

NORTH DAKOTA DEPARTMENT OF HEALTH
NOTICE OF CONTINUATION OF PUBLIC COMMENT PERIOD AND PUBLIC HEARING ON THE
APPLICATION FOR APPROVAL OF A LIVESTOCK WASTE SYSTEM

February 1, 2016

PURPOSE OF PUBLIC HEARING

THE DEPARTMENT WILL HOLD A PUBLIC HEARING TO DISCUSS THE APPLICATION FOR AN "APPROVAL TO OPERATE" FOR A CONCENTRATED LIVESTOCK OPERATION UNDER THE AUTHORITY OF SECTION 61-28-04 OF THE NORTH DAKOTA CENTURY CODE.

APPLICANT INFORMATION

APPLICANT NAME:	Rolling Green Family Farms RE, LLP Barry Kerkaert
MAILING ADDRESS:	1300 South Highway 75 Pipestone, MN 56164
TELEPHONE NUMBER:	507.825.4211

The proposed facility is located 1.5 miles east, 2 miles south, and a 0.5 mile east of Buffalo, ND, in the SE 1/4 of the NW 1/4 of Section 4, Township 139 N, Range 54 W, in Cass County. Public Notice number ND-2016-007 was issued on February 1, 2016, inviting comments on the draft approval developed for this facility. This second notice extends the public comment period and gives an additional opportunity for either written or oral comment on the application and revised fact sheet under consideration.

MEETING PURPOSE AND LOCATION

Pursuant to a request, the Department will be holding an informational meeting on the proposed facility to discuss the environmental review process. Following this meeting is a public hearing in which the Department invites oral comments on the application and review of the proposed livestock facility. This is a continuation of the December 28, 2015 public comment period.

The informational meeting will be held March 17, 2016 at 2:00 p.m. and a public hearing will be held March 17, 2016 at 3:00 p.m. at the following location:

Buffalo Senior Citizens
Buffalo, ND 58011

Written comments should be directed to the North Dakota Department of Health, Division of Water Quality, 918 E Divide Avenue, 4th Floor, Bismarck, ND 58501-1947. All information received prior to March 19, 2016, will be considered prior to final consideration on issuing an approval to operate for the proposed facility. The public comment period will be closed March 19, 2016, and written or oral comments submitted to the Department after that time will not be considered by the Department in determining whether to issue an approval to operate for the proposed facility.

FURTHER INFORMATION

Additional information may be obtained upon request by calling (701) 328-5210 or by writing to the Departments address shown above. The complete application, revised fact sheet, draft approval, and related documents are available for review and reproduction at the Department and located on the department web site www.ndhealth.gov. Copies of the revised fact sheet and related items are also available for review at the Auditor's Office located at 211 9th Street South in Fargo, ND, and the post office located at 305 Main Street in Buffalo, ND.

PUBLIC NOTICE NUMBER: ND-2016-007

LIVESTOCK FACILITY FACT SHEET FOR

Rolling Green Family Farms RE, LLP

Applicant:	Barry Kerkaert, Owner.														
Location:	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Quarter</th> <th style="text-align: left;">Section</th> <th style="text-align: left;">Township</th> <th style="text-align: left;">Range</th> <th style="text-align: left;">County</th> <th style="text-align: left;">Latitude</th> <th style="text-align: left;">Longitude</th> </tr> </thead> <tbody> <tr> <td>SE NW</td> <td>4</td> <td>139N</td> <td>54W</td> <td>Cass</td> <td>46.884275°N</td> <td>-97.504774°W</td> </tr> </tbody> </table> <p>1.5 miles east, 2 miles south, 0.5 miles east of Buffalo, ND.</p>	Quarter	Section	Township	Range	County	Latitude	Longitude	SE NW	4	139N	54W	Cass	46.884275°N	-97.504774°W
Quarter	Section	Township	Range	County	Latitude	Longitude									
SE NW	4	139N	54W	Cass	46.884275°N	-97.504774°W									
Planned:	<p>The owner is planning to add clean water diversions and also collect the dirty water from the confinement barns to use it for fertilization of his crop land. The application indicates the facility will have a maximum of 800 nursery pigs with an average weight of 45 lbs, 1,120 farrowing sows with an average weight of 400 lbs, 5,312 gestation sows with an average weight of 400 lbs and 1,600 finish pigs with an average weight of 150 lbs for Phase I. For Phase II, the operation will be adding 224 farrowing sows with an average weight of 400 lbs. The facility will be in operation year around.</p>														

Groundwater and Surface Water

Geology:	<p>Cass County is in the western lake section of the Central Lowland physiographic province and occupies parts of the Drift Prairie and Red River Valley. The western part of the county is in the Drift Prairie. This area is a youthful glaciated plain, which is interrupted only by minor glacial landforms and stream valleys. The facility is located in the Drift Prairie area of the county.</p> <p>Pleistocene glacial drift covers the entire county. The known thickness of the drift, including the Lake Agassiz deposits, ranges from 132 to 447 feet. The major surficial features in the county are the ice-marginal drainage channels and the channel of the proglacial Maple River. Minor features include kames, eskers, terraces in the proglacial Maple River channel, ground moraine, and local recessional features referred to as washboard moraines.</p> <p>There are four major surface units in the county and they are ground moraine, lake plain, shore, and deltaic deposits (Klausing, 1968). Ground Moraine is believed to have formed at the base of the glacial in the western part of Cass County. The ground moraine is a nearly flat to gently rolling surface, with local relief not exceeding twenty feet.</p>
Topography:	The land surface varies from strongly rolling to nearly flat. Local relief generally ranges from 10 to 20 feet per mile, but in some areas it may be as much as 40 feet.
Slope:	The slope ranges from 0% to 6%.
Runoff:	The proposed facility is an indoor confinement operation. Any runoff from the land around the barns and from the buildings will be directed away from the site.
Elevation:	1,142 feet
Site drainage:	The facility drains south with the help of surface drains located within the field. The drains flow into the road ditch a half mile south of the site. The road ditch flows south under the road into other ditches into Buffalo Creek and eventually into the Maple River eighteen miles to the southeast.
Water bodies:	The Buffalo Creek is located about three quarters of a mile south of the site.
Soils:	The primary soils at the site, as indicated by NRCS soil survey, include Hamerly-Tonka complex, and Barnes-Buse loams. These soils consist mostly of CL, CL- ML, CH, and ML materials. (See the chart on page 10)

