IDEM published notice on June 26, 2013 that it is soliciting comments on a proposal to adopt siting, design, construction, and operational requirements for satellite animal manure storage structures. The rulemaking is in response to a law passed by the General Assembly in 2011 that requires IDEM’s approval before constructing or expanding a satellite manure storage structure. Prior to July 1, 2011, satellite manure storage structures were not regulated in Indiana. The new law defines a “satellite manure storage structure” as a building, lagoon, pad, pit, pond or tank designed to store at least 1,000,000 gallons or 5,000 cubic yards of manure that is not located at a livestock or poultry production area. IC 13-11-2-196.2.

IDEM intends that the new rule will regulate satellite manure storage structures in a similar manner to manure storage facilities at CFOs regulated under 327 IAC 19. New CFO manure storage facilities are subject to site restrictions (e.g., karst terrain, floodways, flood plains, over mines and in soils with seasonal high water tables); setbacks; capacity; and design requirements. All CFOs must comply with maintenance; handling; inspection; emergency response; and closure requirements. The current rules do not apply to animal manure storage structures that are not located at the CFO.

IDEM is accepting written comments until July 26, 2013. The rulemaking notice is available here.

To view a complete PDF of the May/June 2013 issue of the Environmental Letter, click HERE.