





Virginia Manure Transfer Requirements

ACWA CAFO Roundtable 2024

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Acronyms

Virginia

- AFO = Animal Feeding Operation
Definition same as federal
- CAFO = Concentrated Animal Feeding Operation
Definition same as federal
- VPA = Virginia Pollution Abatement
 - Virginia's non-point source permitting program
 - Virginia statute provides broad authority to require permits for pollutant management activities with the potential to discharge
- VPDES = Virginia Pollutant Discharge Elimination System



History of Virginia Livestock & Poultry Regulation

- 1970's → “No Discharge” Certificates followed issues with shellfish waters and livestock
- 1980's → VPA Individual Permits for Livestock (liquid)
- 1994 → VPA General Permits for Livestock (liquid)
- 2000 → VPA General Permits for Poultry
- 2010 → VPA End-User Regulations for Poultry Waste Transfer
- 2014 → VPA End-User Regulations for Livestock Waste Transfer



General Permits required Nutrient Management Plans approved by the Virginia Department of Conservation and Recreation

“Transfer Plans” are written when all litter from a permitted farm is transferred

Regulated Livestock & Poultry Farms

- VPA General Permit for AFOs with liquid manure
 - $\geq 300,000$ lbs animal weight or specific numbers
 - 108 permits for swine, dairy, and beef
 - Transfer less common, but does occur
- VPA General Permit for Poultry
 - ≥ 200 animal units (20k chickens or 11k turkeys)
 - 895 permits
 - ~80% of confined poultry operations are permitted
- 8 VPDES CAFO Individual Permits (all swine)



Transfer Requirements for Permitted Growers

- Applies to transfers >10 tons or >6000 gallons (within a 365-day period)
- Exempt from transfer requirements if manipulated manure (e.g. compost) is registered with Virginia Department of Agriculture & Consumer Services
- Provide recipient with:
 - Permittee Name, Address, & Permit Number
 - Copy of most recent manure analysis
 - Fact Sheet



Transfer Requirements for Permitted Growers

- Keep record of:
 - Recipient Name & Address
 - Amount of Manure
 - Date of Transaction
 - Nutrient Analysis
 - Locality where recipient will utilize manure
 - Name of nearest stream or waterbody
 - Signature of recipient
- Poultry Growers: Report Annually to DEQ by 9/15 [began 2023]



Poultry Litter Transfer Sheet Kept by Grower or Broker

VIRGINIA POULTRY WASTE MANAGEMENT - POULTRY WASTE TRANSFER RECORDKEEPING/REPORTING FORM - RECIPIENTS

Copies of these records for the preceding state fiscal year (July 1 through June 30) must be submitted on or before September 15 every year to the DEQ

Reporting Period: _____			
<input type="checkbox"/> Poultry Grower	DEQ Permit #: _____	<input type="checkbox"/> Poultry Waste Broker	DEQ Registration or Permit #: _____
Name: _____		Business Name: _____	
Mailing Address: _____			
Street	City	State	Zip

The following information is required to verify compliance with the requirements of the Virginia Pollution Abatement Regulation and General Permit for Poultry Waste Management (9VAC25-630-50, 60 & 70) and § 62.1-44.17:1.1 of the Code of Virginia. This information pertains to the tracking of manure/litter sold or given away and must be recorded to comply with the law. **By signing below, I acknowledge that I have received a copy of the most recent nutrient analysis of the poultry waste received and a copy of the DEQ Poultry Litter Fact Sheet that includes requirements for proper storage and management of poultry waste. If I am not the end user, I will provide a copy of the nutrient analysis and approved fact sheet to those whom I sell or give poultry waste.**