Aquifers:	<p>The facility does not appear to be located over a delineated glacial drift aquifer as indicated by the County Ground Water studies 8 Part III. There is one well located in the Lake Agassiz deposits, a couple wells are located in the Glacial Drift not associated with a delineated aquifer, and most of the wells are located in the bedrock aquifers of the Dakota Sandstone. The two nearest glacial drift aquifers in Cass county is the Tower City Aquifer approximately five miles to the west of proposed site and the Page Aquifer located approximately six miles north of the proposed site.</p> <p>The Tower City aquifer is a surficial outwash deposit confined in a glacial melt-water channel. The channel passes through Tower City and extends southeastward to its junction with the Maple River. In most places the channel and deposits is about a quarter mile wide. Recharge is from snow melt and rainfall. (County Ground Water Studies 8, Part III)</p> <p>The Page Aquifer is located in the northwestern part of Cass County and extends into Steele County. The aquifer consists of two intervals of sand and gravel in the drift. The upper interval is a buried glaciofluvial deposit consisting of very fine to coarse sand ranging in thickness of zero to seventy. The lowers interval is a buried glaciofluvial deposit consisting of very fine to coarse sand ranging in thickness of zero to fifty feet. This aquifer is an artesian system confined at the top by deposits of glacial till the range in thickness from nine to eighty feet. (County Ground Water Studies 8, Part III)</p> <p>Dakota Sandstone in this area includes all the Cretaceous rocks older than the Graneros Shale. It underlies this area of Cass County and the rest of the county except the eastern quarter of the county. The depth to the top of the Dakota Sandstone ranges from about three hundred in the eastern part of the county to seven hundred feet in western part. The Dakota Sandstone consists chiefly of interbedded and inter-lensed silt, shale, loose sand, and sandstone; with places it may consist solely of clay or shale. The water-bearing deposits range in texture from very fine to very coarse sand, but very fine to fine sand is predominant. The sand and sandstone range in thickness from zero to about fifty feet. The aquifer is confined by Graneros Shale and overlain by younger Cretaceous rocks and glacial drift. The recharge as indicated by the county groundwater study is from outside the county and possibly from the rocks underlying the Dakota Sandstone. Discharge from the aquifer by upward and lateral leakage into adjacent deposits. Probably the greatest natural discharge is in the eastern limit of the aquifer where the overlying deposits are thin. Artesian pressure and well yields began to decline as more wells drilled into the aquifer. The water quality is highly mineralized, but used extensively in some areas because adequate supplies of more suitable water are not available. (County Ground Water Studies 8, Part III)</p>
Public wells:	There are no public wells indicated in the county groundwater studies. The facility will use wells to obtained water for the hog barns.
Private wells:	Within two miles of the site there are wells and an observation well as shown. Wells in the general area are from 29 feet to 900 feet deep.

Manure Handling and Disposal

Facility operation:	Sows will be confined on site year around. The gestation/breeding barns will house 5,312 sows with an average weight of 400 pounds, the farrowing barn will house 1,344 sows with an average weight of 400 pounds and the isolation barn will house 1,600 pigs at an average weight of 150 pounds and 800 pigs at an average weight of 45 pounds. Manure will be stored in deep pits under the gestation barn and the isolation barn and applied yearly to surrounding land as a fertilizer.
Manure handling description:	The farrowing barn utilizes a pull plug recharge pit under that slats that will drain into the gestation barn deep pit. The gestation barn and the isolation barn each have slatted floors over a 10 foot deep concrete pit under the whole barn to contain waste.
Expected manure quantities:	<p>Confined barns - Gestating barn <u>Manure quantities for the gestation barn from design plans:</u></p> <p>Manure generated : <u>300,456 cu ft or 2.25 Mgal</u></p> <p>Confined barns - Isolation Barn <u>Manure quantities from design plans:</u></p> <p>Manure generated: <u>64,800 cu ft. or 0.48 Mgal</u></p> <p>Confined barns - Farrowing Barn Phase I <u>Manure quantities from design plans:</u></p> <p>Manure generated: <u>169,344 cu ft. or 1.27 Mgal</u></p> <p>Confined barns - Farrowing Barn Phase II <u>Manure quantities from design plans:</u></p> <p>Manure generated: <u>33,869 cu ft. or 0.25 Mgal</u></p> <p>Wastewater consists of Spillage, Wash water and Pit Recharge. Based on past performance, Pipestone operations generated approximately 0.36 ft³/day per animal unit.</p> <p>Wastewater: 0.36 ft³/day x 2,938 AU x 270 days = <u>285,612 cu ft or 2.14 Mgal</u></p> <p><u>Total Capacity for 270 days storage</u></p> <p>Gestating barn + Farrowing barn + Isolation barn: <u>854,081 cu ft/year or 6.39 Mgal</u></p>
Mortality disposal:	Dead animals will be composted.

Odors

Potential sources:	The most significant source of potential odors is the barns with the deep pits located underneath. Land application may present a source of short term odor problems. The facility meets the required state setback of 1 mile as determined according to the North Dakota Century Code 23-25-11.7. The nearest residence is over a mile from the feedlot.
--------------------	---

