volume, all uncontaminated runoff from the surrounding property and buildings shall be diverted away from the animal waste lagoons and storage ponds to prevent any unnecessary addition to the liquid volume in the structures. Runoff from lounging areas to the waste storage ponds or lagoons shall be prevented unless approved in the CAWMP.
10. A protective vegetative cover shall be established and maintained on all lagoon/storage pond embankments (outside toe of embankment to maximum pumping elevation), berms, pipe runs, and surface water diversions. Trees, shrubs, and other woody vegetation shall not be allowed to grow on the lagoon/waste storage pond embankments. All trees shall be removed in accordance with good engineering practices. Lagoon/waste storage pond areas shall be accessible, and vegetation shall be kept mowed.

11. At the time of sludge removal from a lagoon, the sludge must be managed in accordance with a CAWMP. When removal of sludge from the lagoon is necessary, provisions must be taken to prevent damage to lagoon dikes and liners.
12. Lagoons/storage ponds shall be kept free of foreign debris including, but not limited to, tires, bottles, light bulbs, gloves, syringes or any other solid waste.
13. The facility must have one of the following items at all times (a) adequate animal waste application and handling equipment, (b) a lease, or other written agreement, for the use of the necessary equipment, (c) a contract with a third party applicator capable of providing adequate waste application, or (d) a contract for the purchase of the equipment. Equipment shall be capable of meeting permit condition II (4).

III. MONITORING AND REPORTING REQUIREMENTS

1. An inspection of the waste collection, treatment, and storage structures and runoff control measures shall be conducted at a frequency to insure proper operation but at least monthly and after storm events. For example, lagoons, storage ponds, and other structures should be inspected for evidence of erosion, leakage, damage by animals or discharge. Any major structural repairs (to lagoons or waste storage ponds) must have written documentation from a technical specialist certifying proper design and installation. However, if a piece of equipment is being replaced with a piece of equipment of the identical specifications, no technical specialist approval is necessary [i.e. piping, reels, valves, pumps (if the GPM capacity is not being increased or decreased), etc.].
2. If not already installed at this facility, a waste-level gauge to monitor waste levels shall be installed within 60 days of issuance of the COC under this general permit. This gauge shall have readily visible permanent markings indicating the maximum liquid level at the top of the temporary liquid storage volume, minimum liquid level at the bottom of the temporary liquid storage volume, top of the dam elevations. Where storage ponds are utilized, only a gauge indicating the maximum liquid level at the top of the temporary liquid storage volume and top of dam elevations need be installed. Caution must be taken not to damage the integrity of the liner when installing the gauge. Waste lagoon and storage pond levels shall be recorded weekly on forms supplied or approved by the DWQ. For level gauges already installed, the gauge shall have at a minimum: readily visible permanent markings indicating the maximum liquid level at the top of the temporary liquid storage volume and minimum liquid level at the bottom of the temporary liquid storage volume.
3. A representative Standard Soil Fertility Analysis, including pH, copper, and zinc, shall be conducted annually on each application field receiving animal waste. The results of these tests shall be maintained on file by the Permittee for a minimum of three years and shall be made available to the DWQ upon request.
4. An analysis of the animal waste shall be conducted as close to the time of application as practical and at least within 60 days (before or after) of the date of application. This analysis shall include the following parameters:

Nitrogen	Zinc
Phosphorous	Copper

5. Records, including land application event(s) and removal of solids to an off-site location(s) records, shall be maintained by the Permittee in chronological and legible form for a minimum of three years. These records shall be maintained on forms provided or approved by the DWQ and shall be readily available for inspection.

6. **Regional Notification:**

The Permittee shall report by telephone to the appropriate Regional Office as soon as possible, but in no case more than 24 hours following first knowledge of the occurrence of any of the following events:

- a. Failure of any component of the animal waste collection, treatment, storage and land application system resulting in a discharge to surface waters.
- b. Any failure of the animal waste treatment and disposal system that renders the facility incapable of adequately receiving, treating or storing the animal waste and/or sludge.
- c. A spill or discharge from a vehicle transporting animal waste or sludge to the land application field which results in, a discharge to surface waters or an event that poses a serious threat to surface waters.
- d. Any deterioration or leak in a lagoon/storage pond that poses an immediate threat to the environment.
- e. Failure to maintain storage capacity in a lagoon/storage greater than or equal to that required in Condition V (3) of this General Permit.
- f. Overapplying animal waste either in excess of the limits set out in the CAWMP or where runoff enters surface waters.
- g. Any discharge that bypasses a lagoon/storage pond resulting in a discharge to surface waters or that poses a serious threat to the environment.

For any emergency which requires immediate reporting after normal business hours, please contact the Division of Emergency Management at 1-800-858-0368.