<i>This column to be completed by grower or broker named above:</i> Generation County, State & Zip	Date(s) Transferred	Amount Transferred (Tons)	Litter Analysis N (incorp) - N (not incorp) - P2O5 - K2O (lbs/ton)	Locality Where Waste Will Be Utilized or Stored	Nearest Stream/ Waterbody to Land Application or Storage	Recipient:	
						Name & Signature	Full Mailing Address or If Broker: Broker Registration #
County: _____				Town/City: _____		Print: _____	
State & Zip: _____				County & Zip: _____		Signed: _____	
County: _____				Town/City: _____		Print: _____	
State & Zip: _____				County & Zip: _____		Signed: _____	
County: _____				Town/City: _____		Print: _____	
State & Zip: _____				County & Zip: _____		Signed: _____	
County: _____				Town/City: _____		Print: _____	
State & Zip: _____				County & Zip: _____		Signed: _____	
County: _____				Town/City: _____		Print: _____	
State & Zip: _____				County & Zip: _____		Signed: _____	

Revision: 02/2021

Fact Sheet for End-Users



FACT SHEET

Requirements for Poultry Litter Use and Storage

You have received this fact sheet because you are the end user of poultry waste (dry poultry litter containing poultry manure and/or composted dead poultry) also referred to as poultry litter throughout this document. As required by the Virginia Pollution Abatement Regulation and General Permit for Poultry Waste Management (9VAC25-630), poultry litter must be used in a manner consistent with this fact sheet or as specified in a nutrient management plan (NMP) prepared by a Virginia certified Nutrient Management Planner.

This fact sheet is intended to summarize the requirements and best management practices for land application of poultry litter as a source of crop nutrients. If poultry litter is to be used for purposes other than land application to crops (for example: animal feed or fuel), these uses may be subject to other laws or regulations. If poultry litter is to be used outside of Virginia, contact that state regarding their requirements.

Storage Requirements

Poultry litter that is not immediately land applied must be stored properly. Poultry litter shall be stored in a manner that prevents contact with surface water and ground water. If poultry litter is stored prior to use, the following criteria shall be followed:

- If litter is not stored under roof, the storage site must be at least:
 - 100 feet from surface water, intermittent drainage, wells, sinkholes, rock outcrops, and springs; and
 - 200 feet from any occupied dwellings not on the end-user's or poultry litter broker's property (unless the occupant of the dwelling signs a waiver of the storage site).
- If stored outside longer than 14 days, the litter must be covered with an impermeable barrier that will resist wind.
- Do not store litter where the water table is less than 1 foot deep.
- If litter is stored in areas where the ground water table is less than 2 feet deep year round, install an impermeable barrier under the litter. Construct impermeable barriers using at least 12 inches of compacted clay, at least 4 inches of reinforced concrete, or another material of similar structural integrity which has a minimum permeability rating of 0.0014 inches per hour (1×10^{-6} centimeters per second).
- Poultry litter must be protected from storm water runoff accumulating onto or under it.

Soil Sample Collection

Where soil samples are necessary to utilize any of the methods described in this document the sample must be less than three (3) years old. A representative soil sample of each field is comprised of at least 20 cores randomly sampled throughout the field. Samples should be taken from the top 4 inches of soil where land is not tilled, or the top 6 inches of soil where land is tilled.

Additional Information

This fact sheet provides basic information. For additional information regarding requirements for poultry litter management, please visit the DEQ website at: <https://www.deq.virginia.gov> and search "poultry" or contact us toll free (in Virginia) at 1-800-592-5482.



FACT SHEET Requirements for Animal Waste Use and Storage

You have received this fact sheet because you are the end-user of animal waste (liquid, semi-solid, and solid animal manure and process wastewater, compost or sludges associated with animal feeding operations including the final treated wastes generated by a digester or other manure treatment technologies). As required by the Virginia Pollution Abatement General Permit Regulation (9VAC25-192), animal waste must be used in a manner consistent with this fact sheet or as specified in a nutrient management plan prepared by a Virginia certified Nutrient Management Planner. This fact sheet is intended to specify best management practices for land application of animal waste as a source of crop nutrients. If animal waste is to be used for purposes other than land application to crops (for example: animal feed or fuel), these uses may be subject to other laws or regulations. If animal waste is to be used outside of Virginia, contact that state regarding their requirements.

Storage Requirements

Animal waste that is not immediately land applied must be stored properly.