Specifications

Manure Storage Structures	
Required manure storage:	<p><u>Confined barns - Gestating barn</u> <u>Capacity for the gestation barn:</u></p> <p>Dimensions of the pit: <u>758.3 ft</u> Length <u>168.8 ft</u> Width <u>9 ft</u> Depth Columns (882 total): <u>12 in</u> Length <u>12 in</u> Width <u>9 ft</u> Depth Pump out port (2 total): <u>6.66 ft</u> Length <u>5.33 ft</u> Width <u>9 ft</u> Depth Sump (2 total): <u>5.83 ft</u> Length <u>4.5 ft</u> Width <u>2 ft</u> Depth</p> <p>Storage volume = Pit - Columns + Pump out ports + Sump</p> <p>365 days of storage: <u>1,145,594 cu ft/year or 8.57 Mgal</u></p> <p><u>Confined barns - Isolation barn</u> <u>Capacity for the isolation barn:</u></p> <p>Dimensions of the pit: <u>162 ft</u> Length <u>96.2 ft</u> Width <u>9 ft</u> Depth Columns (96 total): <u>12 in</u> Length <u>12 in</u> Width <u>9 ft</u> Depth Pump out port (4 total): <u>6.66 ft</u> Length <u>5.33 ft</u> Width <u>9 ft</u> Depth Sump (4 total): <u>5.83 ft</u> Length <u>4.5 ft</u> Width <u>2 ft</u> Depth</p> <p>Storage volume = Pit - Columns + Pump out ports + Sump</p> <p>365 days of storage: <u>140,672 cu ft/year or 1.05 Mgal</u></p> <p><u>Confined barns - Farrowing Barn Phase I</u> <u>Capacity for the farrowing barn:</u></p> <p>Dimensions of the pit: <u>286.7 ft</u> Length <u>159.2 ft</u> Width <u>1.5 ft</u> Depth</p> <p>365 days of storage: <u>68,442 cu ft/year or 0.51 Mgal</u></p> <p><u>Confined barns - Farrowing Barn Phase II</u> <u>Capacity for the farrowing barn:</u></p> <p>Dimensions of the pit: <u>57.3 ft</u> Length <u>159.2 ft</u> Width <u>1.5 ft</u> Depth</p> <p>365 days of storage: <u>13,683 cu ft/year or 0.10 Mgal</u></p> <p><u>Total Capacity for 365 days storage</u></p> <p>Gestating barn + Farrowing barn + Isolation barn: <u>1,368,391 cu ft/year or 10.24 Mgal</u></p>
Deep Pits:	<p><u>Location:</u></p> <p>The proposed location appears suitable based on soil survey and ground water survey information. Soil borings were completed by Materials Testing Service. The borings indicate that the Unified classification for the subsoil at the site is generally CL, ML and SM to a depth of about 23.5 Feet. The soil was moist and a water table was encountered at relative elevations ranging from 1134.5 ft to 1139.1 ft. The bottoms of the pits are at a proposed relative elevation of 1138.8 ft. See the chart of the borings at the end of document.</p>

Leak Detection Testing	<p><u>Leak Detection:</u></p> <p>Drain tile will be placed under the deep pits of the gestating barn and the isolation barn that will serve a dual purpose: (1), it will collect any dirty water which may escape from the deep pits, thereby acting as a leak detection system, and (2), it will collect any clean water from outside water sources from applying pressure to the walls as well as premature deterioration of the concrete. Water collected in the drain tile will be collected in a shallow containment pond.</p>
Manure transfer components: * pg 37	<p><u>Manure Storage Structure Considerations:</u></p> <p>A pump out port with a sump will be located on the east and west sides of the gestation barn. The gilt development unit barn will have four pump out ports located on the south side of the barn. Transfer pipes will allow the farrowing barn pits to drain into the gestation barn through a 10-inch diameter pull-plug system.</p>
Inlet lines and outlet structures:	<p><u>Inlet Lines and Outlet Structures, Design considerations:</u></p> <ul style="list-style-type: none"> -Transfer lines from the farrowing barn to the gestating barns will be 10 inches in diameter. -Pump out ports will be located on the east and west sides of the gestation barn. <p>Pipe Considerations:</p> <ul style="list-style-type: none"> - All pipe must be corrosion resistant - Pipe must be sloped to allow good drainage and minimize plugging - Clean out ports are provided at both ends of the farrowing facility
Diversions:	<p>A clean water diversion will be located around the facility to keep clean water from entering the site. The diversion will have a 20 foot wide bottom with 4:1 and 6:1 side slopes. The diversion will convey the clean water from 17.8 acres north and west of the facility to the south away from the operation. During a 25 year, 24 hour storm event, the drainage will carry approximately 18.6 cfs at a velocity less than 1.34 fps. Two clean water diversions between the gestation barn and the farrowing barn will be used to remove clean water from within the site. A 15" CPP connects the two clean water diversions. An 18" CPP conveys the clean water to the south towards a 24" CPP that transfers the clean water away from the site. The 24" CPP will have a peak flow of 13.3 cfs.</p>
Earth fill:	<p>The design plans indicate vegetation and organic material will be stripped and removed from the footprint of the embankment. Organic materials or frozen soil will not be used in fill material. Class C compaction shall be used for earth fill unless otherwise noted. Appropriate topsoil as deemed by the Engineer will be used as cover material on the outside slopes of the embankment. The embankment will be seeded to a shallow rooted perennial grass.</p>
Concrete Specs:	<p>Below are the concrete specs and rebar details used in the facility. All concrete is to be air entrained.</p> <ul style="list-style-type: none"> - Exterior wall footing: three runs of continuous #4 horizontal rebar - Column: six runs of #4 vertical rebar, horizontal #3 grade 40 square ties 10" O.C. - 14" Column: six runs of #7 vertical rebar, horizontal #3 grade 40 square ties 10" O.C. - Pit floors: #4 rebar, 18" O.C. both ways. - Exterior pit walls: #5 vertical rebar 12" O.C., #5 horizontal rebar 15" O.C. - Pumpout pit walls: #5 vertical rebar 7" O.C., #5 horizontal rebar 17" O.C.
Groundwater monitoring plan: * pg 51	<p>The facility does not appear to be located over a glacial drift aquifer. The facility does not appear to be located over an aquifer. Ground water monitoring wells will not be required at the site at this time, unless there is some indication that ground water is being impacted.</p>

Operation & maintenance plan:	The operation and maintenance plan calls for liquid manure pits to be pumped down before the liquid reaches within one foot of the top of the pit. Manure from pull plug system will be drained approximately once a week or every ten days. Earth work must be inspected annually and repaired as needed. Manure shall be removed annually and applied in accordance with the nutrient management plan.
-------------------------------	--

