

901:13-1-02

**Overflow ~~and/or~~ discharge from ~~animal~~ manure collection, storage or treatment facilities.****~~Each~~**

(A) Each owner, operator or person responsible for an animal feeding operation shall operate and maintain animal manure collection, storage, or treatment facilities so that overflow or discharge into waters of the state is prevented. ~~Animal feeding operations found by the director or the director's designee to have failed to implement best management practices (BMPs) for animal manure collection, storage, or treatment facilities and have caused pollution to waters of the state shall develop, obtain approval, and implement modifications to facilities and operations according to the "Field Office Technical Guide" or other methods approved by the director or the director's designee. To prevent overflow and discharge from animal manure collection, storage, or treatment facilities the following should be taken into consideration:~~

(B) Animal feeding operations found by the director or the director's designee to have failed to implement best management practices for animal manure collection, storage, or treatment facilities and have caused pollution to waters of the state shall develop, obtain approval, and implement modifications to facilities and operations according to the "Field Office Technical Guide" or other methods approved by the director or the director's designee.

(C) To prevent overflow or discharge from animal manure collection, storage, or treatment facilities the following should be taken into consideration:

~~(A)~~(1) The number, weight, and kind of animals;

~~(B)~~(2) The average seasonal weather patterns;

~~(C)~~(3) Type of system and the required management;

~~(D)~~(4) Method and seasonal time of utilization and application;

~~(E)~~(5) Soil types;

~~(F)~~(6) Cropping system (including tillage methods); and

~~(G)~~(D) Animal feeding operations shall account for a ~~A~~ reasonable storage safety factor to accommodate unexpected conditions. However, overflow or discharge ~~occurring due to some~~ caused by an infrequent storm event or other condition beyond the control of such person shall not indicate non-compliance with this ~~provision~~ rule if the planned or prescribed management system is followed.

Effective: 8/19/2024

Five Year Review (FYR) Dates: 4/19/2024 and 08/19/2029

CERTIFIED ELECTRONICALLY

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Certification

08/07/2024

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Date

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Rule Amplifies: 939.02

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