Manure management issues for 2011 and beyond

Angela Rieck-Hinz

Iowa State University, amrieck@iastate.edu

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Manure management issues for 2011 and beyond
Angela Rieck-Hinz, extension program specialist, Agronomy, Iowa State University

The title of this talk should be “Here We Go Again.” Increased regulatory pressure and policy-driven programs developed in the name of protecting water quality are driving manure management issues. This session will look at some of the potential new requirements and possible impacts on manure nutrient management planning in Iowa.

Regulations- State of Iowa

This past year brought a few regulatory changes from DNR. In terms of rule-making, the DNR put forth a “clean-up” rule package that sought to clarify some rules and to develop some new rules from legislation that went back as far as 2002. That rule package was passed earlier this summer. Items of interest include defining an open lot versus a confinement, determining whether you have one facility or two, and some new construction requirements. Perhaps the rule that draws the most attention is the application of manure on snow-covered or frozen ground. Senate File 432 went into effect on July 1, 2009, but the DNR rules on this legislation became effective September 15, 2010. First thing to note is that this law does not apply to manure from open feedlots, dry manure, liquid manure from small animal feeding operations (less than or equal to 500 animal units in confinement), or to liquid manure that can be injected or incorporated appropriately on the same date of application. The law does apply to people applying liquid manure from a confinement feeding operation (more than 500 animal units). The law does not allow the application of liquid manure on snow-covered ground from December 21 to April 1. The law also does not allow the application of liquid manure on frozen ground between February 1 and April 1. The law does define frozen and snow-covered ground. There is an emergency exemption to this law that does allow application due to unforeseen circumstances beyond the producer’s control. These circumstances include, but are not limited to natural disaster, unusual weather conditions or equipment or structural failure. To meet these exemptions you must contact DNR prior to land application.

This particular law has garnered a lot of attention from environmental groups and the EPA. Producers who are affected by this law should also consider how does this affect my involvement in the USDA-NRCS EQIP program and how might I be affected in terms of my NPDES permit? For producers not affected by this law, one needs to ask, can I afford the risk of nutrient loss from winter application, how long before this law might apply to all sources of manure (and commercial nutrients) and do I have enough storage to contain all manure during these months?

Regulations and policy USDA-NRCS

The USDA-NRCS is currently rewriting the 590 Nutrient Management Standard at the national level. At the time this paper was written the national standard was not out for public comment, but early indications show there will be some significant changes to the standard. Once the national standard becomes finalized, the NRCS in Iowa will adopt changes to the Iowa 590 Nutrient Management Standard. Items to watch for in the new standard include: 1) more specific practices identified to address air quality, 2) annual calculation of the Phosphorus Index when manure is applied, 3) manure sample analysis completed by a certified lab, 4) nutrient application rates based on “adaptive management” and, 5) application of poultry litter or dry manure when wind velocity is less than 10 mph.

Regulations - EPA

It is probably safe to say we have not seen any new regulations coming out of EPA, but the terms of the last settlement are still being defined. Earlier in 2010 the EPA began to increase enforcement on medium size CAFOs. They report this will continue in months to come. The enforcement is not a result of new regulations, but to move towards the goal of better water quality. Issues of concern: 1) ventilation pollutants coming into contact with waters of the State, 2) manure application on snow-covered and frozen ground, 3) discharges to road ditches, 4) discharges to “man-made ditch, flushing systems, or other man-made devices”, 5) confinement operations needing NPDES permits, 6) defining best professional judgment.

While many of the issues highlighted in this paper are yet to be resolved, the goal of this presentation was to
highlight the impending changes. Another question to be answered is how will these regulations and policies affect producers who participate in watershed projects. Producers and consultants must be prepared to address these changes and recognize the way we are currently doing nutrient management planning is going to change. Again.