Nutrient Management Plan & Manure Application

General conditions:	Careful judgment must be exercised when managing and applying manure to ensure surface waters are not impacted and minimize nuisance concerns for nearby residents. Factors to consider when choosing methods of management and application include but are not limited to; the volume of manure, the topography, location of surface and ground water sources, and distance from neighboring residents.															
Application rates:	Liquid manure will be land applied spring, summer, or fall by either knifed or swept directly into the ground, by a custom applicator. Manure will be incorporated immediately. Manure will be land applied at a rate not to exceed high phosphorus levels so it will be utilized for crop production and so manure will not get into waters of the state.															
Record keeping:	<p>The CAFO must make the following records available to the department for review upon request for a minimum of 5 years from the date they are created:</p> <ul style="list-style-type: none"> • Document routine visual inspections of the production area and containment structures. • Maintain a rain gauge at the production area and record measurable rainfall events. • How, when and where the manure, litter, or process wastewater was reused or disposed. • Weather conditions at the time and 24 hours prior to manure application. • Mortalities management and practices used. • The date, time and estimated volume of any overflow outside of the containment area. • Annual nutrient sampling of: manure, litter and/or process wastewater and soil samples where manure has been applied that year. • An explanation of how the manure application rates were determined with calculations of the planned and actual total nitrogen and phosphorus to be applied to each field. • The crops grown and crop yields. • Inspection of manure application equipment including method, frequency, dates and repairs made if leaks were found. • Setbacks, vegetated buffers or other alternative practices used when land applying manure near surface water or potential conduits to surface water. • If manure, litter or process wastewater is transferred to other persons or entities; the recipient's name and address, approximate amount transferred, and the date of the transfer should be documented. • Any actions taken to correct deficiencies. 															
Expected manure volumes & nutrients:	<p>Expected Manure Quantities:</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th></th> <th>Daily</th> <th>365 Days</th> </tr> </thead> <tbody> <tr> <td>Volume of animal manure</td> <td>14,312 gal/day</td> <td>4.8 Mgal</td> </tr> <tr> <td>Nitrogen (N)</td> <td>737 lb/day</td> <td>284,256 lb</td> </tr> <tr> <td>Phosphorus (P₂O₅)</td> <td>568 lb/day</td> <td>218,562 lb</td> </tr> <tr> <td>Potassium (K₂O)</td> <td>555 lb/day</td> <td>214,574 lb</td> </tr> </tbody> </table> <p>* Values from USDA Ag Manure Management Field Hand Book, Chapter 4</p> <p>Nitrogen losses anticipated: Storage: 20% for liquid manure in anaerobic pit. Land apply method: 1% for knifing in liquid manure.</p> <p>Phosphorus available: Land apply method: 80% available for crops.</p>		Daily	365 Days	Volume of animal manure	14,312 gal/day	4.8 Mgal	Nitrogen (N)	737 lb/day	284,256 lb	Phosphorus (P ₂ O ₅)	568 lb/day	218,562 lb	Potassium (K ₂ O)	555 lb/day	214,574 lb
	Daily	365 Days														
Volume of animal manure	14,312 gal/day	4.8 Mgal														
Nitrogen (N)	737 lb/day	284,256 lb														
Phosphorus (P ₂ O ₅)	568 lb/day	218,562 lb														
Potassium (K ₂ O)	555 lb/day	214,574 lb														

Land application of manure:	<p><u>Estimate of land needed for manure application:</u></p> <p>If the nutrient management plan's phosphorus risk assessment indicates a medium to low risk of movement of phosphorus, facilities are allowed to apply at agronomic nitrogen rates in accordance with the phosphorus index.</p> <p>If the nutrient management plan's phosphorus risk assessment indicates a high potential for movement or if soil test show phosphorus levels in the high range, the facility is required to apply the manure at agronomic phosphorus rates.</p> <p>Nutrient available for application with losses is N 225,131 lbs. and Phosphorus (P₂O₅) 174,850 lbs.</p> <p>Anticipated crop grown: <u>Corn(grain), Soybeans, and edible beans</u></p> <p>Risk assessment for phosphorus : <u>Low</u></p> <p>Note: the estimated of land needed was done using the actual soil tests provide. The total acres were split in half for soybeans and corn in the table below. Some of the soil samples indicated edible beans as a possible crop, the option with half the acres planted to this crop is also in the table below .</p> <table border="1" data-bbox="289 485 1528 684"> <thead> <tr> <th>Crop</th> <th>Nitrogen needed</th> <th>Phosphorus needed</th> <th>Acres possible planted</th> </tr> </thead> <tbody> <tr> <td>Corn</td> <td>210,783 lbs.</td> <td>113,490 lbs.</td> <td>1,654.21</td> </tr> <tr> <td>Soybean</td> <td>Makes own nitrogen</td> <td>75,477 lbs.</td> <td>1,654.21</td> </tr> <tr> <td>Dry edible beans</td> <td>75,371 lbs.</td> <td>57,214 lbs.</td> <td>1,654.21</td> </tr> </tbody> </table> <p>Amount of land identified by applicant for land application: <u>3,312.40 acres</u></p> <p>Manure spreading agreements were received for all acres.</p> <p>Any combination of these crop will use up the estimated nutrients produced by the facility.</p> <p>The Department realizes that the nitrogen in manure is not all available to the crop the first year and therefore the manure will typically be applied at rates higher than the rates listed above. However the organic nitrogen becomes available the following years so the manure cannot be applied at the same rate subsequent years. These figures are used to estimate the total acres that would be needed over several years of application using proper rotation of crop-land and/or calculating nitrogen that is carried over to the following years.</p> <p>*Average rates, actual rates depend upon crops grown and projected yield</p>	Crop	Nitrogen needed	Phosphorus needed	Acres possible planted	Corn	210,783 lbs.	113,490 lbs.	1,654.21	Soybean	Makes own nitrogen	75,477 lbs.	1,654.21	Dry edible beans	75,371 lbs.	57,214 lbs.	1,654.21
Crop	Nitrogen needed	Phosphorus needed	Acres possible planted														
Corn	210,783 lbs.	113,490 lbs.	1,654.21														
Soybean	Makes own nitrogen	75,477 lbs.	1,654.21														
Dry edible beans	75,371 lbs.	57,214 lbs.	1,654.21														
Permits:	The facility will require an NDPDES CAFO Permit as well as an NDPDES Storm Water Permit.																
Disclaimer:	This design review is intended to assess a livestock facility's ability to contain, divert, store and properly apply manure and/or runoff water to meet department requirements, to prevent detrimental impacts the quality of waters of the state, and to minimize the potential for odor concerns from livestock facilities. It does not include an assessment of the structural integrity of livestock facilities or manure handling structures such as those made of concrete, metal, wood, plastic, or other material.																

* Page reference for North Dakota Department of Health Guidelines for Approval of Livestock Manure Systems

Approval Conditions:

1. The application indicated the facility will house **800 nursery pigs, 1,344 farrowing sows, 5,312 Gestation sows, and 1,600 finishing pigs**. The Department must be notified in writing if there is an expansion in the number of livestock, change in ownership of the facility, significant changes in the physical operation of the facility or if the lot area where livestock are concentrated is expanded. Changes may require an update to the approval or issuance of a new approval.
2. Operation and Maintenance plans and standard operating procedures must be followed as submitted to the department. Changes to the Operation and Maintenance plan must be approved by the Department prior to being implemented. There must be regular and adequate maintenance and upkeep to prevent degradation of the structures, to ensure the system continues to operate as designed, to ensure the storage pond does not overflow, and to ensure manure or waste water does not discharge into waters of the state. Operation and maintenance plans mean description of the equipment, methods, and schedules for: inspection, monitoring, operation and maintenance of the animal feeding operation (manure storage structures, water pollution control structures, and the production area); and controlling water pollution and air pollution including odors to protect the environment and public health. (Design manual, 6.7, page 42)
3. Notice of Completion and all results of testing completed on the clay liner or the manure storage structures must be sent to the Department when construction is complete.