1. Animal waste shall be stored in a manner that prevents contact with surface water and ground water. Animal waste that is stockpiled outside for more than 14 days shall be kept in a facility or at a site that provides adequate storage and include the following:
 - a. Animal waste shall be covered to protect it from precipitation and wind;
 - b. Storm water shall not run onto or under the stored animal waste;
 - c. A minimum of two feet separation distance to the seasonal high water table or an impermeable barrier shall be used under the stored waste. All waste storage facilities that use an impermeable barrier shall maintain a minimum of one foot separation between the seasonal high water table and the impermeable barrier. Construct impermeable barriers of at least 12 inches of compacted clay, at least four inches of reinforced concrete, or another material of similar structural integrity that has a minimum permeability rating of 0.0014 inches per hour (1×10^{-6} centimeters per second); and
 - d. For animal waste that is not stored in a waste storage facility or under roof, the storage site must be at least 100 feet from any surface water, intermittent drainage, wells, sinkholes, rock outcrops, and springs.
2. Any liquid animal waste collection and storage facility shall be designed and operated to (i) prevent point source discharges of pollutants to state waters except in the case of a storm event greater than the 25-year, 24-hour storm and (ii) provide adequate waste storage capacity to accommodate periods when the ground is frozen or saturated, periods when land application of nutrients should not occur due to limited or nonexistent crop nutrient uptake, and periods when physical limitations prohibit the land application of waste.
3. Waste storage facilities constructed after December 1, 1998, shall not be located on a 100-year floodplain.
4. Earthen waste storage facilities constructed after December 1, 1998, shall include a properly designed and installed liner. Such liner shall be either a synthetic liner of at least 20 mils thickness or a compacted soil liner of at least one foot thickness with a maximum permeability rating of 0.0014 inches per hour. A Virginia licensed professional engineer or an employee of the Natural Resources Conservation Service of the United States Department of Agriculture with appropriate engineering approval authority shall certify that the siting, design and construction of the waste storage facility comply with the requirements of subsection B of 9VAC25-192-90. This certification shall be maintained on site.
5. At earthen waste storage facilities constructed below the seasonal high water table, the top surface of the waste must be maintained at a level of at least two feet above the water table.
6. All liquid waste storage or treatment facilities shall maintain at least one foot of freeboard at all times, up to and including a 25-year, 24-hour storm.

Soil Samples

Where soil samples are necessary to utilize any of the methods described in this document the sample must be less than three (3) years old. A representative soil sample of each field is comprised of at least 20 cores randomly sampled throughout the field. Samples should be taken from the top 4 inches of soil where land is not tilled, or the top 6 inches of soil where land is tilled.

Requirements for End-Users of Transferred Manure

- No Permit required – follow technical requirements
- Follow Fact Sheet that explains requirements
- Manure Storage / Timing of Application / Setbacks same requirements as permitted grower
- Four options to determine Rate
 - 1) Max 1.5 tons of poultry litter or 80 lbs Phosphorus content every 3 yrs; or
 - 2) Soil Test Recommendation; or
 - 3) Crop Phosphorus Removal; or
 - 4) Nutrient Management Plan



Recordkeeping Requirements for End-Users

- Source name, address, & permit number
- Amount of manure received
- Date of Transaction
- Final use (fertilizer, feed, fuel)
- Locality where utilized
- Nearest stream or waterbody
- Nutrient analysis
- Map of land application and storage sites
- Land application rate
- Receiving Crop
- Soil test results (if applicable)
- NMP (if applicable)

