

Public hearings set on water protection permits for large livestock operations

Switch to standardized permits aims to free up time for inspections

MADISON – Aiming to free up time for compliance and inspections of large-scale livestock operations, the state is proposing to issue standardized water protection permits known as “general permits” instead of writing the permits individually.

“Wisconsin has among the most rigorous permitting standards in the nation right now, and our proposed general permits have the same requirements” says Gordon Stevenson...

The two -proposed general permits covering operations of different sizes will be the topic of public hearings statewide in March and April, and a public comment period through April 23, 2010.

“Wisconsin has been the last state to use individual permits for large-scale livestock operations. Through adoption of general permits we will be better able to make the most of our available time to protect public health and Wisconsin’s lakes, rivers and groundwater,” says Gordon Stevenson, who leads the Department of Natural Resources runoff management section.

Since the requirements for many of these large operations are the same, there is limited need for DNR staff to draft each permit individually, he says. Switching to standardized general permits would allow DNR staff to spend more time in the field inspecting those livestock operations to make sure they are following requirements for manure storage, handling, spreading, and other activities. Such activities, when done improperly, can lead to manure spills or manure runoff and potential pollution of lakes, streams and drinking water supplies and fish kills. The plan is to inspect each permitted facility twice during their five year period, up from a single inspection of a subset of facilities.

Switching to the general permits also would allow DNR staff to issue the permits on a more timely basis. Under state and federal law, largescale livestock operations are allowed to expand and operate in accordance with a water protection permit, and it’s DNR’s responsibility to issue those permits and ensure that operations comply with permit conditions, Stevenson says.

Under state and federal law, large farms must get water protection permits when they reach 1,000 animal units (roughly 700 milking cows) because of the volume of their manure and the increased potential risk it poses to Wisconsin waters if a spill or runoff occurs.

An operation with a complete and credible permit application receives a permit. There are now 188 permits, which must be renewed every five years. They are operating permits that apply only to water protection and do not give the DNR authority to address where such an operation is sited, nor air, odor, traffic, lighting or other concerns that may be present.

Proposal specifics

The DNR is proposing a general permit for dairy farms starting at 1,000 animal units, the same threshold now triggering farms to get a permit, and the equivalent of 700 milking cows. This permit would cover operations on up to those housing 5,720 animal units of dairy cattle, the equivalent of 4,000 milking cows, Stevenson says.

The second proposed general permit would only be used for those operations with fewer than 1,000 animal units that have not addressed livestock-related runoff issues that the DNR determines are best addressed by a permit, Stevenson says.

Large scale farms are considered “point sources,” the same as industries or wastewater treatment plants that have an identifiable discharge to waters of the state. DNR has long successfully used general permits for more than a dozen different categories of wastewater dischargers, ranging from nonmetallic mining operations to land application of liquid industrial waste.

Rigorous DNR review, public notice requirements would still exist

Stevenson says that the general permits will require the same amount of information to be submitted and the DNR will give the application documents the same level of scrutiny to ensure compliance with permit requirements.

The general permits will also receive an environmental review from DNR’s environmental analysis staff, separate from those reviewing the permit. And recent changes at the federal level now require that the DNR provide public notice of its decision to cover an individual operation under the CAFO General Permit. DNR also must meet new requirements to public notice certain changes to an operation’s plan for spreading manure and other nutrients, including spreading manure on more land.
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