4. All embankments must be constructed of relatively impervious materials and compacted sufficiently to form a stable structure. An appropriate liner material must be used to prevent excess seepage from the storage pond. Seepage from the storage pond shall not exceed 1/16 inch per day, and shall not detrimentally impact waters of the state.
5. Dead animals must be disposed of in accordance with NDCC section 36-14-19, in a manner acceptable to the North Dakota Board of Animal Health, and so they will not impact waters of the state
6. Land application of manure must be in accordance with the nutrient management plan. Manure must be applied in a manner so it will not be washed into waters of the state. The Department may require immediately incorporating the manure into the soil or leaving a buffer distance to prevent impacts to waters of the state or impacts from odors.
7. The following records pertaining to nutrient management must be maintained for a minimum of 5 years. The crops grown and expected realistic crop yields; the date(s) manure, litter or process wastewater is applied to each field; weather conditions during application, 24 hours prior and following application; test methods used to sample and analyze manure, litter, wastewater and soil; results from annual testing of manure, litter, and process wastewater, and annual soil sample results for land where manure was applied that year; an explanation of how the application rates were determined in accordance with standards established by the department; calculations showing nutrients applied to each field, including other nutrient sources; total amount of nutrients actually applied to each field, including documentation of calculations for the total amount applied; method used to apply the manure, litter or process wastewater; inspection of manure application equipment including method, frequency, dates and repairs made if leaks were found; and setbacks, vegetated buffers or other alternative practices used when land applying manure near surface water or potential conduits to surface water. (Design manual, 7.7, number 2, page 49)
8. If manure is transferred to other persons or entities not associated with the facility, the following conditions shall apply: owners/operators shall provide the recipient of the manure, litter or process wastewater with the most current nutrient analysis prior to transfer; the analysis provided shall be consistent with the requirements of section 7.4 in design manual; and the owners/operators of the CAFO shall retain records for five years after the transfer date documenting the recipient's name and address, the approximate amount of manure transferred, and the date the manure was transferred. (Design manual, 7.7, number 3, page 50)
9. The owner/operator of a CAFO shall conduct the following routine visual inspections of the production area: weekly inspections of all storm water diversion devices, runoff diversion structures and devices channeling runoff to the manure storage structure; daily inspection of water lines, including drinking water or cooling water lines; and weekly inspections of the manure storage structures noting the level of liquid in the structure as indicated by the depth marker.
10. All open storage structures shall: maintain a depth marker which clearly indicates the minimum capacity necessary to contain the runoff and direct precipitation from a 25-year, 24-hour rainfall event.
11. Any deficiencies discovered during the inspections shall be corrected as soon as possible; chemicals or other contaminants handled on site shall not be disposed of in a structure used for storage or treatment of manure, process wastewater or stormwater unless it is specifically designed for that purpose; and the operator of a livestock facility requiring a permit should maintain a rain gauge at the production area and record measurable rainfall events. (Design manual, 6.2, page 40)
12. The owner/operator of a CAFO must make the following records available to the department for review upon request: records documenting the visual inspections; weekly records of the depth of the manure and process wastewater in the liquid manure storage structure as indicated by the depth gauge in storage structure; records documenting any actions taken to correct deficiencies; deficiencies not corrected within 30 days must be accompanied by an explanation of the factors preventing immediate correction; records of management and practices used; record documenting current design of any manure storage structures, including solids accumulation volume, design treatment volume, total design volume and the approximate number of days of storage capacity; records of the date, time and estimated volume of any overflow; and records documenting the land application of manure. (Design manual, 6.5, page 41)
13. The owner/operator of a CAFO shall submit an annual report which includes: the number and type of animals whether in open lots or confined under roof; estimated amount of total manure generated in the previous 12 months; estimated amount of total manure transferred to another party in the previous 12 months; total number of acres for land application covered by the Nutrient Management Plan; person who prepared the Nutrient Management Plan; total number of acres under the control of the facility that were used for land application of manure in the previous 12 months; summary of all manure discharges from the production area that have occurred including date, time, and approximate volume. (Design manual, 6.6, page 42)
14. This approval shall in no way permit or authorize the discharge of any objectionable odorous air contaminant which is in excess of the limits established in North Dakota Administrative Code Ch. 33-15-16 of the North Dakota Air Pollution Control Rules. If the Department determines odors from the facility exceed limits, appropriate steps will be required, within a reasonable time, to control and reduce odors from the facility site. This may include requiring the installation of a cover on the ponds or other odor control measures.
15. This approval shall in no way permit or authorize the maintenance of a public nuisance or danger to public health or

safety.

16. There must be regular and adequate maintenance and upkeep to prevent degradation of the structures, to ensure the system continues to operate as designed, to ensure the containment system does not overflow, and to ensure manure or waste water does not discharge into waters of the state.
17. The Department must be notified if there is a change in address or other contact information for the facility.
18. The facility must maintain adequate storage capacity to contain a 100-year, 24 hour storm event.

Water Commission Well Data:

Location	Use	Depth	Diameter	Aquifer
13905402CCC	Domestic, Stock	60	18	Lake Agassiz Deposits
13905402CCD	Domestic, Stock	500	2	Dakota Sandstone
13905403DDD	Stock	450	3	Dakota Sandstone
13905406AAA	Stock	500	4	Dakota Sandstone
13905406DAD	Stock	800	3	Dakota Sandstone
13905407DDA	Domestic, Stock	760	3	-
13905408BBB1	Stock	670	4	Dakota Sandstone
13905408BBB2	Domestic	50	-	Glacial Drift
13905409CCC	Domestic, Stock	718	4	Dakota Sandstone
13905411 DDD	Observation Well-Destroyed	467		-
13905414DAD1	Domestic, Stock	222	2	-
13905414DAD2	Stock	60	36	Glacial Drift
13905416DDD	Domestic, Stock	900	4	Dakota Sandstone
14005426DAD	Domestic, Stock	425	3	Dakota Sandstone
14005427BBA	Domestic, Stock	750	3	Dakota Sandstone
14005429CAA	Unused	730	3	Dakota Sandstone
14005430ABC	Domestic, Stock	29	36	Glacial Drift
14005431AAA	Domestic, Stock	900	4	Dakota Sandstone
14005434BBB	Domestic, Stock	560	4	Dakota Sandstone
14005435CCB	Stock	460	3	Dakota Sandstone

