

901:13-1-02**Overflow and discharge from manure management facilities.**

- (A) Each owner, operator, or person responsible for an animal feeding operation shall prevent pollution by operating and maintaining manure management facilities so that overflow or discharge into waters of the state is prevented.
- (B) Animal feeding operations found by the director or the director's designee to have failed to implement best management practices for manure management facilities and have caused pollution to waters of the state shall develop, obtain approval, and implement modifications to their operations according to the field office technical guide or other methods approved by the director or the director's designee.
- (C) To prevent overflow and discharge from manure management facilities the following should be taken into consideration:
- (1) The number, weight, and kind of animals;
 - (2) The average seasonal weather patterns;
 - (3) Type of system and the required management;
 - (4) Method and seasonal time of utilization and application;
 - (5) Soil types; and
 - (6) Cropping system, including tillage methods.
- (D) Animal feeding operations shall account for a reasonable storage safety factor in order to accommodate unexpected conditions. However, overflow or discharge caused by an infrequent storm event or other condition beyond the control of such person shall not indicate non-compliance with this provision if the planned or prescribed management system is followed.

Replaces: 901:13-1-02

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 939.02
Rule Amplifies: 939.02
Prior Effective Dates: 11/01/1979, 05/01/1989, 05/07/1992, 11/15/1994,
10/03/2005, 12/23/2010, 12/31/2015 (Emer.),
04/01/2016