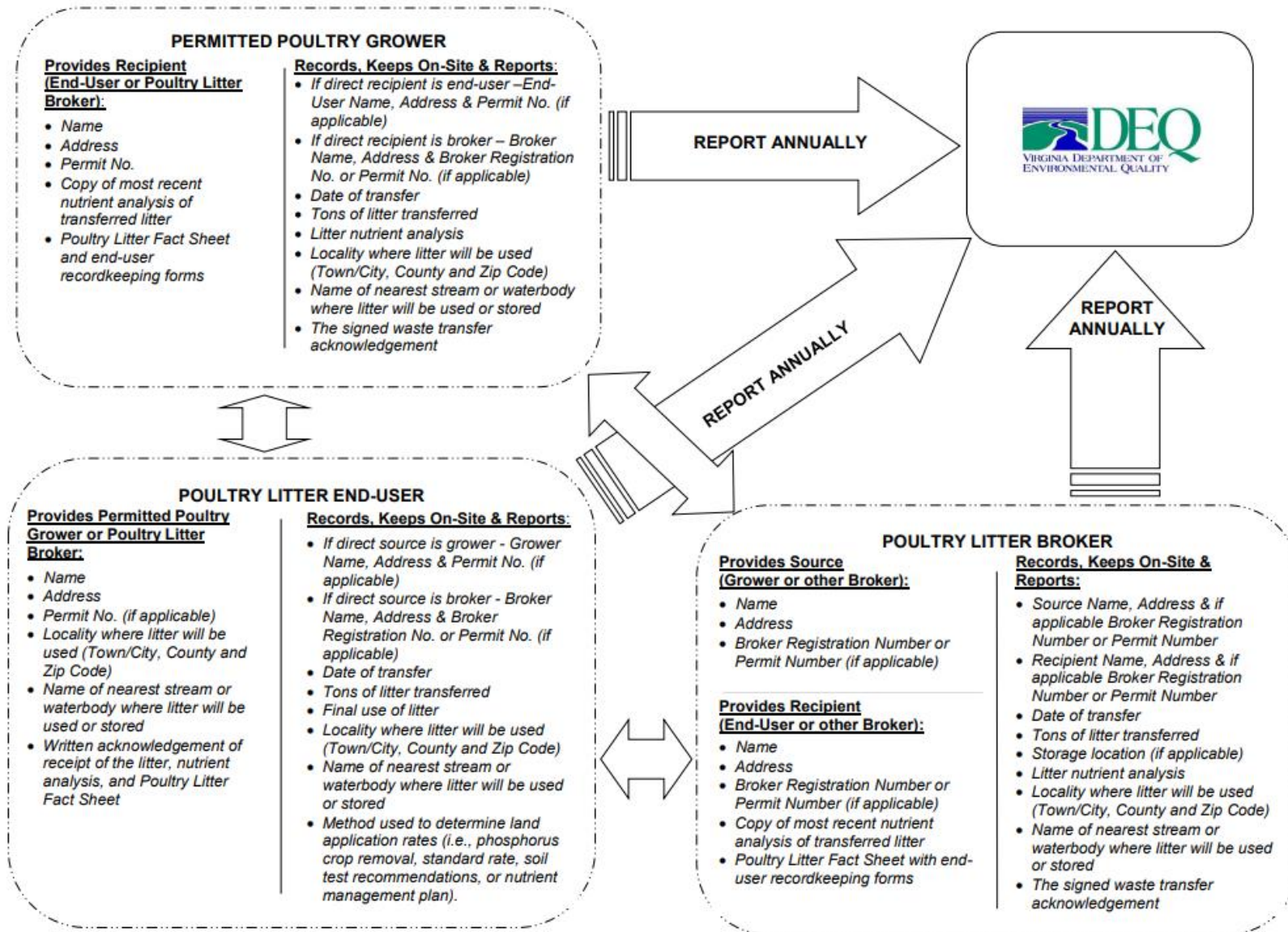


Reporting Requirements for End-Users of Poultry Litter

- Report Annually to DEQ by 9/15 [begins 2024]
 - Name and address: source and recipient
 - Amount of manure
 - Date of transaction
 - Final use (fertilizer, digester feedstock, etc.)
 - Locality where used
 - Nearest stream or waterbody
 - Method used to determine land application rate



Poultry Waste Transfer Recordkeeping and Reporting Requirements



Effective 02/17/2021

Questions?



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www.deq.virginia.gov (Search “Poultry Waste”)