Soil Survey Data:

Map unit	Name	Description	Bedrock depth	Seasonal water table	Unified soil class*	Perm in/hr	Lagoon Restrictions
G100A	Hamerly-Tonka complex, 0-3% slopes.	<p>The Hamerly series consists of very deep, somewhat poorly drained soils that formed in calcareous loamy till. Permeability is moderate in the upper horizons and moderate or moderately slow in the lower horizons. These soils are on flats on lake plains and on convex slopes surrounding shallow depressions and on slight rises on till plains.</p> <p>The Tonka series consists of very deep, poorly drained, slowly permeable soils that formed in local alluvium over till or glaciolacustrine deposits. These soils are in closed basins and depressions on till and glacial lake plains.</p>	0 -60"	2.0 -4.0 +0.5 -1.0	CL, CL-ML, CH	0.6 - 2.0 0.6 - 2.0 0.2 – 2.0 0.06 – 0.2 0.2 – 0.6	Severe: wetness, ponding.
G144B	Barnes-Buse loams, 3-6% slopes.	<p>The Barnes series consists of very deep, well drained soils that formed in loamy till. These soils are on till plains and moraines.</p> <p>The Buse series consists of very deep, well drained soils that formed in loamy glacial till on moraines.</p>	0- 60"	> 6'	CL-ML, CL, ML, CH	0.6 - 2.0 0.6 - 2.0 0.2 – 0.6 0.2 - 2.0	Moderate: seepage, slope.

Soil Boring Information:

	SB 1	SB 2	SB 3	SB 4	SB 5	SB 6	SB 7
Elevation	1148.4	1145.8	1145.5	1143.8	1146	1146.2	1145
0 to 1	TS/CL	TS	TS/CL	TS/CL	TS/CL	TS/CL	TS/CL
1 to 2	CL	CL	CL	CL	CL	CL	CL
2 to 3	CL	ML	CL	CL	SC	CL	CL
3 to 4	CL	CL	CL	CL	SC	CL	CL
4 to 5	CL	CL	CL	CL	ML	CL	CL
5 to 6	CL	CL	CL	CL	ML	CL	CL
6 to 7	CL	CL	CL	CL	ML	CL	CL
7 to 8	CL	CL	CL	CL	ML	CL	CL
8 to 9	CL	CL	CL	CL	ML	CL	CL
9 to 10	SM	CL	SC	CL	CL	CL	CL
10 to 11	SM	CL	SC	CL	CL	CL	CL
11 to 12	SM	CL	SC	CL	CL	CL	CL
12 to 13	ML	CL	CL	SM	SM	CL	CL
13 to 14	ML	CL	CL	SM	SM	CL	CL
14 to 15	ML	SP	CL	SM	SM	CL	SM
15 to 16	ML	ML	CL	SM	SM	CL	SM
16 to 17	ML	ML	CL	SM	SM	CL	ML
17 to 18	ML	ML	CL	SM	SM	CL	ML
18 to 19	ML	ML	ML	SM	SM	CL	ML
19 to 20	ML	ML	ML		SM	CL	
20 to 21	ML	ML	ML		SM	CL	
21 to 22	ML	ML	ML		SM	CL	
22 to 23	ML	ML	ML		SM	CL	
23 to 24	ML	ML	ML			CL	



NORTH DAKOTA DEPARTMENT OF HEALTH
Division of Water Quality
 Bismarck, ND

SFN 8296 (6/96)

APPLICATION FOR APPROVAL OF LIVESTOCK WASTE SYSTEM

NAME OF APPLICANT: <u>Rolling Green Family Farms RE, LLP</u> INDIVIDUAL _____ LIMITED LIABILITY PARTNERSHIP <u>X</u> PARTNERSHIP _____			
NAME OF LIVESTOCK OPERATION: <u>Rolling Green Family Farms RE, LLP</u>			
ADDRESS OF OWNER OR APPLICANT: <u>1300 S. Hwy 75,</u> (RR, STREET, or PO Box No.) <u>Pipestone, MN</u> <u>56164</u> <u>507-825-4211</u> (City) (Zip Code) (Telephone No.)			
LOCATION OF LIVESTOCK ENTERPRISE: (Legal Land Description) <u>SE</u> 1/4 <u>NW</u> 1/4 Section <u>4</u> Township <u>139 - N</u> Range <u>54 - W</u> County <u>Cass County</u> Lat. <u>46° 53'5"</u> Long. <u>97°30'22"</u> (If available)			
TYPE OF FACILITY: (a) Existing <u>0</u> Planned <u>9,056 hd sow facility</u> Addition _____ (b) Confined in barn <u>9,056 hd total</u> Have access to outside lot <u>0</u> (c) Unpaved or dirt <u>0</u> Hard surfaced <u>0</u> Other <u>0</u>			
TYPE AND NUMBER OF LIVESTOCK: Days/year livestock concentrated on-site: <u>365 days</u> (for example, Dec. - May, 180 days) Existing number, and maximum number of livestock at the facility:			
Existing Number	Maximum Design Number	Type	Average Weight
<u>0</u>	<u>800</u>	<u>Nursery Pigs</u>	<u>45 lbs</u>
<u>0</u>	<u>1,344</u>	<u>Farrowing Sows</u>	<u>400 lbs.</u>
<u>0</u>	<u>5,312</u>	<u>Gestation Sows</u>	<u>400 lbs.</u>
<u>0</u>	<u>1,600</u>	<u>Finish Pigs</u>	<u>150 lbs.</u>

BASIC INFORMATION:

List area of any outside livestock lots: 0 acres.

Area contributing surface flow from outside the lot (not diverted): 0.0 acres.

Is the runoff from a 25-year/24-hour rain event contained on the property:

N/A (This varies across the State from 3.5 to 4.1 in. of rain).

Soil type at waste storage site and livestock lot: (From soil investigation)

Sandy lean clay (CL) and silty sand (SM), Sandy Silt (ML), Clay Sand (SC)

Depth from ground surface to the seasonal high water table at:

Isolation Barn 5.5 ft Gestation Barn 4.7 ft Farrowing Barn 7.6 ft.

