

FACT SHEET

State of Nebraska

National Pollutant Discharge Elimination System (NPDES) General Permit for Concentrated Animal Feeding Operations Confining Cattle

NEG020000

A draft NPDES General Permit has been prepared for concentrated animal feeding operations (CAFOs) that only confine cattle, either in open lots or under roof. Based on Nebraska Administrative Code (N.A.C.) Title 119 - Rules and Regulations Pertaining to the Issuance of Permits under the National Pollutant Discharge Elimination System and N.A.C. Title 130 – Livestock Waste Control Regulations, the Nebraska Department of Environment and Energy (Department) has determined that these types of CAFOs are suitable for coverage under an NPDES General Permit.

This permit contains the same conditions and requirements as the previous permit but will be issued for an effective permit length of five (5) years. The permit restricts pollutant discharges to comply with the requirements of Department regulations.

CAFOs eligible for coverage under these permits include those operations which:

1. are located within the State of Nebraska, but not on Tribal Land;
2. confine only cattle, either in open lots or under roof;
3. have constructed livestock waste control facilities (holding ponds, lagoons or storage pits) capable of controlling all process wastewater including runoff from the 25-year, 24-hour storm event; and
4. are in compliance with N.A.C. Title 130 – Livestock Waste Control Regulations.

The application for coverage under this NPDES General Permit must include a detailed site-specific nutrient management plan (NMP) or updates to the current approved NMP that meets the requirements of Title 130. The NMP must include details of the livestock waste control facilities and the production area, details on the land application procedures that ensure appropriate agricultural utilization of the nutrients in the wastes and record keeping requirements that document compliance with the NMP.

Prior to granting coverage under this permit, the Department will issue a public notice on its webpage for thirty (30) days that identifies elements of the NMP that will become terms of the CAFO's NPDES General Permit. Any changes in the NMP by the CAFO that results in a substantial change to the terms of the permit will also be noticed on the Department's webpage

for a fifteen (15) day period. The permit terms of the NMP are the information, protocols, procedures, best management practices and other conditions that ensure:

1. adequate storage of manure, litter and process wastewater, including proper operation and maintenance of the storage structures;
2. proper management of mortalities;
3. diversion of clean water from the production area, as appropriate;
4. confined animals are not in contact with waters of the State;
5. chemicals and other contaminants are properly handled;
6. appropriate site specific conservation practices to be implemented are identified;
7. protocols are identified for testing of manure, litter, process wastewater and soil;
8. protocols are identified to land apply manure, litter or process wastewater in accordance with the site specific nutrient management practices; and
9. specific records are identified and maintained to document compliance with the NMP.

Written comments and a request for hearing may be submitted during the public comment period which will run from **July 19, 2019** through **August 19, 2019**.

The draft permit and other public information are available for review online at deq.ne.gov, or at the Lincoln office by contacting the Records Management Unit, Nebraska Department of Environment and Energy, Suite 400, The Atrium, 1200 N Street, Lincoln, Nebraska, telephone: (402) 471-3557; FAX (402) 471-2909.

All comments received during the public comment period will be considered in the final decision on issuance of this NPDES General Permit. Written public comments may be submitted to: **Agriculture Section, Nebraska Department of Environment and Energy, PO Box 98922, Lincoln, NE 68509-8922.**