

## MEMORANDUM FOR WATER AND WASTEWATER SECTION POLICY MANUAL

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DATE: Friday, December 13, 2002

SUBJECT: Policy 5.7.2, Chapter 3 Permit to Construct requirements for AFO/CAFO Waste Management Systems designed by the NRCS

Waste management systems for animal feeding operations of less than 1000 animal units designed by the NRCS in compliance with Policy 5.7.1, Memorandum of Understanding between the NRCS and DEQ for Agricultural Waste Management System Review do not require permits to construct. Any monitoring wells must conform to the Water Quality Division Permit by Rule requirements of Chapter 3. AFO waste system designs prepared by the NRCS are required to comply with the technical requirements of Policy 13.29.4 and NRCS Conservation Practice Standard 313, Waste Storage Facility, as adapted for Wyoming. If a Type I and Type II groundwater evaluation is completed as a part of a design by the NRCS, the DEQ/WQD groundwater program staff shall be contacted by the NRCS to determine if further review is necessary.

Concentrated Animal Feeding Operations (animal feeding operations of more than 1000 animal units and AFOs that have been designated CAFOs by the NPDES program) require a Chapter 3 Permit to Construct if a retention system is to be constructed. The retention system includes the retention basin, any earthwork necessary to create the retention basin and the collection ditches necessary to collect the waste water to the retention basin. The Chapter 3 Permit to Construct Application must be signed by the owner of the facility and submitted to WQD. The application must be accompanied by three copies of the design report, plans and specifications prepared by the NRCS in compliance with the requirements of Chapter 11, WQD Rules and Regulations, Policy 13.29.4 and NRCS Conservation Practice Standard 313, Waste Storage Facility, as adapted for Wyoming.

NRCS designs shall have been prepared under the supervision of or reviewed by the NRCS State Engineer and NRCS State Geologist before submission to the WQD. The Federal government is exempt from the requirement to affix the seal of a Wyoming registered engineer or geologist to the plans and specifications.