This was determined by: (check one) Soil boring X Estimate

How much land is available for disposing of waste: 3,420.9 (3,312.4 after setbacks) acres.

How will dead animals be disposed of? Composting

The maps and site information submitted should be as detailed and accurate as possible. Incomplete information may result in delays with the approval, or future problems at the site.

A. Submit the following information with this application form:

1. A topographic map of the area with at least a two-mile radius. *(See Section 3, Map A & B)*
2. A current map of the area with at least a two-mile radius that has the following marked to the best of your knowledge: *(See Section 3, Map A & B)*
 - a. All inhabitable farms or dwellings. *(See Section 3, Map A & B)*
 - b. All land within this two-mile radius on which waste will be applied. *(See Section 3, Map A & B)*
 - c. Any livestock waste ponds and dugouts. *(See Section 3, Map A & B)*
 - d. Any well within 1/4 mile and any public or irrigation wells within 2 miles. Also, list any abandoned wells you are aware of and their status. *(See Section 3, Map A & B)*
 - e. If dead animals are disposed of on-site, indicate on the map where this is done. *(N/A)*
3. A sketch of the facility site with the following information: *(See Section 4)*
 - a. Dimensions and distances, include depth of wells on-site. *(See Section 4, Page 3)*
 - b. All existing and proposed structures, with labels (e.g., barns, diversions, fences). *(See Sect. 4, Pg.3)*
 - c. Identify drainage patterns through the facility site. *(See Section 4, Pages 3 & 4)*

B. Please check on the following information and, if it is available, include it when submitting this application:

1. Any applicable zoning requirements (city, county, township). *(See Section 6)*
2. Any water quality information you are aware of, such as: *(See Section 7)*
 - a. Well water quality analyses. *(See Section 7)*
 - b. Surface water analyses (stock ponds, creeks, etc.). *(See Section 7)*
 - c. Analyses of livestock waste or runoff. *(See Section 7)*
3. Any geologic/hydraulic or soils information you are aware of: *(See Section 8)*
 - a. Well logs for wells at the facility. *(See Section 8)*
 - b. Geologic, ground water, or surface water studies done in the area and who did the studies. *(See Sect. 8)*
 - c. Personal observation (gravel pits, wetlands, etc.). *(See Section 8)*

C. Give a brief description of the proposed livestock waste system, including how waste and/or runoff will be collected, stored, and land applied. Indicate if waste is incorporated into the soil and, if so, how is this done. (Use a separate sheet, if necessary).

(See Section 3.1) The facility will be an 9,056 head swine sow facility. The farrowing facility will utilize total slatted floors which will discharge waste into a pit recharge system that will drain into the gestation pit. The gestation barns and the isolation barns are total slatted barns that drain into concrete pits. The concrete pits will store over 365 days of waste from the facility's barns. The waste from the facility will be disposed of on surrounding cropland via an injection applicator system at agronomic rates.

I certify that, to the best of my knowledge, this information is correct and accurate.


(Applicant Signature)

11-25-15
(Date)

APPLICATION FOR PRELIMINARY APPROVAL OF A LIVESTOCK WASTE SYSTEM:

The Department of Health has the responsibility to review and approve concentrated livestock facilities to ensure surface and ground waters are protected from pollution by livestock waste. The first step to initiate the evaluation process is to complete this application form and return it to the Department with the information requested.

The application should be completed as accurately and completely as possible. Incomplete information will slow down the process. If you have any questions, contact the Department at 701-328-5219 for assistance.

ABOUT THE APPLICATION:

The application requests information on the proposed facility location, size, and other operational information. Maps with the information requested may be available at various places such as your County Extension Office, or the County Auditors Office. Soils information may be found at your local Natural Resources Conservation Service (NRCS) Office.

If you cannot find all the information requested, you can contact the Health Department for assistance. Please be sure all of the information requested is included with the application.

PART A: Requests maps and sketches. Please make sure all requested information is clearly marked. If waste is to be applied to a neighbor's land, indicate whether a signed or verbal agreement has been made.

PART B: Requests information that you may personally be aware of. You do not need to collect any new data. If a ground water, surface water, or geologic study was completed in the area, indicate when the study was done and who did it. The Department can then get the data collected from the study.

PART C: This gives us an overview of the operation, including how waste is land applied, as well as provide information on any unique features at the site. We encourage producers to test the waste for nutrient content so it can be applied according to the needs of the crop being grown. Over-applying waste can lead to nitrogen being leached into the ground water or waste and nutrients being washed off the field and into lakes or streams.

FINAL APPROVAL:

The Department will review the application and respond with an evaluation of the site, including any areas of concern for surface or ground water impacts. This is done to allow operators to address areas of water quality concerns in the facility design. This detailed design plan of the facility and livestock waste system should then be submitted to the Department. It must include specifics on the volume of waste produced, the volume of waste that can be stored, dimensions of the storage structure, diversions, and embankments and also include method and rate waste is land applied. An operation and maintenance plan should be included to ensure the waste storage facility does not overflow and that waste is properly land applied.

If the final detailed design plan is already completed when submitting the application, it can be submitted, along with this preliminary application.

APPROVAL TO OPERATE

A Concentrated Livestock Operation

In compliance with Chapter 33-16-03.1 of the North Dakota Department of Health rules as promulgated under Chs. 61-28 and 23-25 of North Dakota Century Code (NDCC), approval of the **Rolling Green Family Farms RE, LLP** livestock facility located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 4, Township 139 N, Range 54 W, in Cass County, North Dakota is granted provided the following conditions are met:

