



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

<County>-INT <XXXX>

Interim Permit

Interim Permit for the Correction of a Pollution Hazard
at an Animal Feedlot or Manure Storage Area
having a Capacity of 999 Animal Units or Less
Feedlot Program

Doc Type: Permit

Facility Information

Owner(s) Name(s):

Legal name of facility:

Address:

Location:

Animal type(s):

Maximum animal unit capacity:

Type(s) of animal holding areas:

Type(s) of manure storage areas:

Permit Information

Issuance date: <Month day, year>

Expiration date: <Month day, year>

Upon issuance, this permit provides authorization to operate the existing facilities, described in the owner's permit application and related submittals, while plans are developed and implemented to eliminate the pollution hazards identified at the facility. This permit covers owners and operators of animal feedlots and manure storage areas meeting the criteria in Minn. R. 7020.0405, subp. 1(C). The Owner of the Facility covered under this Permit must comply with the planning, design, construction, notification and operation requirements of Minn. R. 7020.2000 to 7020.2225, all applicable requirements in Minn. Stat. chs. 115 and 116, as amended, Minn. R. chs. 7001, 7020, 7050 and 7060, and any applicable county ordinances.

If construction at the facility will disturb one acre or more, the Owner must follow all applicable best management practices (BMPs) described in Minnesota Pollution Control Agency (MPCA) fact sheet *Stormwater control requirements at feedlot construction sites*.

This Permit shall become effective on the issuance date identified above, and supersedes any previous county feedlot permit that was issued to this Facility. A copy of this Permit must be kept on file at the Facility at all times. This Permit expires at midnight on the expiration date identified above. The general conditions in Minn. R. 7001.0150, subp. 3 (excluding item P) are incorporated by reference into this Permit.

The design plans and specifications prepared by <engineer name>, P.E., dated <Month day, year>, for the proposed manure storage areas are incorporated by reference into this Permit in accordance with Minn. R. 7020.0535, subp. 6, item G.

Signature:

<Correct Signature Block>

On behalf of <county name> County

SITE SPECIFIC CONDITIONS

A. Pollution Hazards

1. The existing _____ at the facility has been identified as creating a potential pollution hazard to _____.
2. This permit provides authorization to operate the existing feedlot while plans are developed and implemented to correct the pollution hazard(s) identified in this permit.
3. The owner shall minimize the pollution hazard(s) at the facility until approved plans and specifications are installed and fully operational.
4. The existing _____ at the facility has been identified as creating a potential pollution hazard to _____.
5. _____.

B. Plans and Schedules

1. Plans and schedules to eliminate the pollution hazards identified in parts A.1 to A _____ shall be developed and submitted to the county by _____.
2. Construction and/or installation of the protective or corrective measures shall not begin until approval has been provided by the county for the plan submitted according to part B.1.
3. Design plans and specifications prepared by <engineer name>, P.E., dated _____ for proposed liquid manure storage areas are incorporated by reference into this permit in accordance with Minn. R. 7020.0535, subpart 6, Item G.
4. _____.

C. Operation and Maintenance

1. Operation of the facility shall be in accordance with and limited to the operation described in the permit application and supporting information and any other material filed by the applicant with the county.
2. _____.

D. Reporting

1. No later than _____ days following each required submittal date identified in this permit, the Permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the probability of meeting the next scheduled requirements. The reports shall be submitted to:

County Feedlot Officer
<address>
<city, MN zip>

2. _____.

Minn. R. 7020 INTERIM PERMIT TERMS AND CONDITIONS OF PERMITS

GENERAL CONDITIONS (Minn. R. 7001.0150, subp. 3)

- A. The agency's issuance of a permit does not release the permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit.
- B. The agency's issuance of a permit does not prevent the future adoption by the agency of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the permittee.
- C. The permit does not convey a property right or an exclusive privilege.
- D. The agency's issuance of a permit does not obligate the agency to enforce local laws, rules, or plans beyond that authorized by Minnesota statutes.
- E. The permittee shall perform the actions or conduct the activity authorized by the permit in accordance with the plans and specifications approved by the agency and in compliance with the conditions of the permit.
- F. The permittee shall at all times properly operate and maintain the facilities and systems of treatment and control and the appurtenances related to them which are installed or used by the permittee to achieve compliance with the conditions of the

permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The permittee shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible.

- G. The permittee may not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document required to be submitted to the agency or to the commissioner by the permit. The permittee shall immediately upon discovery report to the commissioner an error or omission in these records, reports, plans, or other documents.
- H. The permittee shall, when requested by the commissioner, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit.
- I. When authorized by Minn. Stat. §§ 115.04; 115B.17, subd. 4; and 116.091, and upon presentation of proper credentials, the agency, or an authorized employee or agent of the agency, shall be allowed by the permittee to enter at reasonable times upon the property of the permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit.
- J. If the permittee discovers, through any means, including notification by the agency, that noncompliance with a condition of the permit has occurred, the permittee shall take all reasonable steps to minimize the adverse impacts on human health, public drinking water supplies, or the environment resulting from the noncompliance.
- K. If the permittee discovers that noncompliance with a condition of the permit has occurred which could endanger human health, public drinking water supplies, or the environment, the permittee shall, within 24 hours of the discovery of the noncompliance, orally notify the commissioner. Within five days of the discovery of the noncompliance, the permittee shall submit to the commissioner a written description of the noncompliance; the cause of the noncompliance; the exact dates of the period of the noncompliance; if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
- L. The permittee shall report noncompliance with the permit not reported under item K as a part of the next report which the permittee is required to submit under this permit. If no reports are required within 30 days of the discovery of the noncompliance, the permittee shall submit the information listed in item K within 30 days of the discovery of the noncompliance.
- M. The permittee shall give advance notice to the commissioner as soon as possible of planned physical alterations or additions to the permitted facility or activity that may result in noncompliance with a Minnesota or federal pollution control statute or rule or a condition of the permit.
- N. The permit is not transferable to any person without the express written approval of the agency after compliance with the requirements of Minn. R. 7001.0190 or 7020.0405, subp. 4, if applicable. A person to whom the permit has been transferred, or reissued, shall comply with the conditions of the permit.
- O. The permit authorizes the permittee to perform the activities described in the permit under the conditions of the permit. In issuing the permit, the state and agency assume no responsibility for damage to persons, property, or the environment caused by the activities of the permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under the permit. To the extent the state and agency may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act, Minn. Stat. § 3.736.