Dane County’s Certificate of Use Program

County Conservationist Meeting
July 18/19, 2019

Amy Piaget
County Conservationist
Land Conservation Division
What’s new in Dane County for 2019?

• Rescinded the Subchapter 1: Manure Storage and Utilization of Chapter 14: Manure Management, Erosion Control and Stormwater Management

• Created a new ordinance – Chapter 49: Agricultural Performance Standards and Manure Management
  - Agricultural Performance Standards and Prohibitions
  - Manure Storage Facility Permit, Use and Specifications
  - Winter Spreading Permit

• Effective July 1, 2019
What is a Certificate of Use?

An authorization issued by the department allowing continued use of manure storage facilities without a permit or with expired permits

**Without a permit**
Any facility not issued a manure storage facility permit under Chapter 49 for construction or modification

**Expired permit**
Any facility with an expired manure storage facility permit issued under Chapter 49

Permits under Chapter 49 are *20 year construction, operation and maintenance permits* through the design life of the structure according to technical standards.
Operating Requirements

a) Updates and follows a NMP meeting the most current NRCS 590 and covers all manure land applied from the facility.

b) Submits the NMP to the department by June 1st annually.

c) Operates the facility in accordance with performance standards.

d) Maintains the storage free from visible and serious damage, erosion or deformities.

e) Maintains all safety devices.

f) Provides proof of compliance with (c) and (d).

g) Submits to periodic, scheduled inspections.

h) Develops and implements a closure plan within 2 years of the storage no longer being used or when closure is required based on conditions specified in the ordinance.
Application Process

• Send notification letters and application materials

• Complete application forms
  - Application form
  - Design/as-built/evaluation documentation (if available)
  - Nutrient management plan (if available)

• $1,000 fee
  - Waived if application is submitted by November 1, 2020
# Dane County Manure Storage Certificate of Use Application

Please fill out the information below to the best of your ability. If you are unsure or don’t know the answer to one of the questions leave it blank.

**Landowner/Applicant Name:**

How many manure storage facilities (i.e. lagoons, pits, tanks, etc. are there on your property? __________

For each facility describe the following:

<table>
<thead>
<tr>
<th>Facility Name ID:</th>
<th>Estimated Volume:</th>
<th>Year Constructed:</th>
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<tbody>
<tr>
<td></td>
<td>Gallons:</td>
<td>Days of Storage:</td>
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</table>

<table>
<thead>
<tr>
<th>Position:</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Above Ground</td>
<td>Below Ground</td>
<td>Under Barn</td>
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<table>
<thead>
<tr>
<th>Liner Type:</th>
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<tbody>
<tr>
<td>Concrete</td>
<td>Earth</td>
<td>Other</td>
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<thead>
<tr>
<th>Sides:</th>
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<tbody>
<tr>
<td>Vertical Walls</td>
<td>Sloped Sides</td>
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<table>
<thead>
<tr>
<th>Dimensions:</th>
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<tbody>
<tr>
<td>Length:</td>
<td>Width:</td>
<td>Depth:</td>
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</tbody>
</table>

Are there transfer channels or pipes to or from this storage? YES NO

Was the facility constructed with technical support and/or cost share funds from a federal, state, or local government agency? Circle One

**Type of Animals:** Dairy Beef Heifer Calf Hog Horse Chicken Other: __________

**Number of Animals:** __________
Issuing a Certificate of Use

- Review application materials
  - Working on how to track all of the information

- Conduct site visit and document findings

- Issue certificate or compliance schedule
  - Potential reasons for a compliance schedule
    - Develop nutrient management plan
    - Need engineering evaluation to determine compliance
    - Installation of safety features
    - Facility needs to be properly closed
    - Facility needs to be repaired, modified or upgraded
CERTIFICATE OF USE SITE VISIT CHECKLIST

Fill out one checklist for each Manure Storage Facility at the site

- Landowner/Applicant: ___________________________  Structure Name/ID#: ___________________________
- Year Constructed: __________  Manure Type: Solid  Liquid  Other: __________
- Type of Animals: Dairy  Beef  Heifer  Calf  Hog  Horse  Chicken  Other: __________
- Animal Numbers: For this Storage: __________  Total on Site: __________
- Position: Circle Those That Apply  Above Ground  Below Ground  Under Barn
- Sides: Circle Those That Apply  Vertical Walls  Sloped Sides
- Dimensions:  Length: __________  Width: __________  Depth: __________
- Estimated Volume:  Gallons: __________  Days of Storage: __________
- Floor Liner Type: Circle Those That Apply  Earth  Concrete Block  Poured Concrete  Concrete w/ Waterstop  Other: __________
- Wall/Side Slope Liner Type: Circle Those That Apply  Earth  Concrete Block  Poured Concrete  Concrete w/ Waterstop  Other: __________
- All Safety Features Present (fence, signs, grates, etc.)  YES  NO  Circle One
• Does the storage facility overtop or discharge during rainfall events (2” or more)?  
  YES  NO  MAYBE

• Is there evidence of the facility overtopping recently?  
  YES  NO  MAYBE

• Visible Liner Condition (choose one):__________________________

  **Poor**
  Trees growing on embankment
  Extensive cracking
  Large Cracks
  Visible Sluffing or Liner Erosion
  Major rills in liner > 6” deep
  Visible tears or bubbles in plastic liner

  **Fair**
  Embankments are not maintained
  Some Cracking
  Cracks Are ¼” or less wide
  Grassy vegetation growing on inside topliner top
  Minor rills in liner < 6” deep
  No tears or bubbles in plastic liner

  **Good**
  Minor Cracking
  Cracks are less than 1/8” wide
  Embankments are mowed
  No vegetation on inside of liner top
  Small rills in liner < 3” deep
  No tears or bubbles in plastic liner

  **Excellent**
  Looks New
  No visible cracks (or a few hairline cracks only)
  Embankments are mowed
  No vegetation present on liner
  No rills in liner
  No tears or bubbles in plastic liner

• Are there transfer channels or pipes to or from this storage?

• Was the facility constructed with technical support and/or cost share funds from a federal, state, or local government agency?  
  YES  NO

• Other/Notes:
Considerations

- Offer cost-share funding
  - Nutrient management planning
  - Closure
  - Closure w/replacement
  - Repairs/upgrades

- Renewal/inspection fees

- Frequency of inspections

- Tracking compliance

- Workload

- Solid vs. liquid, permanent vs. temporary storages
Why the heck are we doing this?!?!?

• Recommendation from the Healthy Farms Healthy Lakes Taskforce
  - Improve the use of manure nutrients and prevent nutrient losses through improved manure management

• Understand the current state of affairs...
  - Evaluate safety and maintenance
  - Track storage use and volumes
  - Improve implementation of nutrient management planning

• Ability to identify emergency options
  - Interest from producers
Questions/Discussion

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