The Permittee shall also file a written report to the appropriate DWQ Regional Office of the occurrence within 5 calendar days following first knowledge of the occurrence. This report shall outline the actions taken or proposed to be taken to correct the problem and to ensure that the problem does not recur. The requirement to file a written report may not be waived by the DWQ Regional Office.

IV. INSPECTIONS

Any duly authorized officer, employee, or representative of the DWQ may, upon presentation of credentials and in accordance with reasonable and appropriate biosecurity measures, enter and inspect any property, premises or place on or related to the collection, treatment, storage and land application system at any reasonable time for the purpose of determining compliance with this permit; may inspect and obtain a copy of any records that must be kept under the terms and conditions of this permit; and may obtain samples of the animal waste, groundwater, soil, plant tissue, or surface water.

V. GENERAL CONDITIONS

1. The issuance of a COC under this permit shall not relieve the Permittee of the responsibility for damages to surface waters or ground waters resulting from the animal operation.
2. The Permittee shall designate a certified animal waste management system operator to be in charge (OIC) of the animal waste management system. The animal waste management system shall be operated by the OIC or a person under the OIC's supervision.

3. The maximum waste level in lagoons/storage ponds shall not exceed that specified in the CAWMP. At a minimum, maximum waste level for lagoons/storage ponds must not exceed the level that provides adequate storage to contain the 25-year, 24-hour storm event plus an additional 1 foot of structural freeboard. In addition to the above requirements, for new and expanding farms with lagoon designs completed after September 1, 1996, storage must also be provided for the heavy rainfall factor for lagoons without an outside drainage area.

In the case of lagoons/storage ponds in series that are gravity fed, the 25-year, 24-hour storm event and/or the heavy rainfall factor storage requirements for the system may be designed into the lowest lagoon/storage pond in the system. However, adequate freeboard must be designed into each of the upper lagoons/storage ponds to allow sufficient storage to prevent the waste level from raising into the structural freeboard while the storm water is draining into the lowest lagoon in the system.

4. Should the DWQ have good reason to believe that any activities conducted pursuant to this permit may cause or contribute any waste, directly or indirectly, to be intermixed with the waters of the State, the DWQ may require any monitoring (including but not limited to groundwater, surface water, animal waste, sludge, soil and plant tissue) necessary to determine the source, quantity, quality, and effect of such waste upon the waters of the State. Such monitoring, including its scope, frequency, duration and any sampling, testing, and reporting systems, shall meet all applicable Environmental Management Commission requirements. "Good Reason" may be based on the findings of a related Federal, State, Commission or DENR authorized study or report, or other evidence showing that violations of State water quality standards or other applicable environmental standards have occurred or may occur.
5. Failure to abide by the conditions and limitations contained in this permit, the facility's CAWMP and/or any COC issued under this permit may subject the Permittee to an enforcement action by the DWQ in accordance with North Carolina General Statutes and may include the requirement to obtain an individual non-discharge permit and/or the modification of the animal waste management system
6. The issuance of a COC under this permit does not excuse the Permittee from the obligation to comply with all applicable statutes, rules, regulations, or ordinances (local, state, and federal).
7. If animal production ceases, the Permittee shall close the lagoons/storage ponds in accordance with Natural Resource Conservation Service (NRCS) lagoon/storage pond closure standards or develop and implement an animal waste management plan in accordance with NRCS standards. Closure shall also include notifying the DWQ and submittal of the Animal Waste Storage Pond and Lagoon Closure Report Form to DWQ-Water Quality Section- Non-Discharge Branch within 15 days of completion of closure.
8. The annual permit fee shall be paid by the Permittee within thirty (30) days after being billed by the Division. Failure to pay the fee accordingly constitutes grounds for revocation of the COC granting coverage under this General Permit.
9. Failure of the Permittee to maintain, in full force and effect, lessee and landowner agreements which are required in the CAWMP, shall constitute grounds for revocation of the COC granting coverage under this General Permit.

10. This permit allows for the distribution of manure up to 4 cubic yards per visit to individuals for personal use.

11. The Groundwater Compliance Boundary for the disposal system constructed after December 31, 1983, is established at either (1) 250 feet from the waste structures and from the waste disposal area, or (2) 50 feet within the property boundary, whichever is closest to the waste structures and the waste disposal area. If this facility was constructed prior to December 31, 1983, the Compliance Boundary is established at either (1) 500 feet from the waste disposal area, or (2) at the property boundary, whichever is closest to the waste disposal area. An exceedance of Groundwater Quality Standards at or beyond the Compliance Boundary is subject to the requirements of 15A NCAC 2L and the Division in addition to the penalty provisions applicable under the North Carolina General Statutes.

This General Permit issued the 1st day of May, 2003.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

Alan W. Klimek, P.E., Director
Division of Water Quality
By Authority of the Environmental Management Commission

Cattle Waste General Permit Number AWG200000