1. The application indicated the facility will house **800 nursery pigs, 1,344 farrowing sows, 5,312 Gestation sows, and 1,600 finishing pigs**. The Department must be notified in writing if there is an expansion in the number of livestock, change in ownership of the facility, significant changes in the physical operation of the facility or if the lot area where livestock are concentrated is expanded. Changes may require an update to the approval or issuance of a new approval.
2. Operation and Maintenance plans and standard operating procedures must be followed as submitted to the department. Changes to the Operation and Maintenance plan must be approved by the Department prior to being implemented. There must be regular and adequate maintenance and upkeep to prevent degradation of the structures, to ensure the system continues to operate as designed, to ensure the storage pond does not overflow, and to ensure manure or waste water does not discharge into waters of the state. Operation and maintenance plans mean description of the equipment, methods, and schedules for: inspection, monitoring, operation and maintenance of the animal feeding operation (manure storage structures, water pollution control structures, and the production area); and controlling water pollution and air pollution including odors to protect the environment and public health. (Design manual, 6.7, page 42)
3. Notice of Completion and all results of testing completed on the clay liner or the manure storage structures must be sent to the Department when construction is complete.
4. All embankments must be constructed of relatively impervious materials and compacted sufficiently to form a stable structure. An appropriate liner material must be used to prevent excess seepage from the storage pond. Seepage from the storage pond shall not exceed 1/16 inch per day, and shall not detrimentally impact waters of the state.
5. Dead animals must be disposed of in accordance with NDCC section 36-14-19, in a manner acceptable to the North Dakota Board of Animal Health, and so they will not impact waters of the state
6. Land application of manure must be in accordance with the nutrient management plan. Manure must be applied in a manner so it will not be washed into waters of the state. The Department may require immediately incorporating the manure into the soil or leaving a buffer distance to prevent impacts to waters of the state or impacts from odors.
7. The following records pertaining to nutrient management must be maintained for a minimum of 5 years. The crops grown and expected realistic crop yields; the date(s) manure, litter or process wastewater is applied to each field; weather conditions during application, 24 hours prior and following application; test methods used to sample and analyze manure, litter, wastewater and soil; results from annual testing of manure, litter, and process wastewater, and annual soil sample results for land where manure was applied that year; an explanation of how the application rates were determined in accordance with standards established by the department; calculations showing nutrients applied to each field, including other nutrient sources; total amount of nutrients actually applied to each field, including documentation of calculations for the total amount applied; method used to apply the manure, litter or process wastewater; inspection of manure application equipment including method, frequency, dates and repairs made if leaks were found; and setbacks, vegetated buffers or other alternative practices used when land applying manure near surface water or potential conduits to surface water. (Design manual, 7.7, number 2, page 49)
8. If manure is transferred to other persons or entities not associated with the facility, the following conditions shall apply: owners/operators shall provide the recipient of the manure, litter or process wastewater with the most current nutrient analysis prior to transfer; the analysis provided shall be consistent with the requirements of section 7.4 in design manual; and the owners/operators of the

CAFO shall retain records for five years after the transfer date documenting the recipient's name and address, the approximate amount of manure transferred, and the date the manure was transferred. (Design manual, 7.7, number 3, page 50)

9. The owner/operator of a CAFO shall conduct the following routine visual inspections of the production area: weekly inspections of all storm water diversion devices, runoff diversion structures and devices channeling runoff to the manure storage structure; daily inspection of water lines, including drinking water or cooling water lines; and weekly inspections of the manure storage structures noting the level of liquid in the structure as indicated by the depth marker.
10. All open storage structures shall: maintain a depth marker which clearly indicates the minimum capacity necessary to contain the runoff and direct precipitation from a 25-year, 24-hour rainfall event.
11. Any deficiencies discovered during the inspections shall be corrected as soon as possible; chemicals or other contaminants handled on site shall not be disposed of in a structure used for storage or treatment of manure, process wastewater or stormwater unless it is specifically designed for that purpose; and the operator of a livestock facility requiring a permit should maintain a rain gauge at the production area and record measurable rainfall events. (Design manual, 6.2, page 40)
12. The owner/operator of a CAFO must make the following records available to the department for review upon request: records documenting the visual inspections; weekly records of the depth of the manure and process wastewater in the liquid manure storage structure as indicated by the depth gauge in storage structure; records documenting any actions taken to correct deficiencies; deficiencies not corrected within 30 days must be accompanied by an explanation of the factors preventing immediate correction; records of management and practices used; record documenting current design of any manure storage structures, including solids accumulation volume, design treatment volume, total design volume and the approximate number of days of storage capacity; records of the date, time and estimated volume of any overflow; and records documenting the land application of manure. (Design manual, 6.5, page 41)
13. The owner/operator of a CAFO shall submit an annual report which includes: the number and type of animals whether in open lots or confined under roof; estimated amount of total manure generated in the previous 12 months; estimated amount of total manure transferred to another party in the previous 12 months; total number of acres for land application covered by the Nutrient Management Plan; person who prepared the Nutrient Management Plan; total number of acres under the control of the facility that were used for land application of manure in the previous 12 months; summary of all manure discharges from the production area that have occurred including date, time, and approximate volume. (Design manual, 6.6, page 42)
14. This approval shall in no way permit or authorize the discharge of any objectionable odorous air contaminant which is in excess of the limits established in North Dakota Administrative Code Ch. 33-15-16 of the North Dakota Air Pollution Control Rules. If the Department determines odors from the facility exceed limits, appropriate steps will be required, within a reasonable time, to control and reduce odors from the facility site. This may include requiring the installation of a cover on the ponds or other odor control measures.
15. This approval shall in no way permit or authorize the maintenance of a public nuisance or danger to public health or safety.
16. There must be regular and adequate maintenance and upkeep to prevent degradation of the structures, to ensure the system continues to operate as designed, to ensure the containment system does not overflow, and to ensure manure or waste water does not discharge into waters of the state.
17. The Department must be notified if there is a change in address or other contact information for the facility.
18. The facility must maintain adequate storage capacity to contain a 100-year, 24 hour storm event.

The above conditions are considered part of the proper operation of the facility. If any of the above conditions are not met, the Department must be notified in writing, within five (5) days. Any noncompliance with the approval conditions or with state requirements must be reported to the Department as soon as possible after the facility becomes aware of the noncompliance

condition. Failure to meet these requirements may result in monetary fines and/or revocation of this approval to operate.

Permission to begin construction becomes effective upon signature of this Approval by the Department. The approval is based on construction being completed as per the design plans reviewed by the Department. If any structural changes are made that are different than these design plan, the Department must be notified in writing, prior to making these changes.

Authorized Department personnel shall be permitted access to the facility to determine compliance with Department rules and regulations. Department inspections will abide by all security measures implemented by the owner or operator to protect the health and safety of the workers and animals at the facility.

The owner/operator of this facility shall comply with all State and Federal environmental laws and rules, and shall also comply with all local building, fire, zoning and other applicable ordinances, codes, and rules.

This approval becomes effective when construction is completed and Notice of Completion and results of testing completed on the clay liner or the manure storage structures are received by the Department.

I certify that I have read and understand the above information and agree to operate the facility in a manner that will meet all the conditions listed herein.

OWNER/OPERATOR CONSENT

FOR THE NORTH DAKOTA
DEPARTMENT OF HEALTH

By _____
(signature)

By _____

By _____
(print name here)

By Director
Water Quality Division

Date _____

Date _____