

Supplement 15
Waiver Request for Manure Storage Setback Requirements

Supplement 15 provides the Waiver Request for Manure Storage Setback Requirements. The Waiver Request for Manure Storage Setback Requirements is also available and posted as a Word document with the Supplement 15 materials on the PA Nutrient Management Program web site:

http://panutrientmgmt.cas.psu.edu/main_technical_manual.htm

For additional information about the Waiver Request for Manure Storage Setback Requirements see “*Section III: Minimum Standards for Manure Storage Facilities*”.

Waiver Request for Manure Storage Setback Requirements

Date: _____

Name: _____

Address: _____

City, State, ZIP: _____

County: _____ Township: _____

Directions to Farm: _____

I hereby request the setback of 100 feet from a perennial stream, river, spring, private well, lake, pond or reservoir required by the Nutrient Management Act be waived for the construction of a manure storage facility on the above farm. I have included a sketch of the operation showing the proposed location of the manure storage facility, farm buildings and the body of water in question.

I understand that a delegated conservation district or the State Conservation Commission can grant a waiver only for agricultural operations that existed prior to October 1, 1997. I further understand that the following criteria will be used by the reviewing agency in consideration of the requested waiver:

- ___ The placement of the manure storage facility outside the setback area is found to be physically impractical or economically unreasonable. (Increase cost \$5,000 or 50%, whichever is less)
- ___ The placement of the manure storage facility within the setback area has been determined to adequately protect the surrounding area from off-site migration of manure, or, the placement of the facility outside the setback area would increase the probability of off-site migration of manure.
- ___ The design and construction of the facility shall meet PA Technical Guide standards and be certified by the contractor and the Engineer of Record.
- ___ The operator shall allow for annual inspection of the manure storage facility when empty
- ___ Where applicable, the loading/unloading area shall be designed to retain, or divert from off-site migration, 3,000 gallons of manure. If required, the retention area shall be designed for recollection of the manure for field application.
- ___ The manure storage facility shall not utilize a gravity unloading system.
- ___ The foundation, floor and walls of the manure storage facility shall be protected against erosion and flotation from the 25-year flood event.
- ___ The top of the manure storage facility shall be above the 100-year flood elevation.
- ___ A written Operation & Maintenance plan, to include a site-specific contingency plan, shall be developed, reviewed and implemented for the facility.
- ___ Where appropriate, a secondary check valve shall be installed in loading/unloading equipment, to assure that manure cannot freely flow out of the storage if there is a primary valve or equipment failure.
- ___ If applicable, the private water well construction meets the criteria that the Commission, in consultation with NRCS, deems necessary to protect water quality.

Operator's Signature: _____