

## **Sheboygan County Animal Waste Ordinance (Chapter 77) Information**

Except as hereinafter provided, any person who acquires ownership of, leases or constructs, abandons or substantially alters any manure storage facility or animal feeding operation is required to obtain a permit and adhere to the provision of this Chapter of the Code. Construction of substantial alteration of a manure storage facility or an animal feeding operation requires a Construction Permit. Closure of a manure storage facility requires a Closure Permit. Any person who applies livestock waste on land for which a Nutrient Management Plan as part of the permitting process is required shall be subject to the provisions of this Chapter of the Code.

The Planning & Conservation Department (DEPARTMENT) shall receive and review all permit applications. The DEPARTMENT shall determine if the proposed facility or closure and plans meet required standards set forth in Sections 77.13 and 77.14 of this Ordinance. The applicant shall inform the DEPARTMENT no later than two (2) working days prior to digging any soil test pit. Within thirty (30) days after receiving the completed application and fee, the DEPARTMENT shall inform the applicant in writing whether the permit application is approved or disapproved. If additional information is required, the DEPARTMENT shall so notify the applicant. The DEPARTMENT has thirty (30) days from the receipt of the additional information in which to approve or disapprove the application. If the DEPARTMENT fails to approve or disapprove the permit application in writing within thirty (30) days of the receipt of the permit application or additional information, as appropriate, the application shall be deemed approved and the applicant may proceed as if a permit had been issued.

Every application for a Manure Storage Facility Construction Permit shall include Construction Plans. The Plan standards and specifications for design, setbacks, construction, operation, and maintenance of manure storage facilities are those identified in Standards 313, 634, and 590 USDA-NRCS Technical Guide and Wis. Admin. Code Ch. NR 812.

Each application for a Construction Permit for a barnyard or feeding operation under this Chapter of the Code shall include an Animal Feeding Operation Plan, identified in Standards 575, 561, 350, 635, and 558 USDA-NRCS Technical Guide.

Any person who seeks to discontinue operating a manure storage facility and any person who abandons the operation of a manure storage facility must obtain a Closure Permit and the facility must be permanently disabled and sealed pursuant to the terms of the Closure Permit. The Closure Permit requirements shall include a plan with drawings and descriptions showing how the closure will comply with NRCS Closure of Waste Impoundments Standard 360 (June 2001).

Any manure storage facility shall be deemed abandoned when an operation where the facility is located ceases operations or manure has not been added or removed from the facility for a period of twenty-four (24) months. Manure storage facilities shall be closed in a manner that will prevent future contamination of groundwater and surface waters. The owner or operator may retain the facility for a longer period of time by demonstrating to the DEPARTMENT that all of the conditions are met.